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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
JUDICIARY

Friday, March 16, 2018
9:30 AM
State Capitol, Conference Room 016

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.

The Department notes that this measure is nearly identical to Senate Bill 2447, Senate Draft 1, which was passed out by this Committee on February 13, 2018.

Thank you for the opportunity to comment on this measure.



The Judiciary, State of Hawai'i

Testimony to the Senate Committee on Judiciary

Senator Brian T. Taniguchi, Chair

Senator Karl Rhoads, Vice Chair

Friday, March 16, 2018 9:30 AM
State Capitol, Conference Room 016

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: 3/15/2018 4:53:04 AM

Testimony for JDC on 3/16/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments: