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GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
JUDICIARY**

**Wednesday, March 17, 2017
2:00 P.M.
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 1229
RELATING TO THE ENVIRONMENTAL COURTS**

Senate Bill 1229 proposes to exempt all proceedings relating to parking violations under certain administrative rules from the exclusive, original jurisdiction of the environmental courts. **The Department of Land and Natural Resources (Department) supports this bill.**

The Department believes that most of the parking violations at the State's small boat harbors and state parks do not pose direct or severe impacts to the State's natural or cultural resources and can be easily and more efficiently processed through the regular district courts or the Traffic Violations Bureau of the First Circuit. The alleged violator can choose to pay a stipulated fine without the need to appear before the environmental court. This simplified process will also alleviate the burden placed on the environmental courts.

On the other hand, the Department believes that, under this legislation, those parking violations that may pose an impact on the State's natural or cultural resources can still be prosecuted at the environmental courts. Some examples of this type include illegal parking in a natural area reserve, a plant and wildlife sanctuary, a historic preservation site, certain state park areas, or certain specific conservation areas such as beaches where parking is prohibited.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



The Judiciary, State of Hawai'i

Testimony to the House Committee on Judiciary
Representative Scott Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair

Wednesday, March 15, 2017, 2:00 p.m.
State Capitol, Conference Room 325

by
Calvin C. Ching
Deputy Chief Court Administrator
District Court of the First Circuit

Bill No. and Title: Senate Bill No. 1229, Relating to the Environmental Courts.

Purpose: Exempts all proceedings relating to parking violations under certain administrative rules from the exclusive, original jurisdiction of the environmental courts.

Judiciary's Position:

The Judiciary supports Senate Bill No. 1229.

Exempting all proceedings relating to parking violations under certain administrative rules would help to alleviate the cases in Environmental Court by allowing the public to pay fines or to write a written statement, if applicable, instead of having to appear in court.

Environmental Court has been processing cases for the last 18 months and during this time 27% of the cases heard have been for motor vehicle infractions. For example, there were 293 charges for disregarding a parking sign at a small boat harbor a violation of Hawaii Administrative Rules 13-233-6(4). Taking these types of cases out of Environmental Court will allow the court to focus on more serious environmental cases.

Thank you for the opportunity to testify on Senate Bill No. 1229.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 6:33 PM
To: JUDtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB1229 on Mar 15, 2017 14:00PM*

SB1229

Submitted on: 3/13/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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