

JAN 18 2013

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 the island burial
2 councils were established by Act 306, Session Laws of Hawaii
3 1990, to provide additional protection for Native Hawaiian
4 burial sites of high preservation value, or prehistoric or
5 historic burials associated with important individuals or events
6 or important individuals that have known lineal descendants.
7 Title 13, Hawaii Administrative Rules, chapter 300, of the
8 department of land and natural resources further clarifies
9 procedures and protocols related to burial sites and human
10 remains.

11 The legislature recognizes and respects the difficulties
12 faced by the island burial councils, particularly in those cases
13 where a lineal or cultural descendant of Native Hawaiian
14 skeletal remains that are interred at a burial site cannot be
15 established to the satisfaction of a council. In these
16 instances, a deferral pending submission of additional
17 information may delay indefinitely a decision regarding the
18 burial treatment plan for the Native Hawaiian skeletal remains.



1 The purpose of this Act is to establish a task force to
2 develop additional procedures and protocols in the event a
3 lineal or cultural descendant of Native Hawaiian skeletal
4 remains that are interred at a burial site cannot be
5 established.

6 SECTION 2. (a) The department of land and natural
7 resources shall convene a task force to develop additional
8 procedures and protocols in the event a lineal or cultural
9 descendant of Native Hawaiian skeletal remains that are interred
10 at a burial site cannot be established. In its deliberations,
11 the task force shall consider options for reburial, including
12 reburial on the island of Kahoolawe.

13 (b) The task force shall consist of representatives of the
14 following:

- 15 (1) Department of land and natural resources, historic
16 preservation division;
- 17 (2) Office of Hawaiian affairs;
- 18 (3) Island burial councils;
- 19 (4) Native Hawaiian organizations;
- 20 (5) Members of the Native Hawaiian community with
21 understanding of the culture, history, burial beliefs,
22 customs, and practices of Native Hawaiians; and



1 (6) Others as appropriate.

2 (c) The department of land and natural resources, historic
3 preservation division, shall be responsible for administering
4 the work of the task force, providing a facilitator, and
5 submitting a report to the legislature.

6 (d) Members of the task force shall serve without
7 compensation but shall be reimbursed for expenses, including
8 travel expenses, necessary for the performance of their duties.

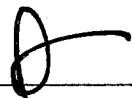
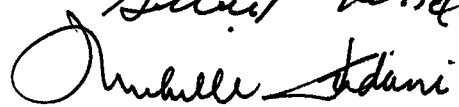
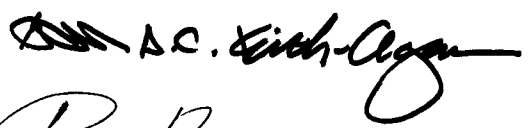
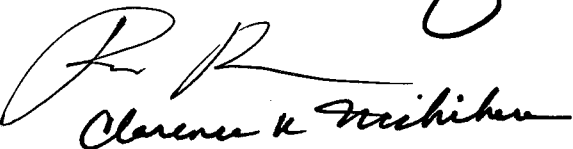

9 (e) The task force shall submit a report of its findings
10 and recommendations, including any recommendations for
11 legislation, to the legislature and the governor no later than
12 twenty days prior to the regular session of 2014.

13 (f) The task force shall cease to exist on June 30, 2014.

14 SECTION 3. This Act shall take effect on July 1, 2013.

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S.B. NO. 234

Report Title:

Burial Site; Native Hawaiian Skeletal Remains; Task Force

Description:

Establishes a task force to develop additional procedures and protocols in the event a lineal or cultural descendant of Native Hawaiian skeletal remains that are interred at a burial site cannot be established.

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