

STAND. COM. REP. NO. 1004

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 11
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 11, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VEGETATION MANAGEMENT NEAR
UTILITY LINES,"

beg leave to report as follows:

The purpose and intent of this measure is to address
vegetation management near utility lines.

Specifically, this measure:

- (1) Requires the Department of Land and Natural Resources to:
 - (A) Create and update a wildfire hazard map for the State that identifies wild-fire risks on private and public land; and
 - (B) Notify property owners and enforce requirements regarding hazardous vegetation control within utility easements located in certain risk areas;
- (2) Requires public and private landowners to trim hazardous vegetation on their land near utility lines and public rights-of-way on the property;



- (3) Establishes that a utility is not responsible or obligated to trim or remove trees and other vegetation located within or outside the utility's easements or a public right of way;
- (4) Establishes that it is the public or private property owner's responsibility to maintain the areas in and around a utility's easement; and
- (5) Authorizes a public utility to enter public or private property to trim or remove hazardous vegetation and relieves the utility of any liability for the utility's actions in doing so.

Your Committees received written comments in support of this measure from the Climate Change and Health Working Group, Hawaiian Electric, IBEW Local 1260, Kauai Island Utility Cooperative, Lahaina Strong, and twenty-two individuals.

Your Committees received written comments in opposition to this measure from the Hawaii Association for Justice.

Your Committees received written comments on this measure from the Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, and Public Utilities Commission.

Your Committees find that in the aftermath of the devastating 2023 wildfires on Maui, wildfire mitigation is of utmost importance to prevent further widespread destruction and loss. Your Committees further find that trimming and removing grasses, trees, and other vegetation near utility lines is key to wildfire mitigation efforts. This measure offers a program for vegetation management near utility lines and mechanisms to ensure enforcement of the required actions.

Your Committees have amended this measure to improve enforcement and ensure minimum safety standards for work near utility lines by:

- (1) Assigning enforcement responsibilities to the Office of the State Fire Marshal or county fire departments based on whether the violation is on state-owned or private land;



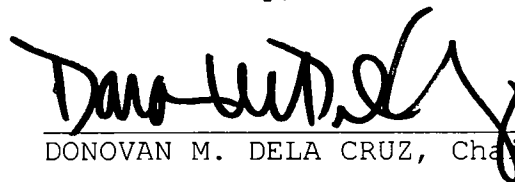
- (2) Deleting language absolving a utility company's obligation to remove vegetation located within the utility company's easement or public right of way;
- (3) Deleting language immunizing a utility company from liability for trimming or removing hazardous vegetation under certain conditions;
- (4) Deleting language immunizing a utility company from liability for failure to determine the existence of hazardous vegetation; and
- (5) Adding professional qualifications and wage requirements relating to hazardous vegetation removal performed under the measure.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 11, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 11, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary,



KARL RHOADS, Chair



DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB11 SD1	Committee Referral: WTL/CPN, WAM/JDC	Date: 2-26-2025		
<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;"> <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div>				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between;"> Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**

**Record of Votes
Committee on Judiciary
JDC**

*Only one measure per Record of Votes