



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
KA 'OIHANA PILI KĀLEPA
335 MERCHANT STREET, ROOM 310

P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: (808) 586-2850
Fax Number: (808) 586-2856
cca.hawaii.gov

cca.hawaii.gov

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

DEAN I HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Water and Land
Thursday, April 13, 2023
9:00 a.m.
Conference Room 308 and Videoconference**

**On the following measure:
S.C.R. 52, S.D. 1, REQUESTING THE CONVENING OF A SUNSET MEMORIAL
WORKING GROUP TO STUDY POTENTIAL SOLUTIONS AND MAKE
RECOMMENDATIONS FOR A LONG-TERM MANAGEMENT PLAN, FOR SUNSET
MEMORIAL PARK**

Chair Ichiyama and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Department of Commerce and Consumer Affairs' (Department), Professional and Vocational Licensing Division's, Cemetery and Funeral Trusts Program. The Department appreciates the intent of this measure and offers comments.

The purposes of this resolution are for the Department to: (1) study potential solutions for the legal and physical situation at Sunset Memorial Park; (2) make recommendations for a long-term management plan; (3) follow up with the Department on any developments since the enactment of Act 193; and (4) submit a report of its findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

The Department appreciates the Legislature's continued leadership and support and the leadership of area legislators towards finding both short and long-term solutions to the issues affecting Sunset Memorial. While the Department continues to work on locating a viable candidate to take over the cemetery, it fully supports the provisions of this measure that will assist in studying potential solutions and developing a long-term management plan.

The Department would like to emphasize that its familiarity with cemetery operations is focused on the consumer protection aspects of ensuring that a cemetery handles consumer funds appropriately. Since Act 193 was enacted, the Department has worked with several parties to assume ownership and/or maintain Sunset Memorial without much success.

The Department does not have the appropriate expertise necessary to put forth new solutions or provide guidance beyond what has already been previously proposed. Consequently, the Department would have to contract the services of experts with knowledge and experience in matters related to property law and business development. A business consultant would be needed to assist the Department in evaluating, defining, and documenting a business development strategy.

Currently, the Department's budget does not contain any funds to contract the services of a business consultant, and thus it would require additional funding to perform the study. In addition, the Department is also subject to the State Procurement Code in contracting these services. It is highly improbable that the Department will be able to undertake such a project, which would include drafting a request for proposal for services, selecting a contractor, receiving and approving the contractor's work product, and issuing a report to the Legislature within the timeframe provided in the measure.

The Department would like to respectfully request that the Legislature give careful consideration when exploring certain long-term options that may not be practical or appropriate for the State, namely a possible State takeover of Sunset Memorial, and the utilization of perpetual care funds for purposes other than what is authorized by law.

Thank you for the opportunity to testify on this measure.

TESTIMONY OF

LARRY S VERAY

TO THE COMMITTEE ON WATER & LAND

MOST STRONGLY SUPPORT SCR52, SD1

REQUESTING THE CONVENING OF A SUNSET MEMORIAL PARK WORKING GROUP TO STUDY POTENTIAL SOLUTIONS AND MAKE RECOMMENDATIONS FOR A LONG-TERM MANAGEMENT PLAN, FOR SUNSET MEMORIAL PARK.

April 11, 2023

Aloha, Chair Linda Ichiyama, Vice Chair Mahina Poepoe and Committee members. Thank you for allowing me the opportunity to provide testimony on SCR52, SD1. I am Chair for the Pearl City Neighborhood Board No. 21. I am submitting this testimony on behalf of our board, residents of Pearl City and importantly the many families in Hawaii who have their loved ones buried at Sunset Memorial Park Cemetery in Pearl City.

Currently, we have an urgent situation with Sunset Memorial Park Cemetery because of continued desecration by homeless individuals living in the Mausoleums. The owner passed away over a decade ago and shortly after his death, the transients and squatters broke into the owners small building office that was on the property and then burned the building down with all the records of burial plots lost. For many years after, families have had difficulty arranging for burials of their families into the plots they previously paid for with the owner. Over the past years, there have been numerous incidents of cemetery desecration of the headstones, grave sites, Crypts and Mausoleum area. Transients have broken into the crypts stealing jewelry of bodies, broke into mausoleums stealing copper urns. The most devastating desecration was the discovery of 25 headstones taken off grave sites and used for flooring in a homeless encampment.

As Chair for the Pearl City Neighborhood Board, I could not turn a blind eye on the many families who reached out to me for help. I led numerous community cleanups at the cemetery but primary grooming of the cemetery has been done by the Vietnam Army Vets Association and the few families that have time to take care of their own plots. There were 12 Vietnam Vet senior citizen members weed-whacking twice a week in grass cutting but now there are only two able to groom the cemetery weekly due to their health and aging issues. I have recruited the Church groups and the military to assist in the cleanups. Representative Gregg Takayama and former Representative Roy Takumi have lobbied for the many families but we still have not received assistance from the State. This is a losing battle with aging Kupuna that can't continue to groom the cemetery. Furthermore, I initiated a Non-Profit 501c but I have not been able to move forward to come in compliance with DCCA requirements. The homeless are occupying mausoleums and we are not authorized to trespass those who continue to pillage the cemetery.

I most strongly urge you to support and approve SCR52, SD1 and identify a long-term management plan to take over Sunset Memorial Park. Mahalo!

Very respectfully,

Larry S. Veray

