

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS,
SURVEYORS AND LANDSCAPE ARCHITECTS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

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

Date: Thursday, June 4, 2015

Time: 9:00 a.m.

Place: Examination Room
King Kalakaua Building
335 Merchant Street, Room 330
Honolulu, Hawaii 96813

Present: Dan Hirota, Vice Chair, Land Surveyor Member
Joel Kurokawa, Secretary, Landscape Architect Member
Demetrio Constantino, Public Member
Ron Iwamoto, Structural Engineer Member
Kevin Katayama, Mechanical Engineer Member
Paul Murray, Land Surveyor Member
Joyce Noe, Architect Member
Clayton Pang, Electrical Engineer Member
Richard Suzuki, Civil Engineer Member
Marc Ventura, Architect Member
Roberto Yumol, Architect Member
Rodney Tam, Deputy Attorney General
James Kobashigawa, Executive Officer
Sandra Matsushima, Executive Officer
Terry Akasaka-Toyama, Secretary

Excused: Jay Manzano, Chair, Public Member

Guest: Alan Inaba

Call to Order: There being a quorum present, Vice Chair Hirota called the meeting to order at 9:23 a.m.

Agenda: Additions and Revisions: It was moved by Mr. Yumol, seconded by Mr. Suzuki, and unanimously carried to add the following to the agenda:

- Under New Business, add h. Results of April 2015 Principles and Practice of Engineering Exams, Principles and Practice of Surveying Exam, and Professional Land Surveyor State Exam.

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Approval of
Minutes:

It was moved by Mr. Iwamoto, seconded by Mr. Suzuki, and unanimously carried to approve the May 7, 2015 Board meeting minutes as amended:

On page 5, the fifth paragraph should read as: "Moreover, the Committee discussed continuing education ("CE") requirements for professional engineers, surveyors, and landscape architects. Mr. Kurokawa stated that the Hawaii [Association] Chapter of the American Society of Landscape Architects ("ASLA") is in favor of requiring CE for landscape architects and is currently discussing the issue." (bracketed material to be deleted and underline material to be added)

Chapter 91, HRS,
Adjudicatory
Matters:

At 9:25 a.m., Vice Chairperson Hirota recessed the Board's meeting to discuss the following adjudicatory matter pursuant to Chapter 91, HRS:

- a. In the Matter of the Architect's License of Jack L. Levin – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was moved by Mr. Kurokawa, seconded by Mr. Suzuki, and unanimously carried to accept the above Settlement Agreement.

- b. In the Matter of the Architect's License of Henry T. Wu – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was moved by Mr. Suzuki, seconded by Mr. Murray, and unanimously carried to accept the above Settlement Agreement.

At 9:29 a.m., the Board came out of Chapter 91, HRS, and returned to its regular order of business.

Applications:

- a. Ratifications

None.

- b. Professional Engineer Committee Recommendations

Mr. Suzuki presented the PROFESSIONAL ENGINEER COMMITTEE REPORT and recommended action as follows:

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- FANDOZZI, Andrew
- GILBERT, Austin
- HEYREND, Timothy
- PACK, Phillip
- SHEDDRICK, Kevin
- SMAALADEN, Christopher
- STUTZMAN, Ashley

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BYRNE, Timothy
- FITZPATRICK, Andrew
- GRANT, Daniel
- GRAY, Angel
- MARQUARDT, Lloyd
- PAVELEC, Charles
- PHILLIPS, Keith
- RUSSO, Malcolm
- WARTELLE, Kevin

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- ELMENDORF, Jeffrey
- GREBE, Nicholas
- HANKS, Kevin
- HINDS, Matthew
- HODGE, Dewain Jr.
- KLIMAS, David
- KRAEMER, Michael
- QUISSELL, Brian
- SLATER, Robert

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- BABEL, Alexander
- HAEN, Abram
- SHEPPARD, Steven

APPROVE ENGINEER BY EXAM (PE)

- MARUOKA, Colin (CE)
- SAKAMOTO, Lance (EE)
- SHING, Tony (CE)
- YAMADA, Stacey (CE)

DENY MECHANICAL ENGINEER BY ENDORSEMENT

- ANDERSON, Jeffrey

DENY STRUCTURAL ENGINEER BY ENDORSEMENT

- BIBB, Andrew

It was moved by Mr. Pang, seconded by Mr. Constantino, and unanimously carried to accept the PROFESSIONAL ENGINEER COMMITTEE REPORT.

c. Professional Architect Committee Recommendations

Mr. Yumol presented the PROFESSIONAL ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE ARCHITECT BY ENDORSEMENT

- ALDER, Sandra
- HASSLER, Todd
- MALDONADO, Brandon
- PARKER, Christopher
- ROTONDI, Michael

APPROVE ARCHITECT BY EXAM

- MACUTAY, Chretien
- CLAUCHERTY, Kimberly

DEFER ARCHITECT BY ENDORSEMENT

- ARTAR, Kyle

DEFER ARCHITECT BY EXAM

- MURAKAMI, Alan

It was moved by Mr. Suzuki, seconded by Mr. Pang, and unanimously carried to accept the PROFESSIONAL ARCHITECT COMMITTEE REPORT.

d. Professional Land Surveyor Committee Recommendations

None.

e. Professional Landscape Architect Committee Recommendations

Mr. Kurokawa presented the PROFESSIONAL LANDSCAPE ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE LANDSCAPE ARCHITECT BY ENDORSEMENT

- SPOONER, Anna (state-constructed exam)

DEFER LANDSCAPE ARCHITECT BY ENDORSEMENT

- ESPENAN, Michael (state-constructed exam)

It was moved by Mr. Suzuki, seconded by Mr. Murray, and unanimously carried to accept the PROFESSIONAL LANDSCAPE ARCHITECT COMMITTEE REPORT.

Old Business:

a. Rules Committee Report

At the May 7, 2015 Committee meeting, Ms. Matsushima updated the Committee and reported that the Board's proposed rules have been prepared and sent to the Director's Office for approval.

The Committee discussed whether continuing education ("CE") should be required for all the professions on the Board.

After lengthy discussion, the Committee recommended that CE be required for all the professions on the Board.

At today's Committee meeting, Mr. Hirota reported that the Hawaii Land Surveyors Association ("HLSA") is not favor of CE at this time due to numerous unanswered questions. They also expressed their support in keeping the state-constructed exam as it is now.

It was moved by Mr. Kurokawa, seconded by Mr. Suzuki, and unanimously carried to approve the minutes of the May 7, 2015 Rules Committee meeting.

b. E-mail from Richard Sunden

This matter was deferred from last month's meeting to research on the matter. Mr. Sunden, Building Construction Inspector for Public Works, DAGS Hawaii District Office, posed several questions to the Board. Is it acceptable for public works projects to have, in the plan set, topographic maps without a surveyor's stamp and is it acceptable for plans to include site maps without property boundaries labeled with azimuths and distances without a surveyor's stamp?

After much discussion, it was moved by Mr. Suzuki, seconded by Mr. Murray, and unanimously carried to defer this matter again for further research by Mr. Tam.

New Business:

a. Professional Engineers Report

- NCEES Southern/Western Zone Interim Meeting

Mr. Pang and Mr. Hirota attended this meeting in Scottsdale, AZ on May 14-16, 2015 and made the following report:

- ✓ The Emerging Engineers and Surveyors Group is a group is made up of 12 individuals, all under the age of 35, who represent full-time senior engineering and surveying students, certified engineer or surveyor interns or those who have passed the FE or FS exams and licensed professional engineers and surveyors. The group will work with leaders of NCEES to provide feedback and discuss topics concerning the licensure process, impediments experienced during the intern/licensure process, and general ideas about how NCEES can promote licensure in a manner that best resonates with the younger generation.

- ✓ Results of CBT testing:

29,710 took the FE in 2014

754 took the FS in 2014

18,215 took the FE to date in 2015

330 took the FS to date in 2015

Statistics indicate that a lot less candidates are taking the CBT exams.

- ✓ The Advisory Committee on Council Activities ("ACCA") discussed the practice of structural engineering may need to be regulated at a higher level of qualifications than currently reflected in the laws and rules of most licensure jurisdictions. Their position is based on the premise that engineers working on structures termed "significant" or "essential", require a higher level of expertise due to the structures' complexity and high potential for harm to the health, safety, and welfare of the public in the event of failure. ACCA found five (5) different approaches to regulating the practice of structural engineering related to significant structures:
 - * Generic P.E. license as reflected in the Model Law and Model Rules;
 - * Generic P.E. license plus protected S.E. title where additional requirements are imposed on P.E.s before they can use the title structural engineer or S.E.;
 - * Generic P.E. license plus protected S.E. title and restricted S.E. practice that restricts not only the use of the S.E. title but also imposes certain restrictions on who can practice structural engineering relative to significant structures;
 - * Discipline specific license where individuals are licensed by specific discipline and restricted to practice only within their designated discipline; and
 - * Separate S.E. license in which the practice of structural engineering is regulated by statutes and rules completely separate from those regulating other disciplines of engineering.

The Committee recommended both the generic P.E. license with a protected S.E. title and restricted S.E. practice as well as the discipline specific license.

- ✓ The 2016 Western Zone meeting will be held in Anchorage Alaska and the 2017 meeting will be a joint meeting with the Central Zone in Colorado.
- ✓ The Committee on Examination for Professional Engineers ("EPE") reported that the timeline for transitioning the PE exam to CBT will probably be more than three (3) years from now. The Committee is working on a reference handbook and must create a bank of questions for the CBT exams. They also need to decide if the exams will be linear (all the same) or linear on the fly ("LOFT") (all different). The EPE is considering including practice related questions in the exam such as contract law, professional insurance, financial obligations and regulations.
- ✓ Additional discussions included:
 - * Adding foreign countries as non-voting members of NCEES.
 - * Amending the continuing education requirement in Model Law to require 15 hours per calendar year, including a one-hour ethics course.
- ✓ During the surveying forum, they discussed the following:
 - * Transitioning the PS exam from pencil-and-paper to CBT. The last paper exam will be given during the April 2016 administration. October 1, 2016 will be the first day for CBT for the PS exam. The CBT will be in three month windows with no breaks.
 - * NCEES will no longer proctor state exams. Options were discussed regarding state specific exams such as eliminating the state exam or make the exams take home, work towards creating a common test, the State boards to be able to proctor each other's exam or to create a CBT for state exams.
 - * Also discussed were possible changes to the sequence of having to earn lawful experience before being able to sit for the PS exam.

- * A motion will be made at the Annual Meeting to implement the NCEES Professional Surveying Program of Distinction for a trial period. The award structure will conform to the recommendations from the Future of Surveying Task Force. \$125,000 will be used to recognize up to 10 surveying programs.
- * The 2018 Western Zone Meeting will be in Hawaii with Guam co-hosting.

- Licensure Exchange

The June 2015 issue was circulated to the members for their information.

- Emerging Engineers and Surveyors Group

See report under "NCEES Southern/Western Zone Interim Meeting".

- Changes to Exams and Supporting Materials

- ✓ April 2016 will be the last time the PS exam will be administered in pencil-and-paper format. The exam will be converted to CBT with the first appointments available in October 2016.
- ✓ The October PE and PS exams will be administered on October 30 and 31, 2015. Registration for these exams will open on June 22, 2015 and close on September 3, 2015.

- NCEES Annual Meeting

Mr. Iwamoto, Mr. Suzuki and Mr. Kobashigawa will be attending this meeting which is scheduled for August 19-22, 2015 in Williamsburg, VA.

b. Architects Report

- Future Title Task Force Statement

The task force, comprised of a diverse group of interns and licensed architects with a wide range of experience, spent

the last year meeting and submitting their report to NCARB's Board of Directors which was approved at its April meeting. The task force recommended the following:

- ✓ Restricting the role of regulation to the title "architect", which would only apply to licensed individuals.
- ✓ Any title held by those pursuing licensure does not need to be regulated. In other words, it was recommended that NCARB discontinue the use of the word intern, intern-architect, or any other regulatory title describing those pursuing licensure.
- ✓ Lastly, architect emeritus is an acceptable term because it identifies those who have obtained a license but are no longer practicing.

NCARB has outlined a sunset plan regarding their next steps such as renaming the Intern Development Program ("IDP").

- Board of Directors Brief

The April 2015 issue of the "Board of Directors Brief" was circulated to the members for their information.

- CEO Update

The April 2015 issue of the "CEO Update" was circulated to the members for their information.

- NCARB Annual Meeting

Mr. Yumol, Mr. Kobashigawa and Ms. Matsushima will be attending this meeting which is scheduled for June 17-20, 2015 in New Orleans, LA.

c. Surveyors Report

See "NCEES Southern/Western Zone Interim Meeting" under Professional Engineers Report.

d. Landscape Architects Report

- CLARB Annual Meeting

The Annual Meeting is scheduled for September 17-19, 2015 in New Orleans, LA. Mr. Kurokawa will be attending as the Board's delegate. For those not able to attend this meeting, CLARB has established an Annual Meeting Facebook group that CLARB members can participate in live posts and interactive conversations during the sessions.

- "In the Know" Webcast

Instead of the monthly webcast, CLARB conducted three live telephone conferences. Mr. Kurokawa participated in the New Exam Eligibility Standard discussion, Mr. Kobashigawa participated in the Benefits of Administrative Approval discussion and the last discussion was on Strategic Planning: Your Experiences.

- New Exam Eligibility Standard

This new standard, which was recently updated and approved by the Board of Directors, meets the education requirements in every Member jurisdiction plus it recognizes alternate paths for those boards that have them. The new standard also streamlines the entry requirements that should be more clear and understandable since 90% of the candidates have a landscape architecture degree accredited from either the Landscape Architectural Accreditation Board ("LAAB") or the Landscape Architecture Accreditation Council in Canada ("LAAC").

Starting with the December 2015 L.A.R.E. administration, all candidates, including those currently in the exam process, will be held to the new standard.

- Committee on Nominations Election

CLARB has implemented a competency-based selection criteria to ensure that CLARB has the most effective, qualified individuals to lead the organization toward its goals. The Board of Directors has identified leadership

competencies for members to consider when voting in this year's elections.

- Continuing Education Requirements for Landscape Architects

Mr. Kurokawa has been in discussion with CLARB and has obtained the proposed 2012 revisions to the CLARB Uniform Continuing Education Standards. He has also spearheaded discussions with the Hawaii Chapter of the American Society of Landscape Architect's Executive Committee and its membership who support the idea of requiring continuing education for landscape architects.

e. Results of the May 2015 Landscape Architect – Hawaii Plant Materials State Exam

Number of Candidates:	1
Number Passed:	0

f. Election of Officers

The floor was opened for nominations for Chair.

It was moved by Mr. Murray, seconded by Mr. Katayama, and unanimously carried to nominate and elect Mr. Hirota as Chair for the upcoming year beginning in July.

The floor was opened for nominations for Vice Chair.

It was moved by Mr. Yumol, seconded by Mr. Pang, and unanimously carried to nominate and elect Mr. Kurokawa as Vice Chair.

The floor was opened for nominations for Secretary.

A motion was made by Mr. Constantino to nominate Mr. Ventura as Secretary; however, there was no second to the motion so the motion did not pass.

A motion was made by Mr. Yumol that was seconded by Mr. Kurokawa and carried by aye votes from Hirota, Iwamoto, Katayama, Kurokawa, Murray, Noe, Pang, Suzuki, Ventura, and Yumol to nominate and elect Ms. Noe as Secretary.

g. Discussion on Delegating Authority Relating to Settlement Agreements and Board's Final Order

In most Settlement Agreements, there is a provision for automatic revocation of a license when the Respondent fails to comply with the terms of the Settlement Agreement. Pursuant to the advice of the Attorney General's Office, the Respondent should be given an opportunity to address the Board before the license is revoked.

It was moved by Mr. Suzuki, seconded by Mr. Yumol, and unanimously carried to delegate to the Executive Officer(s) the authority to inform the Respondent of the Board's intent to revoke the Respondent's license and to invite the Respondent to appear at the Board's next meeting to address the intent to revoke the license, in situations in which the Respondent fails to comply with the terms of the Settlement Agreement.

h. Results of April 2015 Principles and Practice of Engineering Exams, Principles and Practice of Surveying Exam, and Professional Land Surveyor State Exam

	<u>CIVIL</u>	<u>IND</u>	<u>MECH</u>
Number of Candidates:	44	1	18
Number Passed:	15	1	9

(Electrical & Computer ("EC"))
EC: Computer Engineering

Number of Candidates:	1
Number Passed:	0

EC: Electrical & Electronics

Number of Candidates:	2
Number Passed:	0

EC: Power

Number of Candidates:	15
Number Passed:	6

	<u>PS</u>	<u>PLSSE</u>
Number of Candidates:	2	5
Number Passed:	2	0

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Next Meeting: Thursday, July 16, 2015
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

Adjournment: The meeting was adjourned at 10:45 a.m.

Taken and recorded by:

/s/ Terry Akasaka-Toyama

Terry Akasaka-Toyama
Secretary

Reviewed and approved by:

/s/ James Kobashigawa

James Kobashigawa
Executive Officer

6/24/15

Minutes approved as is.

Minutes approved with changes; see minutes _____.