

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, November 12, 2015
- Time: 9:00 a.m.
- Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Dan Hirota, Chairperson, Land Surveyor Member
Joyce Noe, Secretary, Architect Member
Demetrio Constantino, Public Member
Alan Inaba, Land Surveyor Member
Ron Iwamoto, Structural Engineer Member
Kevin Katayama, Mechanical Engineer Member
Clayton Pang, Electrical Engineer Member
Rodney Tam, Deputy Attorney General
James Kobashigawa, Executive Officer
Sandra Matsushima, Executive Officer
Terry Akasaka-Toyama, Secretary
- Excused: Joel Kurokawa, Vice Chairperson, Landscape Architect Member
Richard Suzuki, Civil Engineer Member
Marc Ventura, Architect Member
- Guests: Maria Tome, University of Hawaii ("UH") student
Thin Thin Swe, UH student
- Call to Order: There being a quorum present, Chairperson Hirota called the meeting to order at 9:08 a.m.
- Agenda: Additions and Revisions: None.

Approval of
Minutes:

It was moved by Mr. Iwamoto, seconded by Mr. Constantino, and unanimously carried to approve the October 8, 2015 Board meeting minutes as circulated.

Applications:

a. Ratifications

None.

b. Professional Engineer Committee Recommendations

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

APPROVE CHEMICAL ENGINEER BY ENDORSEMENT

- MOTT, William

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- ALBERS, David
- FRASER, John
- HULL, Troy
- LEONE, Craig
- McFARLANE, Shaun
- POWERS, Cape
- STEENKEN, John

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BRANDT, Michael
- HARTIG, Matthew
- KALB, Michael
- NADEAU, Michael
- PABST, Paul
- RICKS, Aaron
- RIENSCHKE, Ian
- WILSON, Ronald

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- BRADSTREET, Nina
- CANTELMINI, Frank
- FARMER, Thomas
- WARRINER, Leon

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- BOYSEN, Brian
- CHAN, Siu Fu
- CRANSTON, P. Graham
- DOTTA, Matthew
- LAU, Chun
- SHARPE, Graeme
- STECKEL, Robert
- TOMAN, Jason

APPROVE ENGINEER BY EXAM (PE)

- MILLARE, Cole (CE)
- THANH, Quoc-Hung (CE)

DEFER CIVIL ENGINEER BY ENDORSEMENT

- CHAN, Siu Fu
- LUNA, Becky

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- O'BRIEN, Timothy
- REBSTOCK, Michael
- SHARPE, David

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- JONES, Morgan
- WILDA, Michael

DEFER ENGINEER BY EXAM (PE)

- O'CONNOR, Michael (EE)

DEFER ENGINEER BY EXAM (FE)

- O'CONNOR, Michael

DENY CIVIL ENGINEER BY ENDORSEMENT

- HAYDUCSKO, Judith
- KNOKE, Jay
- ROWE, Jeffrey

DENY WAIVER OF FE EXAM

- HAYDUCSKO, Judith

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

Ms. Noe presented the PROFESSIONAL ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE ARCHITECT BY ENDORSEMENT

- AUSTIN, Clifton
- FALLON, Thomas
- JORDAN, Michael
- LANEY, Anthony
- MACHULSKY, Darren
- MAYER, Joseph
- SHIM, Brigitte

APPROVE ARCHITECT BY EXAM

- ARAKAKI, Matthew
- DEWEY, Sara
- OKABAYASHI, Edward
- WONG, Dayton

DEFER ARCHITECT BY ENDORSEMENT

- CACCHIONE-ANDERSON, Mary Rose
- EERKES, Leslie

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

d. Professional Land Surveyor Committee Recommendations

None.

e. Professional Landscape Architect Committee Recommendations

None.

Old Business:

a. Rules Committee Report

- Approval of Rules Committee Minutes of October 8, 2015 Meeting

At their October 8, 2015 meeting, the Committee continued discussions on the Board's brochure titled "Professional Services for Construction Projects and Land Surveys".

The Committee previously questioned the exemption for structures costing \$15,000. Mr. Yumol reported that he contacted the co-author of the brochure, the City and County of Honolulu Building Department, the Department of Accounting and General Services, and the State Procurement Office and no one had any knowledge of a \$15,000 exemption for certain structures. Accordingly, the Committee is recommending that the exemption be deleted.

Regarding amending the continuing education ("CE") requirement for architects to align with NCARB's requirement, Mr. Yumol reported that he contacted AIA Hawaii State Council and was informed that they are in the process of assembling a Licensing and Consumer Protection Committee to address this issue. As previously noted, NCARB's Model Law requires 12 hours of health, safety, and welfare ("HSW") courses per calendar year.

At the Board's last meeting in September, the Board addressed a letter requesting that environmental engineering be added as a discipline of engineering to license. The Board referred the matter to the Rules Committee for further discussion. After discussion, the Committee recommends that environmental engineering be added as a discipline of engineering to license. The Committee noted that there are many projects involving environmental engineering, there are accredited degree programs in environmental engineering, and there is an NCEES Principles and Practice of Engineering ("PE") exam in environmental engineering.

It was moved by Mr. Pang, seconded by Mr. Kayatama, and unanimously carried to approve the minutes of the October 8, 2015 Rules Committee meeting.

Mr. Yumol reported that at today's Rules Committee meeting, the Committee discussed adding a section to 16-115-50 to incorporate NCARB's rolling clock to the A.R.E. exam. This proposal will be processed with the next rules amendments package.

Mr. Yumol also indicated that both he and Ms. Noe will be joining AIA Hawaii State Council's Committee to discuss syncing the Board's continuing education requirement with NCARB's requirement of 12 hours in health, safety, and welfare ("HSW") per calendar year. This proposal is targeted to be submitted for the 2017 Legislative Session.

The Committee also discussed the definition of an environmental engineer. It was found that only two states have a definition for environmental engineer while the others states have broad definitions.

New Business: a. Professional Engineers Report

- Architectural Engineers Professional Activities and Knowledge Study ("PAKS")

NCEES is seeking licensed architectural engineers to participate in a PAKS for the PE Architectural Engineering exam. The results of this survey will be used to update specifications for the exam to help ensure the licensing exam remains relevant to current practices.

NCEES requires a cross section of licensed professional engineers practicing architectural engineering – including those working in industry, consulting, the public sector, and academia – to complete an online survey. The survey will help determine the knowledge and skills required of a licensed architectural engineer with four to six years of experience to practice in a manner that safeguards the health, safety, and welfare of the public.

- Highlights from the MBA Report from the NCEES Board of Directors Meeting:
 - ✓ Mr. Jerry Carter and Ms. Patty Mamola attended the APEC (Asia Pacific Economic Cooperation) meeting in Taipei. This is related to the International – Pacific Rim cooperation agreement of engineering licensure (mobility accord). Each signatory to APEC is required to have an International register (similar to model law), but requiring seven years of experience. They are looking to getting a portal database of international engineers functioning.
 - ✓ Mr. Michael Conzett, President of NCEES Board of Directors, and Mr. Jerry Carter attended ASCE's (American Society of Civil Engineers) annual meeting. ASCE is interested in the MOE (master's or equivalent) and how it was addressed with NCEES. ASCE's Raise the Bar Initiative seeks to advance the profession and the public welfare by actively supporting the national movement to raise educational requirements for licensure where future civil PEs would need to have a master's degree in engineering or an additional 30 credits of graduate or upper level undergraduate courses in engineering, science, mathematics and professional practice topics completed inside or outside a university setting, besides having a bachelor's degree in engineering from an accredited school.
 - ✓ Mr. Roy Shrewbury, P.S., reported that the EPS (Exam for Professional Surveyors) Committee met and discussed the low pass rates for the FS exam and will continue to monitor the pass rates to see if it needs to be addressed at a later time. A waiver of the FS exam was discussed for those who have a Ph.D. It was also mentioned few surveying graduates are getting licensed. The Committee also would like to encourage all faculty who teach upper division surveying courses to be licensed.

- Other News

Mr. Pang reported that he will be observing the Accreditation Board for Engineering and Technology ("ABET")'s site visit to the University of Hawaii at Manoa as the Board's representative.

b. Architects Report

- CEO Update

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

- Fast Facts (November 2015 issue)

- ✓ NCARB's Board of Directors is seeking Member Board comments on a proposal to modify NCARB's Education Standard to align with the National Architectural Accrediting Board's ("NAAB") 2014 Conditions for Accreditation that will take effect on January 1, 2016.
- ✓ Effective July 1, 2016, the new requirements for certification of foreign architects in the Broadly Experienced Foreign Architect ("BEFA") Program are:
 - * Hold a recognized education credential in an architecture program that leads to licensure/credential in a foreign country.
 - * Credentialed in a foreign country allowing unlimited practice that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture.
 - * Complete the requirements of the Intern Development Program ("IDP"); and
 - * Pass the Architect Registration Examination ("A.R.E.").

Applicants will no longer be required to complete a minimum of seven years of practice in the country where they are credentialed as an architect, nor will they be required to compile a dossier of their experience and participate in an interview with the BEA Committee.

37 jurisdictions will be able to accept an applicant for licensure that has satisfied the requirements for certification of foreign architects. An additional 13 may be able to accept applicants if certain stipulations are met, and four will not be able to accept this new path.

- NCARB Webinar on Enhanced Intern Development Program ("IDP")

On June 29, 2016, IDP will be updated to reflect six broad practice-based areas of architectural practice replacing the current 17 experience areas. The six new experience areas include:

- ✓ Practice Management;
- ✓ Project Management;
- ✓ Programming & Analysis;
- ✓ Project Planning & Design;
- ✓ Project Development & Documentation; and
- ✓ Construction & Evaluation.

IDP will continue to require 3,740 total hours and hours already reported will not be lost. The overhauled IDP will now have two experience settings:

- ✓ Setting A – Practice of Architecture
- ✓ Setting O – Other Experiences (site visits, design competitions, etc.)

- Renaming the IDP

As a result of the deliberations and recommendations from the Future Title Task Force, NCARB announced that it would initiate a "sunset" plan regarding the use of the word "intern" within its programs. At this past Annual Business Meeting, Member Boards were requested to submit suggestions for a new title for the IDP Program. Ideas were also solicited from the Internship Committee,

Architect Licensing Advisors, the Intern Think Tank, NCARB staff as well as those who visited their booth at the AIA Convention.

- Other News

- ✓ The University of Kansas in Lawrence, KS has been accepted to participate in an initiative that will potentially enable students to complete the requirements for an architect license while in school. They are one of 14 programs accredited by the National Architectural Accrediting Board ("NAAB") that has been accepted by NCARB to join the inaugural class which includes M.Arch and B.Arch programs from across the country, to participate in NCARB's integrated path to architectural licensure.

c. Surveyors Report

- Inquiry on Construction Staking

Another state licensing board inquired how does the Board handle construction staking.

By consensus of the Board, so long as the land surveyor is setting the survey control points within the project, the contractor can stake out the construction or set grades based on those controls.

d. Landscape Architects Report

- Report on CLARB Annual Meeting

Mr. Kurokawa attended this meeting and the following are highlights from his report:

- ✓ A workshop was held on the value of strategic planning as a means of being highly efficient, effective, and focused boards. Mr. Kurokawa inquired whether NCEES or NCARB uses a strategic planning process and if their member boards are encouraged to utilize strategic planning to be more efficient, effective, and focused?

- ✓ Joel Albizo, CLARB CEO, challenged members to think about potential disrupters, such as technology, to regulation and how CLARB may need to adapt. An example given was UBER and how technology has allowed them to connect passengers to drivers by just using a smart phone app or in other words a voluntary, user based regulating system.
- ✓ Continuing education was discussed during the Region 5 meeting. Currently, of the 11 member boards in Region only 5 have a continuing education requirement (Alaska, British Columbia, Oregon, Utah, and Washington).
- ✓ During a group session, the groups discussed CLARB's Model Law, the future of licensure and the L.A.R.E. – from development to analysis. Opportunities to strengthen the existing Model Law were discussed as well as what should or shouldn't be in the Model Law. Target membership voting for amendments to the Model Law will be in September 2016.

The discussion on the future of licensure presented by CEO Albizio inquired how CLARB should preserve the integrity of regulation when there are pressures to reduce the barriers to licensure. Possible suggestions were voluntary regulation, hybrid regulation of voluntary and government-based, government-based on common credentials or a stronger government-based regulation.

Adrienne Cadle, Sr., a psychometrician from Professional Testing presented the best practices in exam development and how the L.A.R.E. compares to other exams as well as how the exam was scored and the scaled scoring process. Professional Testing developed the computer L.A.R.E. exam in 2012. The L.A.R.E. is scheduled to undergo another task analysis in 2016, which occurs every fifth year, to ensure that the exam remains current.

- Landscape Architecture Continuing Education System ("LA CES") Committees

The LA CES is a program sponsored by key landscape architecture organizations to establish, maintain and enforce standards for evaluating professional development and continuing education programs for landscape architects. It's a collaboration of CLARB, the American Society of Landscape Architects ("ASLA"), the Canadian Society of Landscape Architects ("CSLA"), the Council of Educators in Landscape Architecture ("CELA"), the Landscape Architectural Accreditation Board ("LAAB") and the Landscape Architecture Foundation ("LAF").

LA CES is seeking volunteers to serve on two of the three committees. One committee is the LA CES Monitoring Committee whose job is to perform an annual audit of 10% of the LA CES providers to ensure compliance with quality guidelines. The other committee is the LA CES Administrative Committee whose job is to manage and oversee the LA CES program and its committees.

Mr. Kurokawa expressed interest in participating on the Monitoring Committee while Ms. Matsushima expressed interest in participating on the Administrative Committee. They will be notified by the end of November whether they have been selected.

- CLARB Communique

CLARB CEO Joel Albizo distributed information on the Federal Trade Commission's guidelines to help states better understand and comply with the new law. Also distributed was CLARB's presentation to the ASLA Licensure Summit on this case.

- e. Federal Trade Commission ("FTC") Guidelines Based on Supreme Court Decision Concerning Active Supervision of State Regulatory Boards

Early in the year, the U.S. Supreme Court upheld the FTC's determination that the North Carolina Board of Dental Examiners violated the federal antitrust laws by preventing non-dentists from providing teeth whitening services in competition with the state's licensed dentists. In wake of the

Supreme Court's decision, state officials have requested advice from the FTC regarding antitrust compliance for state boards responsible for regulating occupations. The FTC created a staff guidance to address the applicability of the state action defense under the federal antitrust laws.

f. Federation of Associations of Regulatory Boards ("FARB") Meeting – National Policy Summit on Professional Regulation

This meeting will be an analysis of the Regulatory Landscape from the Association Perspective. It is scheduled for July 21, 2016 in Nashville, TN.

g. Tentative 2016 Meeting Schedule

January 7, 2016
February 11, 2016
March 17, 2016
April 14, 2016
May 12, 2016
June 9, 2016
July 14, 2016
August 11, 2016
September 8, 2016
October 13, 2016
December 8, 2016

Correspondence: a. Letter from Dr. Hossein Ataei

Dr. Ataei inquired whether he can become licensed as a civil engineer by endorsement having a Masters and a PhD degree in civil engineering, passed the NCEES FE exam and the Canadian PE exam, and is licensed in Nevada and Quebec and Ontario, Canada.

After discussion, it was moved by Mr. Iwamoto, seconded by Mr. Inaba, and unanimously carried to inform Mr. Ataei that he does not qualify as he has not passed the NCEES PE branch exam in civil engineering or a similar state-produced licensing exam.

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Next Meeting: Thursday, December 10, 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 10:11 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

11/25/15

Minutes approved as is.

Minutes approved with changes; see minutes _____.