

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 1936
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B.
No. 1936, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL COURTS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide that the environmental courts shall not have exclusive, original jurisdiction over any proceeding relating to parking violations under certain laws and administrative rules.

Your Committee received testimony in support of this measure from the Judiciary, Department of Land and Natural Resources, and Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i.

Your Committee finds that the primary focus of the environmental courts is to ensure the fair, consistent, and effective resolution of cases involving the environment in Hawaii. Your Committee further finds that most of the parking violations at the State's small boat harbors and state parks do not pose a direct or severe impact to the environment and can be easily and more efficiently processed through the regular district courts or the Traffic Violations Bureau of the First Circuit. This measure will allow the environmental courts to focus on cases within the



purview of the court while still exercising jurisdiction over those parking cases that do pose an impact to the environment.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2018; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1936, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1936, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


BRIAN T. TANIGUCHI, Chair

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <i>HB 1936, HD1</i>	Committee Referral: <i>JDC, WAM</i>	Date: <i>3/16/18</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes