

MAR 07 2014

SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII STATE JUDICIARY TO ESTABLISH AND CONVENE
AN ENVIRONMENTAL COURT TASK FORCE TO DESIGN AN APPROPRIATE
COURT SYSTEM FOR ADJUDICATING VIOLATIONS OF LAWS
ESTABLISHED TO PROTECT HAWAII'S ENVIRONMENT, NATURAL
RESOURCES, AND PUBLIC HEALTH.

1 WHEREAS, constant vigilance and stewardship is necessary to
2 maintain the stability of the environment's natural systems and
3 to ensure its lasting beauty, cleanliness, and uniqueness, all
4 of which enhance the mental and physical well-being of Hawaii's
5 people; and

6
7 WHEREAS, environmental disputes are currently addressed in
8 a variety of legal and administrative fora, which fosters
9 confusion, undermines compliance, fuels further litigation, and
10 inadvertently promotes inefficiency and inconsistent application
11 of complex and interconnected environmental laws; and

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13 WHEREAS, environmental statutes and rules are very
14 technical and require considerable study before decision-makers
15 are knowledgeable enough to rule in these cases; and

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17 WHEREAS, consistent application of environmental laws plays
18 a critical role in the management and protection of Hawaii's
19 natural and cultural resources; and

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21 WHEREAS, consolidating environmental and natural resource
22 law cases in one court with expert adjudicators would facilitate
23 the timely, fair, and equitable disposition of these cases; and

24
25 WHEREAS, establishing an appropriate court system to
26 adjudicate violations of the State's environmental laws would
27 help improve enforcement of these laws, enhance reliability in
28 the interpretation of and compliance with these laws, and result
29 in a cleaner environment and better public health for all of
30 Hawaii's residents; now, therefore,



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 2 BE IT RESOLVED by the Senate of the Twenty-seventh
 3 Legislature of the State of Hawaii, Regular Session of 2014, the
 4 House of Representatives concurring, that the Hawaii State
 5 Judiciary, in partnership with the Department of Health and the
 6 Department of Land and Natural Resources, is requested to
 7 establish and convene an environmental court task force to
 8 design an appropriate court system for adjudicating violations
 9 of laws established to protect Hawaii's environment, natural
 10 resources, and public health; and

11
 12 BE IT FURTHER RESOLVED that the Hawaii State Judiciary is
 13 requested to invite the following parties to serve as members of
 14 the environmental court task force:

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 16 (1) Representatives from the University of Hawaii William
 17 S. Richardson School of Law;
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 19 (2) A representative from The Outdoor Circle;
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 21 (3) A representative from Keep the Hawaiian Islands
 22 Beautiful; and
 23
 24 (4) Any other parties that the Hawaii State Judiciary
 25 deems prudent; and
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27 BE IT FURTHER RESOLVED the Hawaii State Judiciary is
 28 requested to submit a report of the environmental court task
 29 force's findings and recommendations, including any proposed
 30 legislation, to the Legislature no later than twenty days prior
 31 to the convening of the Regular Session of 2015; and
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33 BE IT FURTHER RESOLVED that certified copies of this
 34 Concurrent Resolution be transmitted to the Chief Justice of the
 35 Supreme Court, Administrative Director of the Courts, Director
 36 of Health, Chairperson of the Board of Land and Natural
 37 Resources, Dean of the University of Hawaii William S.
 38 Richardson School of Law, Executive Director of The Outdoor
 39 Circle, and President of Keep the Hawaiian Islands Beautiful.
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OFFERED BY:

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S.C.R. NO. 133

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