
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 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 will:

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 of compliance, with the rules and other
9 requirements of state agencies with oversight
10 regarding workers' compensation, building codes, and
11 occupational safety and health;
- 12 (5) Demonstrate a history of compliance in the previous
13 seven years or, for new businesses, provide available
14 history of compliance with, federal and state wage and
15 hour laws;
- 16 (6) Provide quarterly reporting and recordkeeping to the
17 covered project's owner or applicable electric utility
18 and respond to records requests and verification;
- 19 (7) Comply with chapter 104; and
- 20 (8) Offer health care and retirement benefits to the
21 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 covered project;

6 (2) The geographic location of the covered project;

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

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

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

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

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

20 (e) The attestation or declaration provided to the
21 department pursuant to this section shall be subject to public



1 records disclosure pursuant to chapter 92F, and the department
2 shall provide a copy of the attestation or declaration upon
3 request.

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

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

11 (h) As used in this section:

12 "Apprentice" has the same meaning as in section 372-2.

13 "Construction" includes on-site construction and
14 fabrication, excludes post-construction equipment testing or
15 inspection, and shall be effective thirty days after covered
16 project completion.

17 "Contractor" means any person furnishing construction under
18 a contract with any person, governmental contracting agency,
19 general contractor, subcontractor, individual, partnership,
20 firm, corporation, joint venture, or other legal entity, acting



1 directly or through an agent, employee, consultant, corporate
2 officer, or corporate director.

3 "Covered project" means a facility for renewable energy
4 generation, renewable energy storage, or carbon sequestration
5 with a capacity rating of one megawatt or greater.

6 "Department" means the department of business, economic
7 development, and tourism.

8 "Renewable energy" has the same meaning as in section 269-
9 91."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Renewable Energy; Large-Scale Renewable Energy Generation
Projects; Labor Standards; Attestation; Declaration

Description:

Requires an attestation or declaration regarding project labor standards, including adherence to state-approved apprenticeship programs and prevailing wage requirements, for covered large-scale renewable energy generation projects. Effective 7/1/3000.
(HD1)

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