

STAND. COM. REP. NO. 1640

Honolulu, Hawaii

APR 02 2025

RE: S.C.R. No. 44
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.C.R. No. 44, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE STANDING COMMITTEE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEE WHOSE PURVIEW INCLUDES CONSUMER PROTECTION, WITH THE SUPPORT OF THE LEGISLATIVE REFERENCE BUREAU, TO CONVENE A LEGISLATIVE WORKING GROUP TO DETERMINE RECOMMENDATIONS FOR ESTABLISHING APPROPRIATE FAMILY NOTICE AND STANDARDIZED CONSENT PROVISIONS FOR PRE-NEED CONTRACTS GOVERNING CREMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Senate Standing Committee and House of Representatives Standing Committee whose purview includes consumer protection, with the support of the Legislative Reference Bureau, to convene a legislative working group to determine recommendations for establishing appropriate family notice and standardized consent provisions for pre-need contracts governing cremation.

Your Committee received testimony in support of this measure from AARP Hawai'i and two individuals.

Your Committee received testimony in opposition to this measure from Mililani Group, Inc.; Hawaiian Memorial Life Plan, Inc.; Hawaii Funeral and Cemetery Association, Inc.; and Dodo Mortuary, Inc.



Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Legislative Reference Bureau, and one individual.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 2 of this measure, which amends the S.D. 1 by:

- (1) Removing language requesting the support of the Legislative Reference Bureau in convening a working group;
- (2) Clarify that the working group is requested to provide recommendations for family notice and standardized consent provisions for pre-need contracts governing cremation;
- (3) Removing language requesting the working group to identify conditions that may impact the quality and quantity of metal fragments during cremation and recommend the appropriate recycling or disposition of metal surgical implants;
- (4) Clarifying the membership of the working group;
- (5) Amending its title accordingly; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee received testimony in support of the proposed S.D. 2 from the Department of Commerce and Consumer Affairs.

Your Committee finds that cremation has become an increasingly preferred method for final arrangements for many individuals in the State, making the need to address ethical and practical considerations associated with this process as various medical advancements and technologies have merged. Your Committee further finds that families should be adequately informed, and consent properly obtained, with respect to the disposition of incombustible metal implants and other precious metals that may have monetary value, if any are discovered following the cremation



process. This measure requests the establishment of a working group to develop standardized consent provisions to promote transparency and ethical practices within the cremation industry. Your Committee therefore finds that this measure will help prevent any potential misuse or unauthorized sale of incombustible metal implants and ensure that families' wishes are respected and upheld, as well as provide clarity and consistency for both service providers and families.

Your Committee has amended this measure by adopting the proposed S.D. 2 of this measure.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 44, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 44, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



JARRETT KEOHOKALOLE, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <div style="font-family: cursive; font-size: 1.2em;">SCR 44 SD1</div>	Committee Referral: <div style="font-family: cursive; font-size: 1.2em;">AVO, CPN</div>	Date: <div style="font-family: cursive; font-size: 1.2em;">4/1/25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
TOTAL	5			
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-family: cursive; font-size: 1.2em; margin-top: 10px;">Carol Fukunaga</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;"> Distribution: Original File with Committee Report </div> <div style="text-align: center;"> Yellow Clerk's Office </div> <div style="text-align: center;"> Pink Drafting Agency </div> <div style="text-align: center;"> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes