



GOV. MSG. NO. 1165

OFFICE OF THE GOVERNOR
EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 30, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 30, 2013, the following bill was signed into law:

SB512 SD1 HD2

RELATING TO ELECTRICAL CONTRACTORS
ACT 065 (13)

Aloha
Sincerely,
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO ELECTRICAL CONTRACTORS.

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

1 SECTION 1. The legislature finds that Act 35, Session Laws
2 of Hawaii 2010, established new minimum qualification licensing
3 requirements for electricians effective July 1, 2013. The
4 legislature further finds that most in-state electrical workers
5 are experienced in low voltage work, which includes wiring
6 buildings at one hundred twenty/two hundred forty volts.
7 However, there are currently not enough electricians, splicers,
8 and linemen in the State who are experienced and qualified to
9 work with high voltage (six hundred volts or higher) and who can
10 perform certain complex maintenance and repair work affecting an
11 electric utility.

12 The legislature additionally finds that Act 35, Session
13 Laws of Hawaii 2010, has had inadvertent consequences. Due to
14 the current lack of electricians, splicers, and linemen in the
15 State who are experienced and qualified to work with high
16 voltage, it may be necessary for an electric utility to contract
17 and retain qualified personnel from other jurisdictions in the
18 United States to perform such high voltage work. Where the



1 electric utility retains such qualified personnel, the electric
2 utility would have direct supervision of such personnel and
3 would have the contractual authority to inspect and approve of
4 all high voltage work prior to acceptance by the electric
5 utility. Further, the operations of the electric utility are
6 regulated and supervised by the public utilities commission.
7 Such regulation and general supervision provides an additional
8 layer of protection for the general public in the event the
9 operations of the electric utility require review.

10 However, under the licensing requirements established by
11 Act 35, Session Laws of Hawaii 2010, personnel from other
12 jurisdictions who are qualified to perform such high voltage
13 work, but are otherwise not licensed in the State, would be
14 prohibited from offering assistance through a contract to an
15 electric utility.

16 The legislature concludes that there are potential impacts
17 to the health and safety of the State and its residents, and a
18 specific exception to the licensing requirements for certain
19 qualified individuals is therefore needed.

20 The purpose of this Act is to provide a limited exemption
21 to the licensing requirements for certain individuals in
22 situations when an electric utility must retain qualified



1 individuals to work with high voltage (six hundred volts or
2 higher) who are not licensed in the State but are otherwise
3 deemed qualified by the electric utility.

4 SECTION 2. Section 448E-13, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§448E-13 Exemption of public utility and community
7 antennae television company [~~employees-~~] personnel. (a) The
8 following persons shall be exempt from this chapter:

9 (1) All employees of a public utility within the State
10 under a franchise or charter granted by the State
11 which is regulated by the public utilities commission
12 and community antennae television company, while so
13 employed [~~, shall be exempt from the provision of this~~
14 chapter-]; and

15 (2) Employees of an electrical contractor duly licensed
16 under chapter 444; provided that:

17 (A) Such contractor is retained by a public utility
18 within the State under a franchise or charter
19 granted by the State which is regulated by the
20 public utilities commission to perform high
21 voltage (six hundred volts or higher) electrical
22 work for the public utility; and



1 (B) Such employees are deemed qualified by the public
2 utility to perform such high voltage electrical
3 work;


4 provided further that in no circumstance shall such
5 persons be less qualified than the public utility's
6 own employees that perform such high voltage
7 electrical work.

8 (b) Persons retained by a public utility pursuant to
9 paragraph (a) (2) shall be exempt from the provisions of section
10 444-9.5."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval;
14 provided that on June 30, 2018, this Act shall be repealed and
15 section 448E-13, Hawaii Revised Statutes, shall be reenacted in
16 the form in which it read on the day before the effective date
17 of this Act.

APPROVED this 30 day of APR, 2013


GOVERNOR OF THE STATE OF HAWAII