

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: Monday, June 8, 2017

Time: 9:00 a.m.

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

Present: Joel Kurokawa, Chairperson, Landscape Architect Member
Joyce Noe, Vice Chairperson, Architect Member
Demetrio Constantino, Public Member
Alan Inaba, Land Surveyor Member
Ron Iwamoto, Secretary, Structural Engineer Member
Kevin Katayama, Mechanical Engineer Member
Benedict Lee, Landscape Architect Member
Clayton Pang, Electrical Engineer Member
Richard Suzuki, Civil Engineer Member
Marc Ventura, Architect Member
Roberto Yumol, Architect Member
Shari Wong, Esq., Deputy Attorney General
James Kobashigawa, Executive Officer
Sandra Matsushima, Executive Officer
Terry Akasaka-Toyama, Secretary

Excused: Ken Ota, Public Member

Call to Order: There being a quorum present, the meeting was called to order at 9:02 a.m. by Chair Kurokawa.

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

- Under New Business, a. Professional Engineers Report, add:
 - ✓ Release of April 2017 PE Results
 - ✓ Timeline for October 2017 Exams
 - ✓ Candidacy Announcement for NCEES Treasurer
- Under New Business, b. Architects Report, add:
 - ✓ NCARB Update – May Highlights

Approval of
Minutes:

It was moved by Mr. Ventura, seconded by Mr. Suzuki, and carried (Ms. Noe abstained) to approve the May 11, 2017 Board meeting minutes as distributed.

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

- BROOKS, Rhett
- BURCHETT, Craig
- BUSCH, Noah
- GALLO, Raul
- HOBSON, Eric
- HUBER, Michael
- LIU, Peter
- MULLER, Joseph
- PROCTOR, Monty

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BIBEAU, Kevin
- COOMES, Robert
- DAUBENBERGER, Bradley
- PATEL, Samir
- WHITT, Sean

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- BERKHEIMER, Mark
- HARRYLOCK, Thomas
- LEFFLER, John
- PATALON, Brian
- SCHNEIDER, Ronald
- TAYLOR, Nathan
- WILLIAMS, Nicolaus

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- HOBBS, Ashley
- HUGHES, Mark
- SMITH, Dwight

APPROVE ENGINEER BY EXAM (PE)

- CAI, Yingjian (SE)
- LEE, Brian (EE)
- YAMAGUCHI, Ross (EE)

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- DIAZ, Ricardo
- HULTQUIST, Joseph
- JALILI, Sohrab
- JOSHI, Saros

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- BROWNE, Michael

It was moved by Mr. Pang, seconded by Mr. Inaba, 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

- ALATRISTE, Adolfo
- EHM, Randal
- HANSEN, David Jr.
- SUNDBERG, Richard
- WEST, Josef

APPROVE ARCHITECT BY EXAM

- KEOMAKA, Elwyn II
- KIM, Kyu Young
- PHUNG, Stephany
- WILLIAMS, Thomas

DEFER ARCHITECT BY EXAM

- AGARAN, Mark

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

d. Professional Land Surveyor Committee Recommendations

Mr. Inaba presented the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT and recommended action as follows:

APPROVE LAND SURVEYOR BY EXAM

- FANG, Yen Wen (PS and state-constructed)

It was moved by Mr. Inaba, seconded by Mr. Suzuki, and unanimously carried to accept the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT.

e. Professional Landscape Architect Committee Recommendations

None.

Old Business:

a. Rules Committee Report

At its May 11, 2017 meeting, the Committee continued its discussion on electronic signatures. Mr. Yumol prepared a draft chart for discussion relating to the signing and sealing of technical documents for all government agencies (State, City and County, Federal, etc.) as well as the private sector to follow.

The Committee also discussed the pros and cons of allowing counties to develop some of their own standards for documents they receive (i.e., required blue ink signatures for Big Island documents, etc.).

Mr. Pang inquired on the wall certificates that newly licensed engineers receive as the certificates do not state what discipline they are licensed in. In the past, the discipline used to be listed on the wall certificate. Currently, the discipline is only shown on the pocket card. Ms. Matsushima will do some research to find out when and why the discipline was removed from being printed onto the wall certificate and will report back to the Committee at next month's meeting.

At today's meeting, the Committee continued to discuss section 16-115-2, HAR, regarding the definition of supervision, and section 16-115-9, HAR, regarding stamping of plans and digital signatures.

It was moved by Mr. Suzuki, seconded by Mr. Katayama, and unanimously carried to approve the May 11, 2017 Rules Committee meeting minutes as distributed.

New Business:

a. Professional Engineers Report

- Matters Related to the National Council of Examiners for Engineering and Surveying ("NCEES")
 - ✓ National Society of Professional Engineers ("NSPE") Education and Experience Requirements for the Professional Engineer

NSPE prepared a document that includes the education and experience requirements for licensure as a Professional Engineer throughout the U.S. and its territories as of March 2017.

- ✓ Report on Central/Western Joint Interim Meeting

The Central/Western Joint Interim Meeting was attended by Mr. Inaba, Mr. Suzuki, Ms. Matsushima, and Mr. Kobashigawa in Denver, CO. Highlights from their report are as follows:

Education Committee: - Submitted a motion to research new pathways to licensure via additional experience by using assessed learning days ("ALD").

- Audited the Credentials Evaluations program and determined it is working well.

- ABET accredits online programs also.

Examination Policy & Procedures Committee: - Submitted a motion to address and review PE exams with less than 50 candidates.

- Submitted a motion to require manual review of exam questions within 60 days.

Examinations
for Professional
Engineers
Committee:

- In 2018, chemical (April 2018) and nuclear (October 2018) PE exams will be computer based testing ("CBT").
- In 2019, the environmental and petroleum PE exams will be CBT.
- In 2020, the mechanical fire protection and industrial PE exams are switching to CBT.

Examinations
for Professional
Surveyors
Committee:

- PS exams are CBT using alternative item types ("AIT")
- New specifications for PS exam in 2019.
- Forming new cut score panel for CBT FS exam as pass rates have been lower than paper and pencil. Possibly the cut score was set too high.

Law Enforcement
Committee:

- Will be developing an advisory group to advise boards on law enforcement issues.

Member Board
Administrators:

- Will submit a motion to have a common Zone meeting in 2020 where all zones would meet at the same time.
- A recommendation was made to have a webinar meeting for MBAs instead of a biennial attendance meeting.
- There was discussion on how boards test for ethics.
- Will be developing a "white paper" on mobility.

✓ Registration for 2017 NCEES Annual Meeting

The 2017 NCEES Annual Meeting is scheduled for August 23-26, 2017 in Miami Beach, FL. Mr. Katayama and Mr. Suzuki will be attending as delegates and Ms. Matsushima will be attending as the Member Board Administrator.

✓ Release of April 2017 PE Results

The April 2017 PE exam results were recently released.

✓ Timeline for October 2017 Exams

June 19 – NCEES registration opens
August 31 – NCEES registration deadline

✓ Candidacy Announcement for NCEES Treasurer

Tim Rickborn announced his candidacy for NCEES Treasurer. He was a member on the South Carolina Board of Registration for Professional Engineers and Land Surveyors and has served on several NCEES Committees.

• Western Zone Matters

✓ Motion passed to include Northern Marianas as a co-host for the 2018 Western Zone Meeting with the Hawaii and Guam Boards.

- ✓ Site Selection Committee
- | |
|--------------------------------|
| 2018 – Honolulu, Hawaii |
| 2019 – Boise, Idaho |
| 2020 – Bozeman, Montana |
| 2021 – Incline Village, Nevada |
| 2022 – New Mexico |

b. Architects Report

• Matters Related to the National Council of Architectural Registration Boards ("NCARB")

✓ NCARB Fast Facts (May 2017)

- * Score reports for the two remaining divisions of ARE 5.0 (Project Management and Construction & Evaluation) were released on May 4, 2017.

- * The April 2017 Monthly Legislative Update is now available and reported on:

- In Illinois, H.B. 3319 (the "Right to Earn a Living Act") would require agencies, including state licensing boards, to limit occupational regulation to only those necessary and carefully tailored to meet public health, safety, welfare objectives.

If approved, this bill would provide additional ways for an individual to petition the Governor's regulatory review council to include the review of a rule based on their belief that it does not comply with state rulemaking procedures. The "Right to Earn a Living Act" was proposed in Nevada as well (S.B. 330).

✓ NCARB Update – April & May Highlights

- * NCARB's strategic goal of facilitating licensure received a boost from the launch of NCARB's Certificate Portfolio. This path allows licensed architects who do not have an architecture-related degree, including those with less than a bachelor's degree, to submit an online portfolio documenting learning through experience in any deficient areas of the NCARB Education Standard. The portfolio is then reviewed by trained volunteer architects, which eliminates the exorbitant review fee and expedites the process.
- * Recent visits to individual Member Boards have led to additional participants in the data-sharing initiative, which addresses NCARB's strategic goal of centralizing data.
- * The remaining strategic goal of fostering collaboration was pursued largely through the enhancement of NCARB's relationship with key volunteers during Volunteer Leadership Week, as well as through several outreach visits to state boards, AIA components, and college campuses.
- * Senior Architect/Advisor to the CEO Stephen Nutt, FAIA, continues to lead NCARB's engagement with nine other professional regulatory organizations in the

State Licensing Board Anti-Trust Coalition. The coalition has been working for the past year to introduce federal language that will protect members of state licensing boards from treble damages involved in anti-trust claims.

- * The ARE 5.0 Item Development Subcommittee completed their final item writing efforts for this fiscal year. The subcommittee authored over 650 new exam items this year for future delivery on ARE 5.0.
 - * The Examination Committee completed a review of ARE 5.0's first half-year of statistical performance and began efforts related to the retirement of ARE 4.0 that will take place June 30, 2018.
 - * NCARB is preparing to launch a new community website to support licensing advisors.
- ✓ NCARB BOD Brief – April Activities
- * The Board of Directors ("BOD") established cut scores for the last two division of ARE 5.0: Project Management ("PjM") and Construction & Evaluation ("CE"). The Board's activity is the third step in a rigorous three-stage process to ensure a fair standard is established. The first step involved a diverse panel of experts comprised of recently licensed and seasoned practitioners, educators, and Member Board Members, with additional diversity across four other categories: gender, firm size, race/ethnicity, and region of practice. The panelists conducted rigorous standard-setting exercises under the guidance of the Council's psychometric consultants.

Results from the panel were then reviewed by the Examination Committee, which applied an additional set of filters to arrive at a final recommendation for the Board's consideration. The BOD reviewed the results from the panel and the committee, along with additional data, before setting the passing score. Further steps are subsequently conducted by the psychometric experts and quality control exercises are completed by Council staff prior to the release of scores to the candidates.

- ✓ Memo from NCARB Regarding A.R.E. 5.0 Rolling Clock Adjustment

A 6-month rolling clock extension is being automatically applied to all of the examination candidates' valid passing scores and ARE 5.0 credits because they were impacted by the holding of score reports.

- ✓ Report on May 18, 2017 Architect Licensing Advisors Webinar

Since no one was able to participate in the webinar, no report was made.

- ✓ NCARB Press Release Regarding NCARB Certificate Portfolio

Through the new Certificate Portfolio, architects licensed in a U.S. jurisdiction who hold any education other than an architecture-related degree, including those who do not have a college degree, can satisfy the Certificate's education requirement by completing an online portfolio documenting learning through experience. This revised path makes professional mobility achievable for a broader range of licensed individuals, while maintaining the quality standards expected by our boards and the public.

U.S. architects interested in pursuing certification through the portfolio must have at least three years of continuous licensure in any U.S. jurisdiction without disciplinary action, and fall into one of two categories:

- * Architects with post-secondary education who have obtained 64 or more semester credit hours. These applicants are required to obtain an EESA evaluation and submit a portfolio to address any deficiencies.
- * Architects with less than 64 semester credit hours of post-secondary education. These applicants are not required to obtain an EESA evaluation and must address all education requirements through a portfolio.

✓ AIA Recommended Titles for Interns

The American Institute of Architects ("AIA") recently issued a statement in support of two new titles to replace the term "intern" when referring to a candidate pursuing architectural licensure: "*Architectural Associate*" or "*Design Professional*". Many jurisdictions safeguard one or both of those titles in law or in regulation so that the public can rest assured that anyone authorized to hold themselves out as an "architect" has the necessary credentials to design buildings that protect the public health, safety and welfare.

NCARB wants to provide information to candidates and supervisors clarifying which jurisdictions have laws or regulations that conflict with AIA's policy statement. Of the states/territories surveyed, preliminarily, use of the recommended titles for interns may not violate current statute or rule in Alaska, Arizona, Minnesota or Tennessee. Connecticut, Georgia, Guam, Kansas, Maryland, Michigan, Utah, Vermont, and Washington, D.C. didn't respond. For all of the other states/territories, either one or both of the recommended titles violate a current statute or rule.

It was questioned why is there a need to change the "intern", to which it was indicated that some find the term demeaning.

✓ Alfred Vidaurri, Jr. – Candidate for NCARB Board of Directors Secretary

Mr. Vidaurri has been involved with NCARB over 13 years serving on various committees, task forces and is currently the Region 3 Director. He's also served on the National Architectural Accrediting Board ("NAAB") and Texas Board of Architectural Examiners.

c. Surveyors Report

- Report on Surveyors Forum at Central/Western Zone Joint Interim Meeting

Mr. Inaba reported on a presentation by Ric Moore, PLS, Executive Officer of the California Board of Professional Engineers, Land Surveyors, and Geologists.

When the PS exam converted to CBT, concerns and discussions were raised by MBA's and surveyor representatives from Member Boards, such as rethinking how they can develop/administer state-specific exams and whether the PS exam should be separated into modules.

The idea of a Public Land Survey System ("PLSS") Depth Module was discussed. If the Board's licensing laws require applicants to demonstrate minimum competency in PLSS surveying, then including PLSS subject matter to the exam can/may/does meet the Board's requirements. If not, can the applicant allege that the Board is requiring demonstration of competency in subject matter beyond its authority of the practice in the jurisdiction and licensing requirements by including PLSS subject matter to the exam?

Currently, 30 jurisdictions require surveyors to be competent in PLSS. The remaining states/territories have their own unique system. 14-16 Member Boards are interested in evaluating the need for supplemental depth modules (i.e. PLSS).

At 9:55 a.m., Mr. Katayama was excused from the meeting.

d. Landscape Architects Report

- Matters Related to the Council of Landscape Architectural Registration Boards ("CLARB")
 - ✓ Registration Open for CLARB Annual Meeting on September 14-16, 2017

This year's meeting will be held in Boise, Idaho and highlights of what the meeting will include are:

- * Voting on the proposed revisions to the Model Law and Model Regulation;
- * Election of CLARB leadership;
- * Weigh in on proposed governance enhancements;
- * Important updates;
- * Participate in the first-ever landscape architect friction analysis;
- * Problem-solve with your peers; and
- * Other important information.

- ✓ CLARB Webinar on May 31, 2017 – Explore Proposed Revisions to Model Law and Regulations

CLARB revised the model language in response to the regulatory environment, which continues to come under great scrutiny from legislators as they look to eliminate real or perceived antitrust threats, remove barriers to practice, and reduce operating costs.

- ✓ CLARB Communique Regarding Future Threats to Regulation

CLARB CEO Joel Albizo informed readers on recent and future threats to regulation not only for landscape architects, but all professions:

- * Legislation enacted in Arizona and Mississippi may prove to be problematic for boards and their stakeholders.
 - * A proposal to deregulate engineering was introduced in Montana, and the Oregon State Board of Examiners for Engineering and Land Surveying is being sued by a citizen, who is represented by the Institute for Justice, for practicing engineering without a license.
 - * Legislators in Colorado and Washington both posted that the online consumer recommendation service Yelp could be an alternative to licensure for landscape architecture.
- ✓ Candidacy for CLARB Region 5 Director – Joel Kurokawa

Mr. Kurokawa made the ballot for the Region 5 Director position. He was asked to prepare a video clip of his response to two questions that were given to him to answer, which will be posted to CLARB's website in June.

e. Election of Officers for July 1, 2017 to June 30, 2018

The floor was opened for nominations for Chair.

Due to the Board hosting the 2018 NCEES Western Zone meeting next year, it was suggested that the Chair elected should be an engineer member instead of an architect member as would be the normal rotation.

It was moved by Mr. Suzuki, seconded by Mr. Inaba, and unanimously carried to nominate and elect Mr. Iwamoto as Chair for the upcoming year beginning July 1st.

The floor was opened for nominations for Vice Chair.

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

The floor was opened for nominations for Secretary.

It was moved by Mr. Suzuki, seconded by Mr. Iwamoto, and unanimously carried to nominate and elect Mr. Constantino as Secretary.

Correspondence: a. Letter from Structural Engineers Association of Hawaii ("SEAOH") Regarding Requiring Continuing Professional Development to Maintain a License for Structural Engineers

The SEAOH requested the Board to consider establishing a continuing education ("CE") requirement as a condition for maintaining status as a licensed professional structural engineer in Hawaii.

A poll of its membership in 2016 found that a majority of the respondents favored enacting a CE requirement for license renewal.

It was suggested that a letter be sent to all of the engineering societies to poll their membership.

In principle, the Board favors requiring CE, but will get feedback from the other associations for their opinion.

Executive Officer's Report: a. Statistics on November 2016 to April 2017 Computer-Based Testing Fundamentals of Surveying ("FS") and Principles and Practice of Surveying ("PS") Examinations

	<u>FS</u>	<u>PS</u>
Number of Candidates:	5	2
Number Passed:	1	1

b. Statistics on April 2017 Fundamentals of Surveying ("FS"),
Principles and Practice of Surveying ("PS") and Professional
Land Surveyor State Examinations

	<u>FS</u>	<u>PS</u>	<u>State- Constructed</u>
Number of Candidates:	3	2	4
Number Passed:	1	1	2

c. Statistics on April 2017 Principles and Practice of Engineering
Exam

	<u>CE</u>	<u>ECP</u>	<u>MEF</u>	<u>MEH</u>	<u>MEM</u>
Number of Candidates:	39	17	4	2	2
Number Passed:	17	6	4	2	1

ECP = Electrical and Computer: Power
MEF = Mechanical: Thermal and Fluids Systems
MEH = Mechanical: HVAC and Refrigeration
MEM = Mechanical: Machine Design and Materials

d. Department of Commerce and Consumer Affairs ("DCCA")
Disciplinary Actions through April 2017

This list was circulated to the members for their information.

Next Meeting: Monday, July 13, 2017
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: The meeting was adjourned at 10:30 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
6/20/17

[] Minutes approved as is.

[X] Minutes approved with changes; see minutes 7/13/17.