
A BILL FOR AN ACT

RELATING TO BURIAL SITES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to provide financial
2 support to the department of land and natural resources for the
3 necessary staff and equipment that is required to execute the
4 duties established in this Act.

5 SECTION 2. Section 6E-43.5, Hawaii Revised Statutes, is
6 amended by amending subsection (e) to read as follows:

7 "(e) Department records relating to the location and
8 description of historic sites, including burial sites,
9 inadvertently discovered human remains, and sites of relocated
10 burials or human remains, if deemed sensitive by a council or
11 the Hawaii historic places review board, shall be confidential."

12 SECTION 3. Section 6E-43.6, Hawaii Revised Statutes, is
13 amended as follows:

14 1. By amending subsection (b) to read:

15 "(b) The discovery shall be reported as soon as possible
16 to the department, the appropriate medical examiner or coroner,
17 and the appropriate police department. As soon as practicable,
18 the department shall notify the appropriate council and the



1 office of Hawaiian affairs. In cases where the department has
2 jurisdiction and the remains are on the site of discovery, the
3 department shall map the coordinates of the location using a
4 global positioning device and record the information."

5 2. By amending subsection (f) to read:

6 "(f) In cases where remains are archaeologically removed,
7 the department shall determine the place of relocation, after
8 consultation with the appropriate council, affected property
9 owners, representatives of the relevant ethnic group, and any
10 identified lineal descendants, as appropriate. The department
11 shall also map the coordinates of the location where the human
12 skeletal remains are to be relocated, or preserved in place,
13 using a global positioning system device, and retain a record of
14 the information; provided that the location shall remain
15 confidential except as to any lineal or cultural descendants.

16 Relocation shall conform with requirements imposed by the
17 department of health, and may be accompanied by traditional
18 ceremonies, as determined by the lineal descendants, or, if no
19 lineal descendants are identified, the appropriate council or
20 representatives of the relevant ethnic group that the department
21 deems appropriate. Specific or special reinterment requests
22 from lineal or cultural descendants may be accommodated provided



1 that the additional expenses incurred are paid by the affected
2 descendants."

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$, or so
5 much thereof as may be necessary for fiscal year 2007-2008, for
6 staff and equipment costs to fulfill the duties set forth in
7 section 1 of this Act.

8 The sum appropriated shall be expended by the department of
9 land and natural resources for the purposes of this Act.

10 SECTION 5. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2007.



REPORT Title:

Burial Sites; Location Recordation; Appropriation

Description:

Requires the Department of Land and Natural Resources to map burial sites that are inadvertently discovered using a global positioning system device and retain records of the location of the site and the site to which the remains are reinterred, if any, keeping the relocation site confidential except as to lineal or cultural descendants. Appropriates \$ for the 2007-2008 fiscal year for staff and equipment necessary to fulfill these requirements. (SD2)

