

Honolulu, Hawaii
, 2026

MAR 06

RE: H.B. No. 2104
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2104, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Extend the time to fill vacancies that occur during an Island Burial Council member's term;
- (2) Provide per diem compensation in the form of a stipend for Island Burial Council members representing geographic regions; and
- (3) Revise the Island Burial Councils' quorum for business to be a majority of the appointed council members.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; Ko'olau Foundation; Avalon Development; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and Office of Planning and Sustainable Development.



Your Committee finds that Island Burial Councils play a critical role in safeguarding burial sites and advising the Department of Land and Natural Resources in decisions affecting Native Hawaiian ancestral remains. Your Committee recognizes that the effectiveness of Island Burial Councils has been limited by persistent vacancies, uncompensated service, and insufficient staff support. This measure promotes the efficacy of Island Burial Councils by extending the period to fill vacancies, providing compensation to council members, and updating quorum requirements.

Your Committee has amended this measure by:

- (1) Specifying that council members may receive stipends only for expenses actually incurred, subject to documentation requirements established by the Office of Hawaiian Affairs and payable from available funds of the Office of Hawaiian Affairs; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2104, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2104, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



