
A BILL FOR AN ACT

RELATING TO ENERGY.

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

1 SECTION 1. Chapter 196, Hawaii Revised Statutes, is
2 amended by adding a new section to part III to be appropriately
3 designated and to read as follows:

4 "§196- Project labor standards for large-scale
5 renewable energy projects; attestation or declaration. (a) A
6 person who constructs a covered project sited in the State
7 shall, within thirty days from the date construction begins,
8 provide a signed attestation or declaration to the department
9 stating that, to the best of that person's knowledge and belief
10 and under penalty of perjury, during all periods of construction
11 all contractors and subcontractors working on the covered
12 project shall:

13 (1) Use apprentices enrolled in, or graduated from, an
14 apprenticeship program pursuant to chapter 372;

15 (2) Have policies in place that are designed to limit or
16 prevent workplace harassment and discrimination and



- 1 that promote workplace diversity, equity and
2 inclusion;
- 3 (3) Be licensed, be in good standing to perform the work,
4 and remain eligible to receive a contract or
5 subcontract for public works under chapter 104;
- 6 (4) Demonstrate a history of compliance in the previous
7 seven years, or provide available history for new
8 businesses, with the rules and other requirements of
9 state agencies with oversight regarding workers'
10 compensation, building codes, and occupational safety
11 and health;
- 12 (5) Demonstrate a history of compliance in the previous
13 seven years, or provide available history for new
14 businesses, with federal and state wage and hour laws;
- 15 (6) Provide quarterly reporting and recordkeeping to the
16 covered project's owner or applicable electric utility
17 and respond to records requests and verification;
- 18 (7) Comply with chapter 104; and
- 19 (8) Offer health care and retirement benefits to the
20 employees performing the labor on the covered project.



1 (b) In addition to the requirements described in
2 subsection (a), the attestation or declaration shall include the
3 following information:

4 (1) The megawatt capacity and physical footprint in acres
5 of the project;

6 (2) The geographic location of the project;

7 (3) The estimated workforce requirements of the project;

8 (4) A collated list of good faith effort documentation
9 regarding use of apprentices; and

10 (5) A description of any policies in place for ensuring
11 the person meets the requirements in this section.

12 (c) A contractor constructing a covered project shall
13 notify the purchaser of the project or the purchaser of the
14 energy from the project of the existence of the signed
15 attestation or declaration required pursuant to subsection (a).

16 (d) The department shall retain in a manner consistent
17 with the department's record retention rules the attestation or
18 declaration required under this section.

19 (e) The attestation or declaration provided to the
20 department pursuant to this section shall be subject to public
21 records disclosure pursuant to chapter 92F, and the department



1 shall provide a copy of the attestation or declaration upon
2 request.

3 (f) An attestation or declaration filed under this section
4 shall be for reporting purposes only and the department shall
5 not use an attestation or declaration to investigate, regulate,
6 or enforce matters addressed in the attestation or declaration.

7 (g) Nothing in this section shall prohibit the inclusion
8 of labor standards in addition to those required by subsection
9 (a) in contracts that are subject to this section.

10 (h) As used in this section:

11 "Apprentice" shall have the same meaning as that term is
12 defined in section 372-2.

13 "Construction" includes on-site and off-site construction
14 and fabrication, and shall be effective thirty days after
15 project completion.

16 "Contractor" means any person furnishing construction under
17 a contract with any person, governmental contracting agency,
18 general contractor, subcontractor, individual, partnership,
19 firm, corporation, joint venture, or other legal entity, acting
20 directly or through an agent, employee, consultant, corporate
21 officer, or corporate director.



1 "Covered project" means a renewable energy generation, such
2 as carbon sequestration, or storage facility with a capacity
3 rating of one megawatt or greater.

4 "Department" means the department of business, economic
5 development, and tourism."

6 SECTION 2. New statutory material is underscored.

7 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Renewable Energy Projects; Labor Standards

Description:

Requires attestation or declaration regarding project labor standards for large-scale renewable energy projects, including state-approved apprenticeship programs and prevailing wage requirements. Effective 7/1/2050. (SD2)

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