

BOARD OF ELECTRICIANS AND PLUMBERS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Tuesday, February 14, 2017

Time: 10:30 a.m.

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

Present: Peter Akamu, Industry Member, Chairperson
Matt Brady, Industry Member, Vice Chairperson
Randall Kaya, Public Member
Vernon Ta'a, Public Member
Phillip Lucero, Industry Member

Rodney J. Tam, Deputy Attorney General
Christine Rutkowski, Executive Officer

Excused: Randal Hiraki, Industry Member

Guests: Peter H.M. Lee – Hawaii Laborers Employers Cooperation & Education
Trust ("LECET")
Ryan Takahashi – Hawaii Electricians Market Enhancement Program
("HEMEP")
Shannon Alivado – General Contractors Association ("GCA")

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

Call to Order: There being a quorum present, Chairperson Akamu called the meeting to order at 10:51 a.m.

Additions/
Revisions to
the Agenda: None.

Approval of
the Minutes: It was moved by Vice Chairperson Brady, seconded by Mr. Kaya and unanimously carried to approve the Board minutes and executive session minutes of the December 8, 2015 Board Meeting as circulated.

Chapter 91, HRS

Adjudicatory

Matters:

Chairperson Akamu called for a recess from the Board's meeting at 10:55 a.m. to discuss and deliberate on the following adjudicatory matter pursuant to HRS Chapter 91.

- a. In the matter of the Journey Worker Plumbing License of GARCIA A. FUKUHARA, Respondent: ENP 2016-4-L

HEARING OFFICER'S FINDING OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ORDER; BOARD'S FINAL ORDER

After discussion, it was moved by Vice Chairperson Brady, seconded by Mr. Kaya, and unanimously carried to adopt the Hearing Officer's Finding of Fact, Conclusions of Law. Accordingly, Respondent shall pay a fine in the total sum of \$500.00 within 90 days of the Board's Final Order. In addition, for the duration of Respondent's supervised release, Respondent shall provide a progress report from his probation officer to the Board at least once a year.

Following the Board's review, deliberation and discussion on these matters, pursuant to HRS Chapter 91, Chairperson Akamu announced that the Board was reconvening to its open meeting at 11:10 a.m.

Executive Session

At 11:10 a.m., it was moved by Mr. Kaya, seconded by Mr. Lucero, and unanimously carried to move into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Hawaii Revised Statutes ("HRS") section 92-5(a)(1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

Kwai Lau

At 11:25, it was moved by Mr. Kaya, seconded by Mr. Ta'a and unanimously carried to return to the Board order of business.

Executive Officer's
Report:

None.

Examinations: a. The Executive Officer distributed the following results of the Electricians' and Plumbers' examination:

Electricians' Exam (administered January 2017)

	<u>EJ</u>	<u>ES</u>	<u>EJI</u>	<u>ESI</u>	<u>EJS</u>	<u>ESS</u>	<u>EM</u>
Exams Administered	10	5	0	0	3	0	0
Successful	7	4	0	0	2	0	0
Unsuccessful	3	1	0	0	1	0	0

Plumbers' Exam (administered November 2016)

	<u>PJ</u>	<u>PM</u>
Exams Administered	17	1
Successful	8	0
Unsuccessful	9	1

Applications:

It was moved by Mr. Kaya, seconded by Vice Chairperson Brady, and unanimously carried to **approve/defer/deny** the following applications as noted.

a. ELECTRICIANS

1. Journey Worker Electrician ("EJ") – Approved

ATUAIA, Earvin
AYOSO, Brian
BOBEK, James
BROWN, Joshua
BURKE, Devin
CASTILLO, Brian
COSTA, Brandt
COULSON, Greg
FOWLER, Jerry
GANOTISI, Andrew
IMES, Lopaka
KAHANU, Benjamin
LEONG, Brandon
LOPEZ, James
MALALIS III, Eugene
MASHINO, Sidney
MCKENZIE, James
NAEOLE, Richard
OAMIL, Kenneth
RUFO, Carl
RYTLEWSKI, Anthony
SCHLOTTHAUER, Greg
SHIMAO, Greg
TANNO, Lance
WILLIAMS, David
WONG, Jason

2. Supervising Electrician ("ES") – Approved
ILDEFONSON, Billy
RICCI, Steven
WIDENER, John
SANDEFUR, James
3. Journey Worker Industrial Electrician ("EJI")
MACANAS, Mark
MATSUMOTO, Deven
4. Supervising Industrial Electrician ("ESI")

None.
5. Journey Worker Specialty Electrician ("EJS") - Approved
BAETZ, Aaron
DEMPSEY, Bryan
REIS, Dallas
6. Supervising Specialty Electrician ("ESS")

None.
7. Maintenance Electrician ("EM")
GABRIEL, Raoul

b. PLUMBERS

1. Journey Worker Plumber ("PJ") – Approved
HIRAYASU, Russell
JARQUIO, Nicanor
KAMAHIAI, Blayne
KONA, Layton
LOPEZ, John
MADARANG, Ferdinand
TEVES, Shane
WASSON JR, Richard
WOOLBRIGHT, Lyndal
2. Master Plumber ("PM")
CLAPP SR, Paul
KASSIMOV, Gairat

c. DEFERRED APPLICATIONS

ANDAM, Fred (EJ)
CAMBRA JR, Gerard (EJ)
HABIBOVIC, Elvir (EJ)
LAU, Kwai (EJ)
LETON, Van (EJ)
SERBU, Denis (EJ)
STRIGL, David (EJ)
TILTON, Nathan (EJ)
SCHUBERT, Michael (EJ)
PANG KEE, Adrian (PJ)

d. DENIALS

None.

e. RENEWALS

None.

f. RATIFICATIONS

None.

g. RESTORATION

None.

Act 35, SLH 2010
Update Regarding
Electrical Academic
Coursework:

a. University of Hawaii Honolulu Community College ("HCC")
Approved Curricula. Information only.

- Apex Technical School Electrical and Advance Electrical Program
- Santa Clara County Electrical JATC Program
- Ocean County Vocational Technical School
- Penn Foster Hawaii Journey Worker Electrician
- Penn Foster Apprenticeship Program/State of Hawaii Department of Labor and Industrial Relations
- Penn Foster HC&S Electrician Program/State of Hawaii Department of Labor and Industrial Relations
- Penn Foster HC&S Electrician Program

Unfinished Business:

a) An exam, in accordance with HRS chapter 448E-8.5(a)(2), will not be available for the June 30, 2017 license renewal as per exam provider.

§448E-8.5(a)(2) Successfully complete an examination prescribed by the board on current updates to the National Electrical Code. The board shall contract with a professional testing agency to prepare, administer, and grade the examination. Fees related to the examination shall be paid by the licensee directly to the professional testing agency.

A brief discussion was held about the possible ramifications for licensees if the exam is not available.

2017 Legislative Session:

a) S.B. No. 1065 RELATING TO ELECTRICIANS.

Requires supervising electricians, as a condition of licensure, to submit satisfactory evidence of completed training on the most recent edition of the National Fire Protection Association's NFPA 70E: Standard for Electrical Safety in the Workplace.

b) H.B. No. 976, H.D. 1 RELATING TO CONTRACTORS.

Requires any person applying for a license as an electrical contractor, pole and line contractor, high voltage electrical contractor, or electronic systems contractor to possess a trade license or an electrical engineering degree from an accredited college to perform electrical work in the State. (HB976 HD1).

c) S.B. No. 865 RELATING TO CONTRACTORS.

Requires any person applying for a license as an electrical contractor, pole and line contractor, high voltage electrical contractor, or electronic systems contractor to possess a trade license or an electrical engineering degree from an accredited college to perform electrical work in the State. Exempts employees of a public utility.

d) H.B. No. 988 RELATING TO GOVERNMENT RECORDS.

Requires each unit of government of the State and its political subdivisions to exercise reasonable care in the maintenance of all government records under its control that are required to be made available for public inspection.

e) S.B. No. 478 RELATING TO GOVERNMENT RECORDS.

Allows a member of a board to provide other members of the board any government record for which disclosure is required by section 92F-12, HRS, provided that no commitment relating to a vote on the matter is made or sought and no additional discussion other than a statement describing the record and the issue related to the government record is included in the transmittal.

f) S.B. No. 1277 RELATING TO PUBLIC AGENCY MEETINGS.
Allows the minutes at public agency meetings to be kept by written or recorded means.

g) H.B. No. 952 RELATING TO PUBLIC MEETINGS.
Allows two or more members of a board, including a quorum of the board, to discuss selection of board officers in private without limitation or subsequent reporting.

h) H.B. No. 1033
Includes "agencies" within the definition of "persons".

i) S.B. No. 899
Includes "agencies" within the definition of "persons".

j) H.B. No. 165 RELATING TO PUBLIC MEETINGS.
Requires, among other things, electronic posting of meeting notices, emergency meeting agendas, cancellation notices, and meeting minutes.

k) S.B. No. 312 RELATING TO OPEN GOVERNMENT.
Allows the electronic mailing of meeting notices; requires the posting of the notice on the State's or appropriate county's electronic calendar; and clarifies potential posting disputes. Adds emergency meetings to the public meeting notice requirements. Requires boards to make board packets available for public inspection and provide notice, upon request, of the availability of board packets.

l) H.B. No. 991 RELATING TO OPEN GOVERNMENT.
Allows the electronic mailing and posting of meeting notices; requires the posting of the meeting notice and minutes on the state or appropriate county websites; and increases public access to information before a public hearing by a board. Effective January 1, 2018.

m) S.B. No. 1209 RELATING TO THE SUNSHINE LAW.
(Companion H. B. No. 1383)
Removes the limit on the number of board members allowed to have private discussions regarding the selection of the board's officers.

n) H.B. No. 1383 RELATING TO THE SUNSHINE LAW.
(Companion S. B. No. 1209)
Removes the limit on the number of board members allowed to have private discussions regarding the selection of the board's officers.

- o) S.B. No. 1033 RELATING TO BOARD MEETINGS.
Allows boards to file notice of public meetings with the office of the lieutenant governor or appropriate county clerk's office via electronic mail.
- p) S.B. No. 860 RELATING TO PUBLIC AGENCY MEETINGS.
Allows two or more members, without limitation on the number of members, of a board to discuss the selection of the board's officers in private without limitation or subsequent reporting.
- q) S.B. 628 RELATING TO BOARDS AND COMMISSIONS.
Requires department heads to inform the governor of any vacancy in any board or commission. Requires the governor to maintain a listing of all boards and commissions. Appropriation.
- r) S.B. 245 RELATING TO GOVERNMENT RECORDS.
(Companion H. B. No. 988)
Requires each unit of government of the State and its political subdivisions to exercise reasonable care in the maintenance of all government records under its control that are required to be made available for public inspection.
- s) H.B. No. 988 RELATING TO GOVERNMENT RECORDS.
Requires each unit of government of the State and its political subdivisions to exercise reasonable care in the maintenance of all government records under its control that are required to be made available for public inspection.

Public Comment: None

- Announcement:
- a. Next Applications Committee Meeting
Tuesday April 11, 2016
9:30 a.m.
King Kalakaua Conference Room
335 Merchant Street, 1st Floor
Honolulu, HI 96813
 - b. Next Board Meeting
Tuesday, April 11, 2017
10:30 a.m.
King Kalakaua Conference Room
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at
11:45 a.m.

Taken by:

/s/ Christine Rutkowski
Christine Rutkowski
Executive Officer

CR:
3/13/17

[X] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____