Februam 9, 201

RE: H.B. No. 1245

H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1245 entitled:

"A BILL FOR AN ACT RELATING TO CEMETERIES,"

begs leave to report as follows:

The purpose of this measure is to implement a long-term solution for Sunset Memorial Park in Pearl City, Oahu. Specifically, this measure:

- (1) Requires the Director of Commerce and Consumer Affairs (Director), in consultation with the Comptroller, to develop strategies for the upkeep, repair, and maintenance of Sunset Memorial Park;
- (2) Authorizes the Director to access the Sunset Memorial Trust Fund to pay for the repair and maintenance of the cemetery; and
- (3) Limits liability for persons maintaining or repairing cemetery grounds.

The Pearl City Neighborhood Board and several concerned individuals supported this measure. The Department of Accounting and General Services, Department of Commerce and Consumer Affairs, Hawaii Association for Justice, and several concerned individuals provided comments.

HB1245 HD1 HSCR WAL HMS 2017-1771

Your Committee has amended this measure by:

- (1)Incorporating the amendments provided by the Department of Commerce and Consumer Affairs, which clarify the limited liability provisions for persons that maintain or repair cemetery grounds as volunteers;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- Making technical nonsubstantive amendments for clarity, (3) 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 is in accord with the intent and purpose of H.B. No. 1245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1245, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

MANE, Chair

State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR113

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1245	WAY CPC	FIN	Teb. 3	2017	
θ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: θ Pass, unamended (as is) Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)					
WAL Members	Aye	s Ayes (W	R) Nays	Excused	
1. YAMANE, Ryan I. (C)	/				
2. KONG, Sam Satoru (VC)					
3. CULLEN, Ty J.K.					
4. EVANS, Cindy					
4. EVANS, Chuy					
5. ICHIYAMA, Linda					
6. LEE, Chris	- V		A TANKS OF THE ANALYSIS OF THE		
7. LOWEN, Nicole E.	/	BY SEL CRANK OF A CALLEST OF COME, FOR CAME			
8. SAY, Calvin K.Y.	V				
9. FUKUMOTO, Beth					
7. POROMOTO, Beth					
TOTAL (9)	9				
	The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					