

**Testimony of the Contractors License Board**

**Before the  
Senate Committee on Ways and Means  
Friday, February 18, 2022  
10:00 a.m.  
Via Videoconference**

**On the following measure:  
S.B. 2644, S.D. 1, RELATING TO ELECTRICAL CONTRACTORS**

**WRITTEN TESTIMONY ONLY**

Chair Dela Cruz and Members of the Committee:

My name is Neal Arita, and I am the Legislative Committee Chairperson of the Contractors License Board (Board). The Board opposes this bill.

The purposes of this bill are to make permanent: (1) Act 65, Session Laws of Hawaii (SLH) 2013, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility, provided that the public utility certifies to the Director of Labor and Industrial Relations and to the Board of Electricians and Plumbers that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited outside the State; and (2) the requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports regarding high voltage electrical contractors.

The Board opposes this bill because the exemption is overly broad. The Board respectfully requests clarification on the type of high voltage work that will be included in the exemption and on the term “hiring call” on page 4, line 16. More specifically, whether “hiring call” pertains to the public utility hiring its own employees or whether it pertains to the public utility soliciting requests for proposals.

For a point of reference as to the difference between a C-63 High voltage electrical contractor’s license and a journey worker electrician’s (EJ) license: (1) a C-63 contractor’s license is required to contract for work to install lines that transmit,

transform, or utilize electrical energy of more than 600 volts; and (2) an EJ license is required to perform any electrical work, including overhead and underground high voltage power line electrical work.

The Board firmly believes that, at minimum, an EJ license is required to perform any electrical work, including overhead and underground high voltage power line electrical work because a basic understanding of electrical systems is necessary to safely and properly perform electrical work on high voltage power lines.

When Act 65, SLH 2013 was enacted, there were not enough opportunities for EJs to gain experience performing electrical work on high voltage power lines in Hawaii. Thus, the limited exemption from electrician licensing requirements for individuals employed by electrical contractors who are retained by a public utility within the State to perform electrical work on high voltage power lines for the public utility may have been warranted. However, with the goal of the Hawaii Clean Energy Initiative to achieve 100% clean energy by 2045, there has been an increase in utility grade renewable energy projects such as wind and solar projects that tie into the utility and EJs now have opportunities to gain experience performing electrical work on high voltage power lines. Consequently, the Board believes that the exemption from electrician licensing requirements for employees of an electrical contractor retained by a public utility is no longer necessary.

Currently all non-utility work being contracted by C-62 Pole and line and C-63 High voltage electrical contractors are performed by the contractor's EJ employees that are trained and qualified to perform electrical work on high voltage power lines. Employees of high voltage contractors performing utility grade renewable energy projects are not exempt from electrician licensure because these projects are not being contracted by a public utility. These high voltage electrical contractors are complying with Hawaii Revised Statutes (HRS) section 444-9.5, which requires at least half of all individuals performing electrical work employed on a construction site shall be a licensed electrician in accordance with HRS chapter 448E and are responsible for ensuring that their EJ employees have the proper training and qualifications to perform electrical work on high voltage power lines.

Similarly, the Board strongly believes that employees of contractors that are contracted by the public utility must be held to the requirements of HRS section 444-9.5 for the safety of the employee and the public.

Thank you for the opportunity to testify on this bill. The Board respectfully requests that this measure be held in Committee.

**Testimony of the Board of Electricians and Plumbers**

**Before the  
Senate Committee on Ways and Means  
Friday, February 18, 2022  
10:00 a.m.  
Via Videoconference**

**On the following measure:  
S.B. 2644, S.D. 1, RELATING TO ELECTRICAL CONTRACTORS**

**WRITTEN TESTIMONY ONLY**

Chair Dela Cruz and Members of the Committee:

My name is Phillip Lucero, and I am the Chairperson of the Board of Electricians and Plumbers (Board). The Board opposes this bill.

The purposes of this bill are to make permanent: (1) Act 65, Session Laws of Hawaii 2013, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility, provided that the public utility certifies to the Director of Labor and Industrial Relations and to the Board of Electricians and Plumbers that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited outside the State; and (2) the requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports regarding high voltage electrical contractors.

The Board opposes this bill because the exemption for employees of electrical contractors retained by the public utility to perform all high voltage electrical work is too broad. Although the Board recognizes the need for appropriately trained and certified individuals to perform specific phases of high voltage projects, such as line work performed by public utility companies, it has serious concerns that the intent of the bill is to seek exemption from licensure for all high voltage electrical work.

As an example, journey worker electricians work alongside cable splicers to prepare the cables prior to splicing and final termination. Cable splicers require

additional training to perform that phase of high voltage work (twelve hundred volts and higher) but, under this measure, the work that licensed journey workers are currently performing will be exempt from the requirements of licensure. Electricians are licensed to perform work under the National Electrical Code, which covers voltages over six hundred volts, and they are qualified to perform work such as cable splicing and line work, with additional training. The Board believes this work should be performed by licensed electricians.

For the Committee's information, there are contractors in the State who are licensed to perform high voltage electrical work and they employ licensed electricians who are certified to perform high voltage electrical work. When Act 65 (2013) was enacted, there was an insufficient number of high voltage power line projects in the State to give licensed journey worker electricians the necessary on-the-job training that is required to be certified, which may have warranted the limited exemption from electrician licensing requirements. However, given the current prevalence of high voltage projects being performed in the State, including photovoltaic and solar wind farms, as well as the ongoing availability of training programs, the Board believes there is sufficient high voltage power line work available to train licensed journey worker electricians to perform specific high voltage work that the public utilities require.

As the number of high voltage projects fluctuates, licensed journey worker electricians who are certified to perform high voltage work can adapt to market demands. If the number of high voltage projects decreases, licensed journey worker electricians are authorized to work on other electrical projects in the State.

The Board also requests clarification on the term "hiring call" on page 4, line 17, as it is unclear if the public utilities will be hiring employees or if it will be a call for proposals from licensed contractors. If the "hiring call" is for the public utilities to hire employees, the certification on page 4, lines 14 to 16, is not necessary.

Lastly, this bill requires the Board to submit to the Legislature reports regarding high voltage electrical contractors. However, the report requires information outside of the purview of the Board: the Board does not register high voltage training programs, does not register continuing education specific to high voltage work, does not license

electricians to perform specifically high voltage work, and opportunities for growth in the high voltage work specialty is typically an industry issue. Thus far, the Board has had to request information directly from the Department of Labor and Industrial Relations, as well as the specific training programs that are registered with that department, in order to address the items in the report. As such, if the Committee is inclined to pass this measure, the Board believes the Department of Labor and Industrial Relations may be the more appropriate reporting entity.

The Board would welcome an opportunity to work with the various parties to clarify and delineate the specific high voltage electrical work for which the public utilities are seeking to hire unlicensed workers, such as line work.

Thank you for the opportunity to testify on this bill. The Board respectfully requests that this measure be held in Committee.



**Hawaiian  
Electric**

**WRITTEN TESTIMONY BEFORE THE SENATE COMMITTEE ON  
WAYS AND MEANS**

**SB 2644, SD1**

**Relating to the Electrical Contractors**

Friday, February 18, 2022

10:00 a.m.

Hawaii State Capitol, Conference Room 211 and Videoconference

Decision Making Only

Michael Swanson  
Director of Transmission and Distribution Operations  
Hawaiian Electric Company, Inc.

Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee:

My name is Michael Swanson and I am testifying on behalf of Hawaiian Electric Company, Inc., in **strong support** of SB 2644, Relating to Electrical Contractors. This bill makes permanent a limited exemption to the electrical licensing requirement of HRS 448E, which allows electrical contractors licensed in Hawaii to utilize qualified out-of-state high voltage electrical workers to perform work for a utility without requiring these qualified electrical workers to obtain a journey worker electrician (“EJ”) license.

This bill is a priority for Hawaiian Electric because, without this limited exemption, efforts to ensure a resilient, reliable, and affordable electrical grid could be compromised. Hawaiian Electric is continuously reinforcing and repairing our high voltage lines, especially as we move towards attaining our 100% renewable portfolio goals by 2045, working to modernize our grid, preparing for unexpected extreme weather events, and decarbonizing our electrical facilities.

I oversee the hiring and training of Hawaiian Electric's high voltage linemen and splicers who install high voltage transmission and distribution lines. First and foremost, Hawaiian Electric prefers to hire local labor to perform such high voltage work.

However, the reality of the marketplace is such that these specialized high voltage workers migrate to areas where their work is in demand so the number of available qualified local high voltage electrical workers is often not sufficient to meet our needs.

### **History of Act 65 (2013)**

Nine years ago, the legislature passed Act 65 of Session Laws of Hawaii 2013, which was later amended by Act 60 of Session Laws of Hawaii 2018. Act 65 (2013) created a limited exemption to the electrical licensing requirement of HRS 448E. This limited exemption allowed electrical contractors licensed in Hawaii to utilize qualified out-of-state high voltage electrical workers to perform work for a utility without requiring these qualified electrical workers to obtain an EJ license. This exemption focused on the reality that, in Hawaii, there are a limited number of qualified individuals who are trained and licensed as electricians to perform high voltage electrical work at the utility scale. Other than the employees of Hawaiian Electric, Hawaii Electric Light Company, Maui Electric Company, and Kauai Island Utility Cooperative, there are only a handful of electrical workers in the State that are qualified to perform the high voltage work that these utilities perform.

### **The availability of High voltage electrical workers in Hawaii is limited**

Because of the limited nature of utility scale and high voltage work in Hawaii, high voltage linemen, splicers and substation electricians are hard to find in the state. Most if not all qualified high voltage linemen, splicers and substation electricians who reside in Hawaii work for Hawaiian Electric or another utility. The Company has found it



difficult for many years to obtain qualified high voltage linemen, splicers or substation electricians who reside in the state and who are not currently working. The workers who are available do not have Hawaiian Electric's specialized training and qualifications, which is obtained through the Company's apprenticeship programs, and are not qualified to work on Hawaiian Electric's high voltage electrical system.

In Hawaii, there is no bench of qualified high voltage linemen, splicers and substation electricians who don't already work for Hawaiian Electric or another utility. The reason for this lack of a bench is simple - high voltage linemen, splicers and substation electricians who work for a utility frequently leave Hawaii to find other work if their initial work is completed. They have been trained to perform specialized high voltage electrical work and their skills are in high demand across the entire country. So, if work dries up in Hawaii, these electricians can find work elsewhere by going to another local union in an area that has available work.

Under HRS 444-9.5, at least half of the employees of an electrical contractor who perform electrical work in Hawaii must possess an EJ license under HRS 448E. This license requirement is in addition to the requirement that the electrical contractor itself possess an appropriate contractor's license to perform the work in question under HRS 444. Hawaiian Electric, and its employees who are electricians, as well as other utilities in Hawaii and their electrical workers, are exempt from this separate licensing requirement, as stated under HRS 448E-13. Under this statute, electricians who work for a utility like Hawaiian Electric do not have to possess an EJ license.

Most in-state electrical workers are only experienced in low voltage (120 to 480 volt) work common in most homes and commercial buildings. High voltage work on a utility scale requires very specialized skills, requiring different training, tools, and

equipment from the more common low-voltage electrician. An electrician that holds an EJ license will have only touched lightly on the training required to perform work for Hawaiian Electric or another utility. An EJ license alone will not qualify someone to work on Hawaiian Electric's high voltage system.

Act 65, as amended, also addressed the reality that Hawaiian Electric does not employ sufficient high voltage linemen, splicers, and substation electricians so that the Company itself can perform storm restorations, or respond to emergencies, or perform complex maintenance on high voltage equipment, or construct, repair and maintain the new systems that will be needed to meet Hawaii's renewable energy goals. Hawaiian Electric strives to perform much of this work itself but must rely on licensed electrical contractors who have the expertise and the appropriately trained high voltage personnel to assist in constructing, repairing, and maintaining the Company's high voltage system.

Hawaiian Electric proudly hires capable electrical contractors who can perform work for which they are qualified, but Hawaiian Electric has not hired an electrical contractor with its primary office located in Hawaii to perform high voltage lineman, splicer, or substation work during the last nine years because electrical workers who are qualified to perform the necessary high voltage work are not found in Hawaii. That reality has not changed since Act 65 was originally passed, which is why the exemption should be made permanent or should be extended.

In conclusion, Hawaiian Electric continues to train its employees to perform this high voltage work, but these employees usually stay employed at Hawaiian Electric or at another utility or, if utility work decreases in the state, they leave the state to work elsewhere. Because there has not been an increase in the number of electrical workers in Hawaii that are qualified to perform high voltage electrical work as a lineman, splicer,

or substation electrician, Hawaiian Electric and its subsidiaries strongly support this bill as it is necessary to continue delivering reliable service to our customers.

The exemption is in the state's best interest because it allows the use of qualified out-of-state high-voltage electrical workers who can perform the work to safely assist utilities in activities such as storm restorations, complex maintenance, high voltage construction, and emergency situations, or when there is a shortage of local experience.

We appreciate the support of the Legislature passing out SB 2644, SD1. Thank you for the opportunity to testify on this matter.



# INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 ORGANIZING THE FUTURE

SENATE COMMITTEE ON WAYS AND MEANS  
Senator Donovan Dela Cruz, Chair  
Senator Gilbert Keith-Agaran, Vice Chair

HEARING DATE: Friday, February 18, 2022  
TIME: 10:00 a.m.  
PLACE: Via Video Conference  
Conference Room 211

RE: TESTIMONY IN SUPPORT WITH A RECOMMENDATION OF SB2644 SD1

Aloha Honorable Chair Donovan Dela Cruz, Vice Chair Gilbert Keith-Agaran, and Members of the Committee:

This testimony is being submitted by the International Brotherhood of Electrical Workers Local 1260 (IBEW 1260). IBEW 1260, is comprised of nearly 3,000 hardworking union members. Our members are a diverse workforce that largely consist of highly skilled and trained individuals working 24 hours a day, 7 days a week, to generate and transmit electricity here in the State of Hawai'i.

IBEW 1260 is in **SUPPORT** of this bill which seeks to provide a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage electricity who are not licensed in the State but are otherwise deemed qualified by the electric utility **WITH** the **recommendation** to adjust the term of exemption to 10 years and not permanent.

Training a person to become qualified to work on the high voltage lines owned and operated by the Utility takes many years of specialized training. IBEW 1260 and the utilities have joint apprenticeship programs to successfully complete this type of training. The Utilities employ a workforce to handle its base-load operations, but at times, does require additional resources, therefore almost every individual qualified to do the specialized energized work is already employed by the Utility.

IBEW 1260 agrees with the urgency to build a local workforce to address the needs of the electrical utility industry here in Hawai'i. We recognize and have experienced the difficulties faced with keeping the highly specialized skills of the high voltage electrical utility worker home, in Hawai'i. The demand for the high voltage electrical utility worker has skyrocketed throughout the nation as states look to reinforce their electrical infrastructure. As we move towards a renewable energy future, utilities across the nation are taking incentivizing measures to attract high voltage electrical workers to meet their labor demand. High voltage electrical work, specifically Utility Lineman, is constantly ranked as one of the top 10 most dangerous jobs in the nation. As a result of these factors, we've witnessed a steady flow of high voltage electrical workers leave Hawai'i for the continental U.S. and had trouble retaining those qualified in the trade due to the dangerous nature of the profession.

IBEW 1260 understands that the high voltage utility electrician is a unique, specialized skill. This craft requires working in very hazardous conditions, working on energized lines as much as 138,000 volts, being transported by helicopter to the mountain tops, working in underground vaults with energized cables right next to the person, etc. Currently, there is only one license certifying an electrician. We believe in the future, expanding the license designations to the different specialties of electricians will be beneficial.



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS  
LOCAL UNION 1260  
ORGANIZING THE FUTURE

Through collaborative efforts, we've recently taken steps to build this specialized workforce here locally, to have a sustainable work force to keep the lights on. We are committed to continue to actively address the shortage of high voltage electrical workers in Hawai'i. We agree that progressive steps to resolve the issues at hand are necessary, therefore, we support this limited exemption continuing on a **10-year period**.

We sincerely thank The Committee for their time, consideration, and dedication to a renewable and reliable energy future.

Sincerely,

A handwritten signature in black ink, appearing to read "Leroy Chincio, Jr.", written in a cursive style.

Leroy Chincio, Jr.  
Business Manager and Financial Secretary  
International Brotherhood of Electrical Workers  
Local 1260  
700 Bishop Street, Suite 1600  
Honolulu, HI 96813



# International Brotherhood of Electrical Workers

LOCAL UNION NO. 1186 • Affiliated with AFL

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**LATE**

TO: SENATE COMMITTEE ON WAYS AND MEANS

Hearing: Friday, February 18, 2022 at 10:00a.m., Room 211 & Videoconference

RE: TESTIMONY IN **OPPOSITION** OF SB 2644 SD1

Honorable Chair Donovan M. Dela Cruz, Vice Chair Gilbert S.C. Keith-Agaran, and Members of the Committee on Ways and Means:

The International Brotherhood of Electrical Workers Local Union 1186 (IBEW 1186), is comprised of over 3,600 men and women working in electrical construction, telecommunications, Spectrum, civil service employees, and educator and faculty associations.

IBEW 1186 is in **OPPOSITION** to this bill which seeks to make permanent a temporary license exemption set to sunset on June 30, 2023.

IBEW 1186 is concerned that the bill language does not expressly limit the stated intent of the exemption, but rather broadly exempts electrician licensing requirements for all “high voltage” work for the public utility that may lead to unlicensed activity for work regularly performed by qualified and licensed Journeyworker Electricians in the State of Hawaii, of which there are no shortages according to annual reports to the Legislature produced by the Electricians and Plumbers Board pursuant to Act 60, SLH 2018.

In this SD1 version, the definition of “high voltage” was reiterated as meaning “600 volts or higher”. Also, a “hiring call” requirement was added; however, the public utility performing a hiring call recruitment for electricians to leave their current employers and join the public utility as a new employer would not automatically determine that there is any shortage of electricians qualified to perform “high voltage work”.

Our local electrical contractors employ hundreds of licensed electricians that are qualified to work on various equipment and systems that are by definition “high voltage”, because the equipment may operate above 600 volts. Licensed Journeyworker Electricians are trained in the National Electric Code (NEC) and qualified and licensed to perform all work under the jurisdiction of this code. The NEC covers the installation of equipment that is over 600 and even over 1000 volts.

For those reasons, our opposition continues to be due this broad reaching language. We encourage the proponents of this bill to identify if there is a specific niche area of electrical work, that by definition is “high voltage” simply because it may operate above 600 volts, that may reveal a lack of licensed electricians suited for this narrowly described scope of work. However, simply claiming that there is a shortage of electricians to perform any work that is “high voltage” by definition is just not factual.

IBEW 1186 and our signatory high voltage electrical contractors stand ready to work with the public utility to meet its needs and strengthen the local workforce with already available training programs and experienced workers. We see an opportunity to invest in our local workers and their families as opposed to seeking exemptions that may allow out of state unlicensed workers to perform work that our State licensed electricians perform.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Kim', with a long horizontal flourish extending to the right.

Damien T.K. Kim  
Business Manager/  
Financial Secretary