

JAN 24 2019

A BILL FOR AN ACT

RELATING TO ELECTRIC GRID RESILIENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in September 2017,
2 Hurricanes Irma and Maria struck Puerto Rico with devastating
3 force and caused an estimated \$102,000,000,000 in damages to the
4 island, including extensive damage to the island's electrical
5 infrastructure. Some residents in Puerto Rico were left without
6 power for eleven months. The prolonged lack of electrical power
7 left the residents of Puerto Rico without essential services and
8 created a humanitarian crisis. Hawaii is over one thousand five
9 hundred miles further from the mainland United States than
10 Puerto Rico and the distance to additional resources could
11 prolong the recovery process for Hawaii.

12 The legislature also finds that the interdependencies
13 between different critical infrastructure sectors, including
14 energy, water, transportation, and communications, have further
15 complicated restoration efforts in Puerto Rico, underscoring the
16 need for systemic resiliency planning.



1 The legislature further finds that a direct hit on Oahu
2 from a similar category five hurricane would almost certainly
3 cause extensive property damage and extended power outages
4 across the island. Moreover, much of the State's energy-
5 generating infrastructure is susceptible to storm surges due to
6 the structures being located at or near coastlines. The Hawaii
7 emergency management agency estimates that under a best-case
8 scenario it would take at least fourteen days after landfall of
9 a category four hurricane on Oahu to restore eighty per cent of
10 grid power. Most public emergency shelters in the State do not
11 have the capacity to provide two weeks of electrical service and
12 relief from the mainland is dependent upon a functioning airport
13 and seaport.

14 The legislature additionally finds that the risks of a
15 natural disaster increase with the impacts of climate change.
16 Scientists have described 2017 and 2018 as some of the most
17 weather destructive years on record and opined that the number
18 of extreme weather events will continue to increase. The
19 legislature hereby declares that it shall be the policy of the
20 State to ensure that the State is prepared to withstand natural
21 disasters and other emergencies and protect the State's critical



1 infrastructure and its citizens by making investments in grid
2 resiliency. The goals of this policy are to:

- 3 (1) Prevent or reduce the severity of damage to the
4 electric grid due to a natural disaster or state of
5 emergency;
- 6 (2) Enable faster recovery of normal grid operations after
7 a grid outage due to a natural disaster or state of
8 emergency; and
- 9 (3) Maintain critical loads at critical infrastructure,
10 such as hospitals, fire stations, police stations,
11 airports, and seaports during a grid outage due to a
12 natural disaster or state of emergency.

13 The purpose of this Act is to create a homeland security
14 and resiliency council to identify electric grid and other
15 critical infrastructure needs and provide recommendations for
16 enhancing grid and critical infrastructure resiliency throughout
17 the State.

18 SECTION 2. Chapter 128A, Hawaii Revised Statutes, is
19 amended by adding a new section to be appropriately designated
20 and to read as follows:



1 "§128A- Homeland security and resiliency council;
2 membership; duties. (a) There is established a homeland
3 security and resiliency council, which shall be placed within
4 the office of homeland security for administrative purposes.

5 (b) The council shall comprise the following members or
6 their designees:

7 (1) The director of homeland security, who shall serve as
8 the co-chair of the council;

9 (2) The director of the office of planning, who shall
10 serve as co-chair of the council;

11 (3) The administrator of the Hawaii emergency management
12 agency;

13 (4) The director of transportation;

14 (5) The executive officer of the public utilities
15 commission;

16 (6) The administrative head of each county agency
17 responsible for emergency management matters; and

18 (7) The administrative head of each county water supply
19 agency.



1 (c) The president of the senate and the speaker of the
2 house of representatives shall jointly invite the following to
3 serve as members of the council:

4 (1) Representatives of each electric utility company
5 operating in Hawaii;

6 (2) Representatives of each telecommunications company
7 serving at least one hundred thousand customers in
8 Hawaii;

9 (3) Representatives of each fuel importer and fuel refiner
10 operating in Hawaii; and

11 (4) A representative of the regulated interisland water
12 carrier serving all islands.

13 (d) In addition to the members listed in subsections (b)
14 and (c), the co-chairs of the council may request the
15 participation or input of members of the public; experts in the
16 field; county, state, or federal officials; or others as
17 necessary.

18 (e) Members of the council shall serve without
19 compensation, but shall be reimbursed for necessary expenses
20 incurred in the performance of their duties.

21 (f) The council shall:



- 1 (1) Establish strategies, goals, priorities, and
2 recommendations to enhance the security and resiliency
3 of the electric grid and other critical infrastructure
4 sectors in the State, and give appropriate
5 consideration to interdependencies between the sectors
6 and to differing needs of communities based on
7 location, access to resources, and vulnerabilities;
8 and
- 9 (2) Assess the capacity and availability of existing
10 resources and identify new sources of revenue
11 necessary to enhance resiliency of critical
12 infrastructure sectors.
- 13 (g) The council shall submit a report summarizing its
14 findings, recommendations, and the status of actions to enhance
15 electric grid and other critical infrastructure sector security
16 and resiliency to the governor, legislature, and mayor and
17 county council of each county no later than twenty days prior to
18 the convening of the regular session of 2021, and every two
19 years thereafter.
- 20 (h) In carrying out its duties, the council, to the extent
21 permitted by law, shall take appropriate measures to protect



1 from public release any confidential or sensitive information if
2 the release of that information could expose critical
3 infrastructure to attack or damage.

4 (i) Nothing in this section shall be deemed to delegate or
5 detract in any way from the functions, powers, and duties
6 conferred by law or ordinance on any state or county department
7 or agency."

8 SECTION 3. Section 128A-2, Hawaii Revised Statutes, is
9 amended by adding three new definitions to be appropriately
10 inserted and to read as follows:

11 "Critical infrastructure sector" means a sector whose
12 assets, systems, and networks, whether physical or virtual, are
13 vital to the State's security, economic security, public health
14 or safety, or any combination thereof, including but not limited
15 to the water, transportation, electrical energy, fuel import and
16 refining, and communications sectors.

17 "Electric grid" means the network of electric generators,
18 transmission and distribution lines, substations, energy storage
19 devices, and supporting infrastructure used to produce and
20 deliver electricity to end-users.



1 "Resiliency" means the capacity to prevent or reduce the
2 severity of damage from natural disaster or manmade emergencies,
3 and to enable faster recovery of normal infrastructure
4 operations after a natural disaster or manmade emergency."

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2019-2020 and
8 the same sum or so much thereof as may be necessary for fiscal
9 year 2020-2021 for the homeland security and resiliency council
10 to perform its duties under chapter 128A, Hawaii Revised
11 Statutes.

12 The sums appropriated shall be expended by the office of
13 homeland security for the purposes of this Act.

14 SECTION 5. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval;
16 provided that section 4 shall take effect on July 1, 2019.

17

INTRODUCED BY:



S.B. NO. 1159

Report Title:

Homeland Security and Resiliency Council; Appropriation

Description:

Establishes the homeland security and resiliency council to assess the resilience of the State's electric grid and other critical infrastructure to natural disasters and other emergencies and make recommendations. Requires the council to report to the legislature. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

