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Testimony of the Department of Commerce and Consumer Affairs

Before the
House Committee on Finance
Thursday, February 22, 2024
10:00 a.m.
Conference Room 308 and Videoconference

On the following measure:
H.B. 2192, H.D. 1, RELATING TO CEMETERIES

Chair Yamashita 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 supports this bill.

The purpose of this bill is to authorize the Department's director to appoint an organization as the limited owner of a cemetery, under certain circumstances, for the purposes of perpetual care and security measures.

House Concurrent Resolution 29, House Draft 1 (H.C.R.29, H.D. 1) requested the Department to study potential solutions for the legal and physical situation at Sunset Memorial Park (Sunset) and make recommendations for a long-term management plan. The resolution also requested the Department to consult with other agencies and entities deemed necessary to assist with completing the study.

Much of Sunset's legal and physical issues are because the cemetery is owned by a now defunct corporation with no surviving officers and there is no licensee authorized by the Department to operate the cemetery. Responses from both the Honolulu Police Department and the Department of Health have made it clear that an owner and/or legal representative is required to address many of the security and physical upkeep concerns of the cemetery. As an immediate solution to the security and safety concerns at Sunset, this bill will permit the Director of the Department to appoint a limited owner of a cemetery for which no owner can be found and will authorize the limited owner to: (1) file complaints with the appropriate law enforcement authorities against persons engaged in wrongful acts at the cemetery; and (2) install security measures to deter trespassers from entering the property.

The Department recognizes that the proposed amendment to Chapter 662D, Hawaii Revised Statutes will not solve all concerns identified by the Legislature regarding Sunset. However, the Department hopes the step taken by this measure will create a foundation towards securing the property and support community efforts to keep the cemetery free of crime, litter, and habitual trespassers.

Thank you for the opportunity to testify on this bill.

**TESTIMONY OF
LARRY S VERAY**

TO THE COMMITTEE ON FINANCE

IN STRONG SUPPORT OF HB2192 HD1

RELATED TO CEMETERIES

February 20, 2024

Aloha, Chair Yamashita, Vice Chair Kitagawa and Committee members. Thank you for allowing me the opportunity to provide testimony in strong support of HB2192 HD1, a very important House Bill that could positively impact hundreds of families who have their loved ones buried and interred at Sunset Memorial Park Cemetery in Pearl City. I am Larry Veray, Chair for the Pearl City Neighborhood Board No. 21; I am submitting this testimony representing our board as a whole and the numerous senior citizens who are unable to provide testimony because they have language issues and are not computer literate to voice their testimony.

For the past decade, Sunset Memorial Park Cemetery has been pillaged by homeless and transients desecrating hundreds of family plots, mausoleums and crypts. Since the owner over a decade ago, community volunteers, veterans, church groups and nonprofits groups have groomed the cemetery trying to keep it presentable despite the many challenges in maintaining the cemetery. I have taken the lead, forming Friends for Sunset Memorial Cemetery Domestic Nonprofit which is made up of proven community volunteer leaders who care about those families of the cemetery.

This bill is so important for our nonprofit to secure, improve the cemeteries appearance and find creative, innovative and resourceful ideas to obtain special funding grants to generate the much-needed funds to support contract maintenance and make the necessary costly repairs to the cemetery without putting the burden on the public for continued volunteer work.

Passing of this bill is at no cost to the state the DCCA will select a limited owner to trespass individuals squatting and pillaging the cemetery and that limited owner will secure, repair and beautify the cemetery for all the families to be proud where there loved ones are buried.

I most strongly urge you to approve HB2192 HD1. Mahalo!

Larry S. Veray