

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii
Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 1021, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO BURIALS,"

begs leave to report as follows:

The purpose of this measure is to:

(1) Allow the Department of Health to accommodate traditional Hawaiian burial practices, such as alkaline hydrolysis or water cremation, to promote the use of traditional Hawaiian burial practices; and

(2) Prohibit the sale, transfer, conveyance, or other disposal or offer for sale of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Hawaiian burials.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Aloha Mortuary; Ken Ordenstein Funerals; Fisher & Associates Consulting, LLC; and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Funeral & Cemetery Association, Inc.; Hawaiian Memorial Life Plan, Ltd.; Nuuanu Memorial Park & Mortuary; Dodo Mortuary, Inc.; Mililani Group, Inc.; Leeward Funeral Homes; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that traditional Hawaiian burial practices, such as alkaline hydrolysis or water cremation, reduce human remains to their skeletal components using a combination of water, heat, and base chemicals such as lye. Your Committee further finds that modern treatment of corpses, such as embalming, involve chemicals that can be harmful to the environment as these chemicals will eventually be released into the soil and aquifers.

Your Committee has amended this measure by:

(1) Including by reference a definition of "traditional Hawaiian burial" for the law on Cemetery and Funeral Trusts, Chapter 441, Hawaii Revised Statutes;

(2) Changing the effective date to July 1, 2060, to encourage further discussion; and

(3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1021, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1021, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on
Health, Human Services, & Homelessness,

RYAN I. YAMANE, Chair