

MAR 09 2023

SENATE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY POTENTIAL SOLUTIONS AND MAKE RECOMMENDATIONS FOR A LONG-TERM MANAGEMENT PLAN, FOR SUNSET MEMORIAL PARK.

1 WHEREAS, Sunset Memorial Park in Pearl City, Oahu, has been
2 neglected for years and has been the subject of numerous
3 complaints by people who have family members buried there; and
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5 WHEREAS, the years of neglect have led to a damaged
6 mausoleum, sinking graves, and overgrown grass and bushes that
7 cover up hundreds of graves, making it nearly impossible to
8 access some graves; and
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10 WHEREAS, due to the lack of security, Sunset Memorial Park
11 is often the target of vandalism, with thieves displacing ashes
12 from copper urns to sell the urns and homeless encampments
13 accidentally setting fire to the area; and
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15 WHEREAS, the company that owns Sunset Memorial Park
16 involuntarily dissolved in 2006 and the company's owner passed
17 away in 2011, leaving the property in legal limbo; and
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19 WHEREAS, since the passing of the property's owner,
20 maintenance of Sunset Memorial Park has relied solely on
21 volunteers to clean up and care for the cemetery; and
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23 WHEREAS, the Legislature enacted Act 193, Session Laws of
24 Hawaii 2018 (Act 193), in response to the overwhelming number of
25 volunteers at Sunset Memorial Park, to limit liability for
26 volunteers maintaining or repairing cemetery grounds; and
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28 WHEREAS, Act 193 further required the Department of
29 Commerce and Consumer Affairs, in consultation with the
30 Department of Accounting and General Services, to develop short-



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1 term and long-term strategies for the upkeep, repair, and
2 maintenance of Sunset Memorial Park; and

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4 WHEREAS, as a result of Act 193, the Department of Commerce
5 and Consumer Affairs worked with a surveyor to map the cemetery
6 and create a website and database to help identify graves at
7 Sunset Memorial Park; and

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9 WHEREAS, the report from the Department of Commerce and
10 Consumer Affairs concluded that once inventory and mapping of
11 the cemetery are complete, the Department will explore viable
12 long-term options for the cemetery, such as deeming Sunset
13 Memorial Park as a dissolved corporation under state law,
14 exercising certain powers to settle any unfinished business and
15 affairs of the cemetery, and distributing the cemetery's assets
16 after identifying those with a legal interest in the cemetery;
17 and

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19 WHEREAS, almost five years have passed since the enactment
20 of Act 193, and a long-term plan or solution regarding Sunset
21 Memorial Park is still not in place; and

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23 WHEREAS, the dilapidated, unsightly state of Sunset
24 Memorial Park is of great concern for the families whose loved
25 ones are buried there and the surrounding community; now,
26 therefore,

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28 BE IT RESOLVED by the Senate of the Thirty-second
29 Legislature of the State of Hawaii, Regular Session of 2023, the
30 House of Representatives concurring, that the Legislative
31 Reference Bureau is requested to study potential solutions for
32 the legal and physical situation at Sunset Memorial Park and
33 make recommendations for a long-term management plan; and

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35 BE IT FURTHER RESOLVED that the Legislative Reference
36 Bureau is requested to follow up with the Department of Commerce
37 and Consumer Affairs on any developments since the enactment of
38 Act 193; and

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40 BE IT FURTHER RESOLVED that in conducting the study, the
41 Legislative Reference Bureau is requested to consult with the
42 following:



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- (1) The Department of Commerce and Consumer Affairs;
- (2) The Department of Accounting and General Services;
- (3) The Department of the Attorney General;
- (4) The Pearl City Neighborhood Board (District 21);
- (5) Friends for Sunset Memorial Park Cemetery;
- (6) Members of the community who have family buried at Sunset Memorial Park; and
- (7) Any other entity or individual the Bureau deems necessary to complete the study; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Commerce and Consumer Affairs, Comptroller, Attorney General, Chair of the Pearl City Neighborhood Board, and Friends for Sunset Memorial Park Cemetery.

OFFERED BY: _____


