



*The Judiciary, State of Hawai'i*

**Testimony to the Senate Committee on Ways and Means**

Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Wednesday, April 4, 2018 10:30 AM  
State Capitol, Conference Room 211

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

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 1936, H.D. 1, S.D. 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.

**Judiciary's Position:**

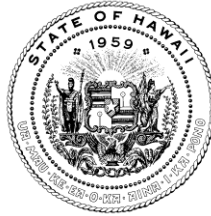
The Judiciary supports House Bill No. 1936, H.D. 1, S.D. 1.

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.

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
WAYS AND MEANS**

**Wednesday, April 4, 2018  
10:30 AM  
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**In consideration of  
HOUSE BILL 1936, HOUSE DRAFT 1, SENATE DRAFT 1  
RELATING TO THE ENVIRONMENTAL COURTS**

House Bill 1936, House Draft 1, Senate 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 measure.**

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 measure, 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.

Lastly, the Department respectfully requests that the original effective date in the measure, "upon its approval" be reinserted.

Thank you for the opportunity to comment on this measure.

**HB-1936-SD-1**

Submitted on: 4/3/2018 3:48:54 AM

Testimony for WAM on 4/4/2018 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments: