STAND. COM. REP. NO. 813

Honolulu, Hawaii

FEB 2 8 2025

RE: S.B. No. 268 S.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 268, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- Decrease the size of the island burial councils from nine to seven members; and
- (2) Remove the requirement for the councils to include members having development and large property owner interests.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Land and Natural Resources; Association of Hawaiian Civic Clubs; Halau Napuaokamokihanaoha; Nohopapa Hawaii, LLC; Malama Kaua'i; Sierra Club of Hawai'i; Na Alaka'i o 'Ahahui o Hawai'i; Office of Hawaiian Affairs Burial Committee Oahu; Puuhonua o Wailupe; and seventy-two individuals.

Your Committee received testimony in opposition to this measure from eleven individuals.



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Your Committee finds that the preservation and protection of iwi kupuna (ancestral remains) by island burial councils is of profound spiritual and cultural significance to Native Hawaiian people. The current requirement for island burial councils to include representatives with development and large property owner interests does not reflect the dignity and respect owed to this cultural practice and does not reflect the State's trust duty to protect Native Hawaiian cultural practices. The stewardship of iwi kupuna should not be governed by those with monetary interests, but rather by representatives with a deep understanding of the spiritual and cultural responsibilities of their roles. This measure reflects the appropriate governance values of island burial councils by removing the requirement for representatives with development and large property owner interests and accordingly decreasing the total number of members on a council.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 268, S.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

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KARL RHOADS, Chair



The Senate Thirty-Third Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
5B 268,5D1	I HWN, JDC			2/19/25	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:				<u> </u>	
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
GABBARD, Mike (VC)					
CHANG, Stanley					
SAN BUENAVENTURA, Joy A.		1			
AWA, Brenton					
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TOTAL		3			
Recommendation:					
Chair's or Designee's Signatur					
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*Only <u>one</u> measure per Record of Votes