RELATING TO CRITICAL INFRASTRUCTURE RESILIENCY.

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

SECTION 1. The legislature finds that achieving electric grid resiliency requires maximizing energy efficiency, strategic planning for electric grid infrastructure, and leadership from the public sector.

The legislature further finds that in September 2017, Hurricanes Irma and Maria struck Puerto Rico with devastating force, causing an estimated $95,000,000,000 in damage to the island, including extensive damage to the island's electrical infrastructure. The power in Puerto Rico was not fully restored until August 2018, thus leaving some residents without power for half a year. The prolonged lack of electrical power left the residents of Puerto Rico without essential services and has created a humanitarian crisis. The interdependencies between different critical infrastructure sectors, including energy, water, environmental services, transportation, and communications, have further complicated restoration efforts in
Puerto Rico, underscoring the need for systemic resiliency planning.

The legislature further finds that a direct hit on Oahu from a similar category five hurricane would almost certainly cause extensive property damage and extended power outages across the island. Moreover, much of the State's energy-generating infrastructure is susceptible to storm surges due to the structures being located at or near coastlines. The Hawaii emergency management agency estimates that under a best-case scenario, it would take at least fourteen days after landfall of a category four hurricane on Oahu to restore eighty per cent of grid power. Most public emergency shelters in the State do not have the capacity to provide two weeks of electrical service, and relief from the mainland is dependent upon a functioning airport and seaport. Furthermore, the risks of a natural disaster increase with the impacts of climate change. Scientists have described 2017 as the most weather destructive year on record and have opined that the number of extreme weather events will continue to increase.

The legislature hereby declares that it shall be the policy of the State to ensure that the State is prepared to withstand
natural disasters and other emergencies and protect the State's
critical infrastructure and its citizens by making investments
in grid resiliency. The goals of this policy are to:

1. Prevent or reduce the severity of damage to the
electric grid from a natural disaster or state of
emergency;

2. Enable faster recovery of normal grid operations after
a grid outage due to a natural disaster or state of
emergency; and

3. Maintain critical loads at critical infrastructure,
such as hospitals, fire stations, police stations,
airports, and seaports during a grid outage due to a
natural disaster or state of emergency.

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

SECTION 2. Chapter 128A, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:
§128A- Homeland security and resiliency council; membership; duties. (a) There is established a homeland security and resiliency council, which shall be placed within the office of homeland security for administrative purposes.

(b) The council shall be composed of the following members or their designees:

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

(2) The administrator of the Hawaii state energy office, who shall serve as co-chair of the council;

(3) The director of the office of planning;

(4) The administrator of the Hawaii emergency management agency;

(5) The director of transportation;

(6) The chairperson of the public utilities commission;

(7) The director or administrator of each of the county emergency management agencies;

(8) The director or manager of each of the county water supply departments or boards; and
(9) The head of each county agency with responsibility over environmental services or environmental management.

(c) The president of the senate and the speaker of the house of representatives shall jointly invite as members of the council:

(1) Representatives of each electric utility company operating in the State;

(2) Representatives of each gas utility company operating in the State;

(3) Representatives of each telecommunications company serving at least one hundred thousand customers in the State;

(4) Representatives of each fuel importer and fuel refiner operating in the State; and

(5) Representatives of each water carrier, as defined in section 271G-5, that provides transportation of property between points within the State.

(d) In addition to the members listed in subsections (b) and (c), the co-chairs of the council may request the participation or input of members of the public; experts in the
field, including but not limited to community emergency response

team volunteers and other organizations committed to emergency

preparedness; county, state, or federal officials; or others as

necessary.

(e) The members of the council shall serve without

compensation, but shall be reimbursed for necessary expenses

incurred in the performance of their duties. No member of the

council shall be made subject to the financial disclosure

requirements of sections 84-13 and 84-17 solely because of that

member's participation as a member of the council.

(f) The council shall:

(1) Establish strategies, goals, priorities, and

recommendations to enhance the security and resiliency

of the electric grid and other critical infrastructure

sectors in the State, and give appropriate

consideration to interdependencies between the sectors

and to differing needs of communities based on

location, access to resources, and vulnerabilities;

and

(2) Assess the capacity and availability of existing

resources and identify new sources of revenue
necessary to enhance resiliency of critical infrastructure sectors.

(g) The council shall submit a report summarizing its findings, recommendations, and the status of actions to enhance electric grid and other critical infrastructure sector security and resiliency to the governor, legislature, and mayor and county council of each county no later than twenty days prior to the convening of the regular session of 2020, and every two years thereafter.

(h) In carrying out its duties, the council shall take appropriate measures to protect from public release any information that may be withheld from the public under section 92F-13(3) or other applicable laws, including but not limited to information that, if released, could reasonably be expected to cause damage to public security.

(i) Nothing in this section shall be deemed to delegate or detract in any way from the functions, powers, and duties conferred by law or ordinance on any state or county department or agency."
SECTION 3. Section 128A-2, Hawaii Revised Statutes, is amended by adding three new definitions to be appropriately inserted and to read as follows:

"Critical infrastructure sector" means a sector whose assets, systems, and networks, whether physical or virtual, are vital to the State's security, economic security, public health or safety, or any combination thereof, including but not limited to the water, environmental management, transportation, electrical energy, gas energy, fuel import and refining, interisland transport of property by water, and communications sectors.

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

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

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

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

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2050.
Report Title:
Critical Infrastructure Resiliency; Electric Grid; Homeland Security and Resiliency Council; Appropriation

Description:
Establishes a Homeland Security and Resiliency Council to identify electric grid and other critical infrastructure needs and provide recommendations for enhancing the State's grid and critical infrastructure resiliency. Appropriates funds. Effective 7/1/2050. (SD2)

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