

**PEST CONTROL BOARD**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES OF THE MEETING

Date: Monday, March 20, 2017

Time: 2:00 p.m.

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1st Floor  
Honolulu, Hawaii 96813

Present: Terrance Manago, Industry Member, Vice-Chairperson  
David Lau, Industry Member  
Steve Russo, Department of Agriculture, Ex-Officio  
J. Kenneth Grace, Ph.D., College of Tropical Agriculture  
and Human Resources, Ex-Officio  
Julian Yates, Ph.D., Public Member  
Rodney J. Tam, Esq., Deputy Attorney General (“DAG”)  
May Ferrer, Executive Officer  
Susan Reyes, Secretary

Member(s)  
Excused: Rodney Ono, Industry Member, Chairperson  
Jonathan Montalbo, Industry Member  
Lynn Nakasone, Department of Health, Ex-Officio

Member(s)  
Absent: Scott Ai, Public Member

Guest(s): Tim Lyons, Hawaii Pest Control Association (HPCA)

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).  
  
Executive Officer Ferrer noted the following correction to Item 2 on the agenda:  
  
From: “Approval of the January 30, 2017 Board Meeting”  
To: “Approval of the January 30, 2017 Board Meeting Minutes”

Call to Order: There being a quorum present, the meeting was called to order by Vice-Chairperson Manago at 2:06 p.m.

Approval of Minutes: Vice-Chairperson Manago asked if there were any amendments to the minutes of the January 30, 2017 meeting.

It was moved by Mr. Lau, seconded by Dr. Yates, and unanimously carried to approve the minutes of the January 30, 2017 meeting, as circulated.

Executive Officer's Report:

- a. Examination Review Report

**PROMETRIC  
 HAWAII PEST CONTROL EXAMINATIONS  
 EXAMINATIONS ADMINISTERED FEBRUARY 2017**

<u>EXAM</u>	<u>ADMINISTERED</u>				
	<u>NO. EXAMS</u>	<u>NO. FAIL</u>	<u>NO. PASS</u>	<u>% FAIL</u>	<u>%PASS</u>
<b>PART 1</b>	0	0	0	0%	0%
<b>FIELD REP BR 1</b>	6	1	5	17%	83%
<b>FIELD REP BR 2</b>	3	0	3	0%	100%
<b>FIELD REP BR 3</b>	7	3	4	43%	57%
<b>OPERATOR BR 1</b>	0	0	0	0%	0%
<b>OPERATOR BR 2</b>	0	0	0	0%	0%
<b>OPERATOR BR 3</b>	0	0	0	0%	0%

TOTAL NO. EXAMS ADMINISTERED	16
TOTAL NO. EXAMS PASSED	12
TOTAL NO. EXAMS FAILED	4
TOTAL PERCENT PASSED	75%
TOTAL PERCENT FAILED	25%

- b. Reminder: File Annual Disclosure of Financial Interests with the Hawaii State Ethics Commission by Wednesday, May 31, 2017

Executive Officer Ferrer reminded the Board to file their disclosure of financial interests before the deadline of May 31, 2017.

Prometric Report/Announcements:

- a. Prometric's response to the matter regarding a question on the Field Representative Branch 1 (Fumigation) examination

Executive Officer Ferrer briefed the Board on an issue regarding a question on the Branch 1 exam. The calculators come out with an exact answer, but none of the multiple choice answers is correct. She had brought this issue to Prometric's attention, and relayed its response that examinees have been and will continue to be given credit for that question until the question is replaced.

Mr. Russo suggested that Prometric could consider removing that question or replace the question with one that could verify an examinee's understanding of how fumigation works (i.e., what happens to the fumigant when the temperature changes?).

Members requested the executive officer discuss this matter with Prometric. Mr. Russo offered to participate in the conversation, if necessary.

Applications:

a. Exam

**PCO**

It was moved by Mr. Russo, seconded by Mr. Manago, and unanimously carried to **approve/defer** the following applications for examination:

- (i) Five Star & Pest Termite (PCO XXXX / BR 2, 3)  
BR 2, 3 – **Approved**

Executive Officer Ferrer noted the following correction to the company name on the agenda:

From: Five Star & Pest Termite  
To: Five Star Termite & Pest Control LLC

- (ii) Smith, Jason J. (PCO XXXX / BR 1)

Executive Officer Ferrer proposed to delete the application of Mr. Smith from the agenda as his application was incomplete.

- (iii) Worden, Michael J. (PCO XXXX / BR 1, 2, 3)  
Kamaaina Termite (PCO 824 / BR 1, 2, 3)  
BR 1 – **Approved**  
BR 2, 3 – **Deferred pending documentation of further work experience.**

b. **PCFR**

- (i) Baggett, Christopher (PCFR XXXX / BR 1, 2)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1 – **Deferred pending documentation of further work experience.**  
BR 2 – **Approved**

- (ii) Cariaga, Shirley (PCFR XXXX / BR 1, 2, 3)  
Veteran Termite & Pest Control (PCO 1242 / BR 1, 2, 3)  
BR 1, 2, 3 – **Approved**

- (iii) Contreras, Steven (PCFR XXXX / BR 1, 2, 3)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1, 2, 3 – **Approved**

- (iv) Koholo, Kimo (PCFR XXXX / BR 1, 2, 3)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1, 2, 3 - **Approved**
- (v) Lewter, Micah (PCFR XXXX / BR 1, 2, 3)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1, 3 – **Approved**  
BR 2 – **Deferred pending documentation of further work experience.**
- (vi) Nunnari, Patrick (PCFR 1512 / BR 1)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1 – **Approved**
- (vii) Reichert, Michael (PCFR XXXX / BR 1)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1 – **Approved**
- (viii) Shimooka, Alan (PCFR XXXX / BR 1)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1 – **Approved**
- (ix) Splittstoesser, Michael (PCFR XXXX / BR 2, 3)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 2, 3 – **Approved**
- (x) Vann, Marquise (PCFR XXXX / BR 1, 2, 3)  
The Terminix International Company, LP (PCO 618 / BR 1, 2, 3)  
BR 1, 2, 3 – **Approved**

Ratifications:

Without Exam – Reactivation

- a. Manahan, Peter (PCO 1336 / BR 1)  
Fil-AM Enterprises LLC (PCO 1335 / BR 1)
- b. Miske, Michael Jr. (PCO 1157 / BR 1)  
Kamaaina Termite (PCO 824 / BR 1, 2, 3)

Executive Officer Ferrer noted a correction to the agenda to include the above applications for ratification under a new subsection, Subsection c., under Item 5, Applications:

Also, to correct the name of “Kamaaina Termite” throughout the agenda to read as follows: **“Kamaaina Termite & Pest Control”**.

- Legislation: a. HB No. 1302 (2017), Relating to Pesticide Use - Prohibits the use of any pesticide unless the user is certified by DOA. Requires DOA to include an educational component to the pesticide use certification process. Requires DOA to adopt rules to carry out the purposes of Chapter 149A, HRS. Effective 1/1/18.

Executive Officer Ferrer informed the Board that this bill is dead. She wanted to get the Board's position on the measure in case it comes up during the next legislation session. The Board expressed its opposition to the measure as it would negatively impact the average homeowner.

Mr. Russo informed the Board about SB No. 804, S.D. 1, H.D. 1 (2017). He stated that the purpose of the measure is to increase the cap of the Hawaii Department of Agriculture (HDOA) pesticide use revolving fund.

Mr. Russo stated that the measure also establishes mandatory disclosure requirements on any commercial agricultural entity that purchases or uses more than ten (10) pounds or ten (10) gallons of restricted use pesticides on an annual basis. The possible concern for the Board's consideration is that if the word "agricultural" is stricken from the term "commercial agricultural entity," as defined in the measure, it would impact matters related to structural pest control.

The executive officer stated that SB 804, S.D. 1, H.D. 1 would be included on the agenda for the next Board meeting.

- Unfinished Business: a. Rule Revisions

- (i) HAR section 16-97-17 – Progress Update

Executive Officer Ferrer informed the Board that the rule revision package is being sent to the Administrative Services Office (ASO), to have DAG Tam's comments added in.

- New Business: a. Establishment of Rules Committee

Executive Officer Ferrer deferred this matter to a future meeting at which all members of the Board are present.

Open Forum: (Public comment on issues not on the agenda, for consideration for Board's agenda at a subsequent meeting.)

Tim Lyons from HPCA brought HB No. 790, H.D. 3 (2017) to the Board's attention. The measure proposes to establish disclosure and public notification requirements for outdoor applications of pesticides and insecticides in and around schools, healthcare facilities, etc.

Mr. Lyons pointed out that HB 790, H.D. 3 does not include the exemption for structural or termite application of pesticides.

Mr. Russo added that public warning signs would need to be posted in areas where pesticide and insecticide applications would be made.

Next Meeting: Monday, May 22, 2017  
2:00 p.m.  
King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting adjourned at 2:52 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ May Ferrer  
May Ferrer  
Executive Officer

/s/ Susan A. Reyes  
Susan A. Reyes  
Secretary

MF:sr

04/06/17

Minutes approved as is.  
 Minutes approved with changes, see minutes of \_\_\_\_\_