

MAR 09 2023

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## SENATE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY POTENTIAL SOLUTIONS AND MAKE RECOMMENDATIONS FOR A LONG-TERM MANAGEMENT PLAN, FOR SUNSET MEMORIAL PARK.

1           WHEREAS, Sunset Memorial Park in Pearl City, Oahu, has been  
2 neglected for years and has been the subject of numerous  
3 complaints by people who have family members buried there; and  
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5           WHEREAS, the years of neglect have led to a damaged  
6 mausoleum, sinking graves, and overgrown grass and bushes that  
7 cover up hundreds of graves, making it nearly impossible to  
8 access some graves; and  
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10           WHEREAS, due to the lack of security, Sunset Memorial Park  
11 is often the target of vandalism, with thieves displacing ashes  
12 from copper urns to sell the urns and homeless encampments  
13 accidentally setting fire to the area; and  
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15           WHEREAS, the company that owns Sunset Memorial Park  
16 involuntarily dissolved in 2006 and the company's owner passed  
17 away in 2011, leaving the property in legal limbo; and  
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19           WHEREAS, since the passing of the property's owner,  
20 maintenance of Sunset Memorial Park has relied solely on  
21 volunteers to clean up and care for the cemetery; and  
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23           WHEREAS, the Legislature enacted Act 193, Session Laws of  
24 Hawaii 2018 (Act 193), in response to the overwhelming number of  
25 volunteers at Sunset Memorial Park, to limit liability for  
26 volunteers maintaining or repairing cemetery grounds; and  
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28           WHEREAS, Act 193 further required the Department of  
29 Commerce and Consumer Affairs, in consultation with the  
30 Department of Accounting and General Services, to develop short-  
31 term and long-term strategies for the upkeep, repair, and  
32 maintenance of Sunset Memorial Park; and



1  
2 WHEREAS, as a result of Act 193, the Department of Commerce  
3 and Consumer Affairs worked with a surveyor to map the cemetery  
4 and create a website and database to help identify graves at  
5 Sunset Memorial Park; and

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7 WHEREAS, the report from the Department of Commerce and  
8 Consumer Affairs concluded that once inventory and mapping of  
9 the cemetery are complete, the Department will explore viable  
10 long-term options for the cemetery, such as deeming Sunset  
11 Memorial Park as a dissolved corporation under state law,  
12 exercising certain powers to settle any unfinished business and  
13 affairs of the cemetery, and distributing the cemetery's assets  
14 after identifying those with a legal interest in the cemetery;  
15 and

16  
17 WHEREAS, almost five years have passed since the enactment  
18 of Act 193, and a long-term plan or solution regarding Sunset  
19 Memorial Park is still not in place; and

20  
21 WHEREAS, the dilapidated, unsightly state of Sunset  
22 Memorial Park is of great concern for the families whose loved  
23 ones are buried there and the surrounding community; now,  
24 therefore,

25  
26 BE IT RESOLVED by the Senate of the Thirty-second  
27 Legislature of the State of Hawaii, Regular Session of 2023,  
28 that the Legislative Reference Bureau is requested to study  
29 potential solutions for the legal and physical situation at  
30 Sunset Memorial Park and make recommendations for a long-term  
31 management plan; and

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33 BE IT FURTHER RESOLVED that the Legislative Reference  
34 Bureau is requested to follow up with the Department of Commerce  
35 and Consumer Affairs on any developments since the enactment of  
36 Act 193; and

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38 BE IT FURTHER RESOLVED that in conducting the study, the  
39 Legislative Reference Bureau is requested to consult with the  
40 following:

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42 (1) The Department of Commerce and Consumer Affairs;



# S.R. NO. 47

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- (2) The Department of Accounting and General Services;
- (3) The Department of the Attorney General;
- (4) The Pearl City Neighborhood Board (District 21);
- (5) Friends for Sunset Memorial Park Cemetery;
- (6) Members of the community who have family buried at Sunset Memorial Park; and
- (7) Any other entity or individual the Bureau deems necessary to complete the study; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of Commerce and Consumer Affairs, Comptroller, Attorney General, Chair of the Pearl City Neighborhood Board, and Friends for Sunset Memorial Park Cemetery.

OFFERED BY:


 A handwritten signature in black ink, appearing to be "R. O. O.", written over a horizontal line.
