

STAND. COM. REP. NO. 3763

Honolulu, Hawaii

APR 06 2022

RE: H.B. No. 1894  
H.D. 3  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1894, H.D. 3, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HUMAN REMAINS,"

begs leave to report as follows:

The purpose and intent of this measure is to accommodate the use of both traditional Native Hawaiian burial practices and environmentally-friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committee received testimony in support of this measure from the Council for Native Hawaiian Advancement; Fischer & Associates, LLC; Ken Ordenstein Funerals; and fourteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that, traditionally, Native Hawaiian burial practices were undertaken by the steaming of the deceased's body in an imu until the flesh could be easily removed from the bones, which were then wrapped and returned to the family of the deceased. For over a century, Native Hawaiians have had no culturally appropriate way to bury their loved ones other than a full body burial in a casket in a plot of earth or by flame cremation with ashes and bone fragments. Water cremation is a water-based dissolution process for human remains that uses



alkaline chemicals, heat, agitation, and pressure to gently accelerate natural decomposition. The liquid is considered a sterile wastewater, with no remaining DNA and is discharged with the permission of the local wastewater treatment authority, in accordance with federal, state, and local laws. There are also significant environmental benefits in comparison to traditional flame cremation. This measure, therefore, provides Native Hawaiians and consumers in Hawai'i with an option for burial that is culturally appropriate, clean, and environmentally responsible.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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 H.B. No. 1894, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1894, H.D. 3, S.D. 2.

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




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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1894, HD3, SD1	HTH/HWN, JDC	03-31-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
ACASIO, Laura	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
LEE, Chris	/			
FEVELLA, Kurt		X		
<b>TOTAL</b>	6	1	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes