STAND. COM. REP. NO. X77

Honolulu, Hawaii

MAR 05 $^{\prime}$ 2021

H.B. No. 686 RE:

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

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

State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 686 HD1	Committee Referral: HET, JHA		Date: 2 - 16 - 21		
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. NAKASHIMA, Mark M. (C)			VII. 9 (AND 10 AND 10 A		
2. MATAYOSHI, Scot Z. (VC)	✓ <u> </u>	사용학자와 기술 설			
3. ICHIYAMA, Linda					
4. KOBAYASHI, Dale T.					
4. RODATASIII, Date 1.					
5. LoPRESTI, Matthew S.	Praesias I Bail, Asiburatura i Estadazbitu peresteria belete del Balleri esta il				
6. LOWEN, Nicole E.					
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7. McKELVEY, Angus L.K.		engel of the first of the second			
		2012 B			
8. NAKAMURA, Nadine K.					
O TAKIMI DayM					
9. TAKUMI, Roy M.					
10. TODD, Chris				Benese in a book	
11. TOKIOKA, James Kunane	TANNET TERMENTAL SENSEN SE				
12. WARD, Gene					
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TOTAL (12)	δ			ک	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					