

STAND. COM. REP. NO. 1694

Honolulu, Hawaii  
, 2025

**MAR 28**

RE: H.R. No. 186  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.R. No. 186 entitled:

"HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO EXAMINE AND CONSIDER THE TRANSFER OF NATIVE HAWAIIAN BURIAL SITE MANAGEMENT UNDER CHAPTER 6E, HAWAII REVISED STATUTES, FROM THE STATE HISTORIC PRESERVATION DIVISION TO THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose of this measure is to request the Office of Hawaiian Affairs to convene a working group to examine and consider the transfer of Native Hawaiian burial site management under chapter 6E, Hawaii Revised Statutes, from the State Historic Preservation Division to the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Ohana Unity Party; Pilina Center for Wellbeing; Ko'olaupia Hawaiian Civic Club; Pu'uhonua o Wailupe; Nohopapa Hawai'i, LLC; Huliauapa'a; Environmental Caucus of the Democratic Party of Hawai'i; Kahua O Kakou, Hui (Corp) Humu'ula Kala'i'eha LLC; Hui Iwi Kuamo'o; and numerous individuals. Your Committee received testimony in opposition to this measure from Malama Kakanilua and six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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Your Committee finds that the State has a statutory duty to provide leadership in the preservation, maintenance, and restoration of historic properties and burial artifacts. Currently, the responsibility for the management of Native Hawaiian burial sites falls under the purview of the appropriate Island Burial Council, which is overseen by the State Historic Preservation Division. However, your Committee finds that the State Historic Preservation Division's broader mission to protect and maintain all historic properties has led to conflicts of interest regarding burial sites and fundamental inadequacies in the laws affecting burial sites. Your Committee believes that an appropriate first step to address these inadequacies is to consider whether oversight of Native Hawaiian burial sites should be moved out of the State Historic Preservation Division and into the Office of Hawaiian Affairs, whose mission of advancing the betterment of Native Hawaiians may provide a better fit for appropriately carrying out the State's burial law responsibilities.

Your Committee has amended this measure by:

- (1) Requesting the working group to also consider certain issues and recommend improvements to the process of protecting burial sites and to the effectiveness of the current burial sites program;
- (2) Amending the composition of the working group; 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 186, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 186, H.D. 1.



Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,



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MARK J. HASHEMI, Chair



