

MAR 07 2014

SENATE 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

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

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

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

S.R. NO. 70

Therese Ann Adams

Jim

Ronald & Bern

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Mike Gethel

