

JAN 23 2025

A BILL FOR AN ACT

RELATING TO BURIAL SITES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that traditional Hawaiian
2 burials play a critical role in Hawaiian culture. A recognized
3 traditional Hawaiian practice for treatment of human remains
4 involves reducing the remains to its skeletal remains, known as
5 'iwi, and interring the 'iwi in a hana'i made of kapa or lauhala.
6 The cultural significance of 'iwi is deeply rooted in Native
7 Hawaiian oral traditions, language, and culture. Native
8 Hawaiian burial traditions acknowledge the natural cycles of
9 life and death. 'Iwi are vital to the perpetuation of living
10 Native Hawaiians, as they are the lasting embodiment of
11 ancestors and a continuous genealogical link from past, present,
12 and future generations.

13 The legislature further finds that coastal erosion is an
14 increasing threat to Hawaiian burial sites. The effects of
15 climate change pose a significant threat to 'iwi exposed or
16 likely to be exposed by coastal erosion caused by rising sea
17 levels. Recent extreme weather events such as torrential rains



1 and king tides have catalyzed coastal erosion in low-lying
2 areas, which increase the likelihood of landslides and high
3 surface runoff. Unidentified 'iwi in coastal areas are at severe
4 risk of being exposed and compromised by coastal erosion that
5 may impact burial sites as early as 2030.

6 Accordingly, the purpose of this Act is to create an inter-
7 division program within the department of land and natural
8 resources consisting of certain agencies to address the location
9 of Hawaiian burial sites and safe movement and restoration of
10 'iwi that are exposed or likely to be exposed due to coastal
11 erosion.

12 SECTION 2. (a) The state historic preservation division
13 of the department of land and natural resources shall establish
14 an inter-division program to address the location, movement,
15 relocation, and restoration of Hawaiian burial sites that are
16 exposed or likely to be exposed by coastal erosion due to
17 climate change. The state historic preservation division shall
18 collaborate with the land division, office of conservation and
19 coastal lands, island burial councils, office of Hawaiian
20 affairs, and Aha Moku in the development of the program.

21 (b) The inter-division program shall:



1 (1) Examine the fiscal impacts of the movement and
2 relocation of 'iwi affected by coastal erosion to
3 locations inland that maintain lineal genealogical or
4 cultural connections;

5 (2) Take appropriate steps to move and relocate 'iwi from
6 impacted burial sites to areas further inland within
7 the same moku; provided that recognized lineal or
8 cultural descendants approve of the relocation; and

9 (3) Provide guidance and technical assistance to
10 communities, organizations, and other stakeholders
11 with lineal genealogical or cultural connections to
12 the impacted 'iwi.

13 (c) The state historic preservation division may adopt
14 rules in accordance with chapter 91, Hawaii Revised Statutes, to
15 carry out the purposes of this section.

16 (d) The inter-division program shall collaborate with
17 interested stakeholders, including appropriate Hawaiian
18 organizations, property owners, community organizations, and
19 other state and county government agencies and private
20 organizations concerned with the location and movement of 'iwi
21 from areas impacted by coastal erosion caused by climate change.



1 (e) The state historic preservation division shall submit
2 a report of its findings and recommendations, including any
3 proposed legislation, to the legislature no later than twenty
4 days prior to the convening of the regular session of 2026.

5 SECTION 3. For 'iwi found, the office of Hawaiian affairs
6 shall cover costs related to the movement and relocation of 'iwi
7 impacted by coastal erosion. For non-Hawaiian human remains,
8 the department of land and natural resources shall utilize funds
9 appropriated in this Act to move and relocate remains in areas
10 impacted by coastal erosion.

11 SECTION 4. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2025-2026 and
14 the same sum or so much thereof as may be necessary for fiscal
15 year 2026-2027 for the development of policies and procedures to
16 advance the purposes of this Act and for the movement and
17 restoration of non-Hawaiian burial sites impacted by coastal
18 erosion or likely to be impacted by coastal erosion.

19 The sums appropriated shall be expended by the department
20 of land and natural resources for the purposes of this Act.

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1 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:





S.B. NO. 1266

Report Title:

DLNR; Inter-Division Program; Burial Sites; Relocation; Coastal Erosion; Report; Appropriations

Description:

Establishes an inter-division program within the Department of Land and Natural Resources consisting of certain agencies to address the location, movement, and restoration of Hawaiian burial sites or 'iwi, exposed or likely to be exposed by coastal erosion. Requires a report to the Legislature. Makes appropriations.

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