

STAND. COM. REP. NO.

1367

Honolulu, Hawaii

APR 08 2015

RE: H.B. No. 1297
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1297, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the penal
code to allow for the preparation of a corpse for burial and
burial of a corpse consistent with traditional Hawaiian cultural
customs and practices.

Your Committee received testimony in support of this measure
from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that this measure would allow for the
preparation and burial of iwi to be cost efficient and a more
efficient use of limited burial space. Your Committee further
finds that a large number of the requests for financial assistance
made to the Office of Hawaiian Affairs each year arise from
funeral and burial costs that the families cannot afford. This
measure would help to address this situation.

Your Committee has amended this measure by deleting its
contents and inserting language from S.B. No. 1166, S.D. 2
(Regular Session of 2015), a substantially similar companion
measure that was earlier passed by the Senate, which:



- (1) Provides that the preparation of a corpse for burial or cremation in a manner consistent with traditional Hawaiian cultural customs and practices and the burial or cremation of a corpse prepared consistent with traditional Hawaiian customs and practices shall not constitute the abuse of a corpse within the penal code; and
- (2) Inserts an effective date of January 7, 2059.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1297, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1297, H.D. 1, S.D. 1.

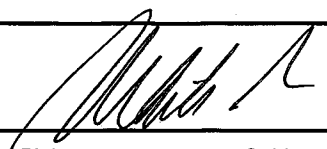
Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1297 HD1	HWN, JDL	3/30/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes