

Honolulu, Hawaii

FEB 28 2025RE: S.B. No. 268
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 268, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Decrease the size of the island burial councils from nine to seven members; and
- (2) Remove the requirement for the councils to include members having development and large property owner interests.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Land and Natural Resources; Association of Hawaiian Civic Clubs; Halau Napuaokamokihanaoha; Nohopapa Hawaii, LLC; Malama Kaua'i; Sierra Club of Hawai'i; Na Alaka'i o 'Ahahui o Hawai'i; Office of Hawaiian Affairs Burial Committee Oahu; Puuhonua o Wailupe; and seventy-two individuals.

Your Committee received testimony in opposition to this measure from eleven individuals.



Your Committee finds that the preservation and protection of iwi kupuna (ancestral remains) by island burial councils is of profound spiritual and cultural significance to Native Hawaiian people. The current requirement for island burial councils to include representatives with development and large property owner interests does not reflect the dignity and respect owed to this cultural practice and does not reflect the State's trust duty to protect Native Hawaiian cultural practices. The stewardship of iwi kupuna should not be governed by those with monetary interests, but rather by representatives with a deep understanding of the spiritual and cultural responsibilities of their roles. This measure reflects the appropriate governance values of island burial councils by removing the requirement for representatives with development and large property owner interests and accordingly decreasing the total number of members on a council.

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 S.B. No. 268, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



