HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO REVIEW THE EXISTING SYSTEM AND PROCEDURES FOR THE REVIEW AND PRESERVATION OF NATIVE HAWAIIAN BURIAL SITES, INCLUDING DETERMINING FAIR AND EFFECTIVE PENALTIES FOR PERSONS WHO NEGLIGENTLY OR INTENTIONALLY DAMAGE SUCH SITES.

WHEREAS, the protection and preservation of prehistoric and historic Native Hawaiian burial sites helps to ensure that Native Hawaiian culture be perpetuated, preserved, and afforded dignity and respect; and

WHEREAS, in Native Hawaiian culture, ancestral bones, or iwi, possess the person's mana, or spiritual essence; after death, only the iwi are considered sacred because they contain the person's mana; and

WHEREAS, Native Hawaiians interred the remains of the deceased at night to prevent enemies from locating them and stealing, degrading, or otherwise using the spiritual power contained in the remains; and

WHEREAS, for Native Hawaiians today, the proper treatment of ancestral bones remains essential to avoid insulting the person's spirit or bringing trauma and harm to living descendants; and

WHEREAS, many Native Hawaiians want ancestral burial sites be left in place and undisturbed; however, construction in Hawaii has often resulted in the inadvertent finding of iwi; and

WHEREAS, a person who negligently or intentionally damages a place of burial is committing an offense against that site; and
WHEREAS, because the disinterring of ancient Hawaiian burial sites has such far-reaching implications for Native Hawaiians based upon the importance of the proper treatment of the ancestral iwi, the Island Burial Councils were created in 1990 within the Historic Preservation Division of the Department of Land and Natural Resources to make recommendations on the treatment of inadvertently discovered Native Hawaiian skeletal remains; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that the Department of Land and Natural Resources is requested to convene a working group to review the existing system and procedures for the review and preservation of Native Hawaiian burial sites, including determining fair and effective penalties for persons who negligently or intentionally damage such sites; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources, Administrator of the State Historic Preservation Division of the Department of Land and Natural Resources, Director of the Kamakakuokalani Center for Hawaiian Studies at the University of Hawaii, Chairperson of each Island Burial Council, and the Directors of the Kanaka Council Moku o Keawe and Hui Malama I Na Kupuna O Hawaii Nei.

OFFERED BY:

MAR 1, 2010

[Signatures]