

STAND. COM. REP. NO.

878

Honolulu, Hawaii

MAR 05 , 2021

RE: H.B. No. 686
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 686, H.D. 1, 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 critical utilities by establishing the class C felony offense of criminal trespass on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Department of Transportation; Honolulu Police Department; Hawaiian Electric Company, Inc.; and one individual. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, Ku-A-Kanaka LLC, Pono Hawai'i Initiative, Malu 'Aina, Ka Lāhui Hawai'i Kōmike Kalai'āina, and numerous individuals.

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. This measure seeks to provide a proportionate level of protection for this key resource. However, your Committee believes that the

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purpose of this measure would be better achieved by amending the existing offense of burglary in the second degree to include intentionally entering or remaining unlawfully on a critical electrical infrastructure.

Your Committee has amended this measure by:

- (1) Deleting language establishing the class C felony offense of criminal trespass on critical electrical infrastructure;
- (2) Inserting language amending the offense of burglary in the second degree to include intentionally entering or remaining unlawfully on a critical electrical infrastructure; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 686, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 686, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



