
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 to part III a new section 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 to the best of that person's knowledge and belief, under
10 penalty of perjury, that during all periods of construction, all
11 contractors and subcontractors working on the covered project
12 shall:

13 (1) Use apprentices who are enrolled in or have graduated
14 from an apprenticeship program pursuant to chapter
15 372;

16 (2) Have policies in place that are designed to limit or
17 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, for new businesses, provide available
8 history, 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, for new businesses, provide available
14 history, 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" has the same meaning as in section 372-2.

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

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



1 "Covered project" means a facility for renewable energy
2 generation, renewable energy storage, or carbon sequestration
3 with a capacity 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, 3000.



Report Title:

Renewable Energy Projects; Labor Standards; Covered Project

Description:

Requires attestation or declaration regarding project labor standards for covered projects, including state-approved apprenticeship programs and prevailing wage requirements. Effective 7/1/3000. (HD1)

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