

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, February 27, 2018
11:00 AM
State Capitol, Conference Room 308**

**In consideration of
HOUSE BILL 1936, HOUSE DRAFT 1
RELATING TO THE ENVIRONMENTAL COURTS**

House Bill 1936, House Draft 1 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

ROBERT K. MASUDA
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 Finance

Representative Sylvia Luke, Chair
Representative Ty J. K. Cullen, Vice Chair

Tuesday, February 27, 2018 11:00 AM – Agenda #1
State Capitol, Conference Room 308

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

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1936, House Draft 1 Relating to the Environmental Courts.

Purpose: Provides that the environmental courts shall not have exclusive, original jurisdiction over any proceedings relating to parking violations under certain administrative rules and laws. (HB1936 HD1)

Judiciary's Position:

The Judiciary supports House Bill No. 1936, House Draft 1.

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.

Since the Environmental Court began on July 1, 2015, a total of 9,235 Environmental Court-eligible charges have been filed, including 948 parking infractions. 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 this measure.

HB-1936-HD-1

Submitted on: 2/26/2018 9:44:00 AM

Testimony for FIN on 2/27/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rachel L. Kailianu | Individual | Support | Yes |

Comments:

IN STRONG SUPPORT.

LATE

HB-1936-HD-1

Submitted on: 2/26/2018 4:52:51 PM

Testimony for FIN on 2/27/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rafael Bergstom | Individual | Support | No |

Comments: