



*The Judiciary, State of Hawai'i*

**Testimony to the Twenty-Ninth State Legislature, 2017 Session**

**Senate Committee on Judiciary and Labor**  
The Honorable Gilbert S.C. Keith-Agaran, Chair  
The Honorable Karl Rhoads, Vice Chair

Wednesday, February 8, 2017, 9:10 a.m.  
State Capitol, Conference Room 016

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

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**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.

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
JUDICIARY AND LABOR**

**Wednesday, February 8, 2017  
9:10 AM  
State Capitol, Conference Room 016**

**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 provide testimony 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