Honolulu, Hawaii

FEB 0 6 ' 2020

RE: H.B. No. 2454 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2454 entitled:

"A BILL FOR AN ACT RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE,"

begs leave to report as follows:

The purpose of this measure is to protect the public and electric utility employees, ensure reliable electrical service in the State, and decrease damage to critical electrical infrastructure caused by trespassing by establishing the offense of criminal trespass on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Kauai Fire Department, Hawaii Fire Department, and Hawaiian Electric. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure are fundamental to the health, safety, and welfare of the State's residents, visitors, and employees and to the national defense of the country. Your Committee further finds that this measure would provide a proportionate level of protection for this key resource by making criminal trespass on critical electrical infrastructure a felony.

Your Committee has amended this measure by:

- (1) Amending the requisite factors for the offense of criminal trespass on critical electrical infrastructure;
- (2) Providing that entering or remaining unlawfully on the premises of a critical electrical infrastructure constitutes prima facie evidence of a person's intention to commit thereupon a crime against a person or property rights;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2454, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Energy & Environmental Protection,

NICOLE E. LOWEN, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

## Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2454	Committee Referral:  EEP \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\			>
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	7			
2. WILDBERGER, Tina (VC)	7		The state of the state of	
				فندين والمناسسة
3. HAR, Sharon E.				
4. TARNAS, David A.			Tarana ana ana ana ana ana ana ana ana an	
TODD CI				
5. TODD, Chris			다. 다시, 여호대로 사용	
6. YAMANE, Ryan I.				
U. TAMANE, Kyan I.	7			
7. THIELEN, Cynthia			6) (13.74 5 <u>15</u> 68) (14.44) (15.65)	
7. THEBEN, Cyntha				
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TOTAL (7)	7			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				