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# 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, causing an estimated \$95,000,000,000 in damages to the  
4           island, including extensive damages to the island's electrical  
5           infrastructure. Recent estimates predict that power in Puerto  
6           Rico will not be fully restored until spring of 2018, thus  
7           leaving some residents without power for half a year. The  
8           prolonged lack of electrical power has left the residents of  
9           Puerto Rico without essential services and has created a  
10          humanitarian crisis. The interdependencies between different  
11          critical infrastructure sectors, including energy, water,  
12          transportation, and communications, have further complicated  
13          restoration efforts in Puerto Rico, underscoring the need for  
14          systemic resiliency planning.

15          The legislature further finds that a direct hit on Oahu  
16          from a similar category five hurricane would almost certainly  
17          cause extensive property damage and extended power outages



1 across the island. Moreover, much of the State's energy-  
2 generating infrastructure is susceptible to storm surges due to  
3 the structures being located at or near coastlines. The Hawaii  
4 emergency management agency estimates that under a best-case  
5 scenario, it would take at least fourteen days after landfall of  
6 a category four hurricane on Oahu to restore eighty per cent of  
7 grid power. Most public emergency shelters in the State do not  
8 have the capacity to provide two weeks of electrical service,  
9 and relief from the mainland is dependent upon a functioning  
10 airport and seaport. Furthermore, the risks of a natural  
11 disaster increase with the impacts of climate change.  
12 Scientists have described 2017 as the most weather destructive  
13 year on record and have opined that the number of extreme  
14 weather events will continue to increase.

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



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

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

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

19 "§128A- Homeland security and resiliency council;  
20 membership; duties. (a) There is established a homeland



1 security and resiliency council, which shall be placed within  
2 the office of homeland security for administrative purposes.

3 (b) The council shall comprise the following members or  
4 their designees:

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

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

9 (3) The administrator of the Hawaii emergency management  
10 agency;

11 (4) The director of transportation;

12 (5) The executive officer of the public utilities  
13 commission;

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

16 (7) The administrative head of each county water supply  
17 agency.

18 (c) The president of the senate and the speaker of the  
19 house of representatives shall jointly invite the following to  
20 serve as members of the council:



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

3        (2) Representatives of each telecommunications company  
4                    serving at least one hundred thousand customers in  
5                    Hawaii;

6        (3) Representatives of each fuel importer and fuel refiner  
7                    operating in Hawaii; and

8        (4) A representative of the regulated interisland water  
9                    carrier serving all islands.

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

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

18       (f) The council shall:

19           (1) Establish strategies, goals, priorities, and  
20                    recommendations to enhance the security and resiliency  
21                    of the electric grid and other critical infrastructure



1           sectors in the State, and give appropriate  
2           consideration to interdependencies between the sectors  
3           and to differing needs of communities based on  
4           location, access to resources, and vulnerabilities;  
5           and

6           (2) Assess the capacity and availability of existing  
7           resources and identify new sources of revenue  
8           necessary to enhance resiliency of critical  
9           infrastructure sectors.

10          (g) The council shall submit a report summarizing its  
11          findings, recommendations, and the status of actions to enhance  
12          electric grid and other critical infrastructure sector security  
13          and resiliency to the governor, legislature, and mayor and  
14          county council of each county no later than twenty days prior to  
15          the convening of the regular session of 2019, and every two  
16          years thereafter.

17          (h) In carrying out its duties, the council, to the extent  
18          permitted by law, shall take appropriate measures to protect  
19          from public release any confidential or sensitive information if  
20          the release of that information could expose critical  
21          infrastructure to attack or damage.



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

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

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

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

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



1 SECTION 4. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2018-2019 for  
4 the homeland security and resiliency council to perform its  
5 duties under chapter 128A, Hawaii Revised Statutes.

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

8 SECTION 5. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on January 1, 2100.



**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. Effective 1/1/2100. (SD2)

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