

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, September 14, 2017

Time: 9:00 a.m.

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

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

Excused: Joel Kurokawa, Landscape Architect Member
Benedict Lee, Landscape Architect Member
Ken Ota, Public Member

Call to Order: There being a quorum present, the meeting was called to order at 9:14 a.m. by Chair Iwamoto.

Agenda: Additions and Revisions: None.

Approval of Minutes: It was moved by Mr. Suzuki, seconded by Mr. Inaba, and unanimously carried to approve the August 10, 2017 Board meeting minutes as circulated.

Chapter 91, HRS,
Adjudicatory
Matters:

At 9:16 a.m., Chair Iwamoto recessed the Board's meeting to discuss the following adjudicatory matter pursuant to Chapter 91, HRS:

- a. In the Matter of the Professional Engineer License of William J. Zastrow, P.E. – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was moved by Mr. Suzuki, seconded by Mr. Inaba, and unanimously carried to reject the above settlement agreement.

At 9:28 a.m., the Board came out of Chapter 91, HRS, and returned to its regular order of business.

Applications:

- a. Ratifications

It was moved by Mr. Suzuki, seconded by Mr. Inaba, and unanimously carried to ratify approval of the following:

APPROVED ENGINEER BY EXAM (PE)

- OUE, Jordan (ME)
- ROBINSON, Cameron (SE)
- SONG, Casey (CE)
- WADA, Brian (SE)

APPROVED ENGINEER BY EXAM (FE)

- ROBINSON, Cameron

- b. Professional Engineer Committee Recommendations

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

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- BROOKS, Lynette
- BUSHEY, Eric
- COLE, Kelly
- STRIDER, Michael
- VAN GERVE, Donald
- VECCHIO, Robert
- VERMAAS, Garry

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- BAGHA, Kamaljit
- DOCKTER, Amy
- GOSAL, Jeffry
- LESCHPER, Jennifer
- MOTLOCH, Logan
- PARKES, Wayanda
- PENSO, Joshua
- PHILLIPS, Jonathan
- POURSHARIF, Adel
- SANDBLOM, Daniel
- SHEPHERD, Michael
- SMITH, Thomas
- WEBER, Thomas Jr.

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- BORDEN, Donald
- DIAZ-VELAZQUEZ, Jose
- KARTCHNER, Mark
- LUCK, William
- WHITEN, Matthew

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- AMINSAREMI, Arash
- CLANDENING, Kurtis
- HANNAS, Kirstein
- HOOD, Matthew
- HUNT, Nicholas
- THURGOOD, Travis
- TSAO, Lungshen

APPROVE ENGINEER BY EXAM (PE)

- FIORENTINE, Jared (EE)
- MORITA, Matthew (CE)
- NISHIMURA, Gavin (CE)

APPROVE ENGINEER BY EXAM (FE)

- FIORENTINE, Jared
- NISHIMURA, Gavin

DEFER CIVIL ENGINEER BY ENDORSEMENT

- HU, Jiazhu
- MORRIS, Jordan
- TROAST, Tyler
- VEEGH, Michael

DEFER MECHANICAL ENGINEER BY ENDORSEMENT

- SERKIS, Fabian
- TOUZA, Felix
- VU, Dung
- YUKSEK, Errol

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- HU, Jiazhu
- LEWIS, Brian
- MEHLE, Jeffrey
- RAMIREZ, Herbert
- ROACH, Michael

DENY CIVIL ENGINEER BY ENDORSEMENT

- FORISH, Joseph

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

- AEGERTER, Andrea
- ALVAREZ, Mario
- BARDIN, John
- GALLAGHER, Andrew
- HAZZARD, Russell
- NETTLE, Philip
- RATLIFF, Michael
- REYES, Rodrigo
- SCOTT, Kathleen
- WILCOCK, Kevin

APPROVE ARCHITECT BY EXAM

- ABHARI, Maryam
- ARENA, Theron

DEFER ARCHITECT BY EXAM

- SCANLAN, Richard

DENY ARCHITECT BY ENDORSEMENT

- CHERNOFF, Russell

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

d. Professional Land Surveyor Committee Recommendations

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

APPROVE LAND SURVEYOR BY EXAM

- GUIEB, Benjamin (FS, PS & state-constructed exam)

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

e. Professional Landscape Architect Committee Recommendations

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

APPROVE LANDSCAPE ARCHITECT BY ENDORSEMENT

- BIHAN, Rene (state-constructed exam)

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

Old Business: a. Rules Committee Report

At its August 10, 2017 meeting, the Committee continued discussions on the definition of environmental engineering. Discussions included possibly requesting NCEES assistance for a definition and getting a legal opinion from the Deputy Attorney General. Also, there were questions on what the Principles and Practice of Engineering ("PE") exam in environmental engineering test for.

Moreover, the Committee recommends that the definition include language similar to the definition in "land surveying" which specifies that the definition shall not apply to any person working within the scope of practice of another licensed profession.

Furthermore, the Committee discussed clarifying the definition of "supervision" and whether there must be an employer/employee relationship, as it relates to possible plan stamping violations.

Moreover, the Committee approved the minutes of the July 13, 2017 Rules Committee Meeting.

It was moved by Mr. Suzuki, seconded by Mr. Hirota, and unanimously carried to approve the August 10, 2017 Rules Committee meeting minutes as distributed.

b. Discussion on Definition of Environmental Engineer

At today's Rules Committee Meeting, besides reviewing the definition of environmental engineer from Wikipedia, the Committee also reviewed the definition of environmental engineer from Alaska's statutes and Arizona's Administrative Code, the specifications from NCEES's environmental engineering PE exam, and Mr. Yumol's proposed definition.

By consensus, this matter was deferred again for further review of the additional information.

New Business: a. Professional Engineers Report

- Matters Related to the National Council of Examiners for Engineering and Surveying ("NCEES")
 - ✓ Report on 2017 NCEES Annual Meeting

Mr. Katayama, Mr. Suzuki, and Ms. Matsushima attended this meeting on August 23-26, 2017 in Miami, FL and highlights from their report are as follows:

- * The Western Zone presented a resolution to amend the voting structure of NCEES to where state boards that regulate one profession shall be entitled to one vote and boards that regulate both the engineering and surveying professions shall be entitled to two votes (with the exception of Illinois, which would have three votes since it has three boards). This resolution did not pass.
- * The Zone Fund is available to assist the Hawaii Board in hosting the 2018 Zone meeting for possibly funding first time Zone meeting attendees, etc.
- * On August 25, 2017, the Nevada and Wyoming boards signed a Memorandum of Understanding to expedite mobility for applicants seeking a license in both states by comity/endorsement. The applicant will need to pay each state its respective licensing fees and take the required open book exam for each state's laws and rules, but it will save time having to only complete a single application and shortening the licensing process, which will hopefully encourage other states to join and make comity/endorsement licensing a simpler, speedier process.

With the push for increased mobility between states, Mr. Suzuki finds this a problem for those states that licenses structural engineers because of the 16-hour structural engineering PE exam requirement.

- * During the "Education Leg of the Licensure Stool" workshop presented by the Committee on Education, there was discussion with regards to the educational aspect for licensing requirements where a candidate who has a non-engineering bachelor's degree with a master's engineering degree is deemed not qualified to take the exam because they do not fall within the Model Law parameters as having enough required credits especially since most master's degree programs are not accredited by ABET as ABET primarily accredits only bachelor's programs.

- * The California board presented a motion to authorize the development and administration of a depth module related to the U.S. Public Lands Survey System ("PLSS"). The motion passed as amended.
- ✓ Report on 2018 NCEES Western Zone Meeting
 - * Representatives from the Guam and Northern Mariana Islands Boards have offered to assist the Board with staff and funding for this meeting.
 - * The DCCA Glee Club will be part of the entertainment singing and hula dancing either at the opening ceremony or during the luncheon
 - * For the Friday night event, possible places to look at will be the Pacific Aviation Museum or Bishop Museum.
 - * For the April 2018 Board meeting, it will be moved to Wednesday, April 4, 2018 so that the Board can meet before the Zone Meeting and have the NCEES Administrative Staff also present at the meeting.
- ✓ Licensure Exchange (August 2017)
 - * Member boards and licensees should be aware of the distinct differences between the terms electronic signature and digital signature, which are often used interchangeably. An electronic signature may include scanned image of handwritten signatures or typed notations such as "/s/ Jane Doe" without any authentication or encryption system included. A digital signature is more properly used to describe a signature system applied to an electronic document that uses specific technical processes to provide significant added signer authentication, document authentication, document encryption (if necessary), and efficiency. Digital signatures use digital keys to attach the identity of the signer to the document and record a binding commitment to the content of the document.

A digital signature provides a greater degree of security than a handwritten signature. The recipient of a digitally signed document can verify that the document originated from the person whose signature is attached and that the document has not been altered since it was signed.

A self-signed certificate is one that is created by the individual signer without the services of a certification authority and should be avoided. A signature applied using a self-signed certificate signature tells document recipients that this document is valid, and that the person is authorized to sign it. Whereas a signature applied using a third-party digital ID tells them that the document is valid, the person is authorized to sign it, and the certification authority verifies the signers identity.

* Winners of the 2017 NCEES Engineering Education Award

➤ *Grand Prize Winner of \$25,000*

Dordt College Engineering Department

➤ *Additional winners receiving \$7,500*

George Mason University
Sid & Reva Dewberry Department of Civil,
Environmental, & Infrastructure Engineering

Marquette University
Department of Civil, Construction, & Environmental
Engineering

North Carolina State University
UNC/NCSU Joint Department of Biomedical
Engineering

Seattle University
Department of Civil & Environmental Engineering
*(Design of a Care Facility for Young Mothers in
Uganda)*

Seattle University
Department of Civil & Environmental Engineering
*(Restoration and Replacement Options for Utility
Company Bridge)*

* Winners of the 2017 NCEES Surveying Education Award

➤ Grand Prize Winner of \$25,000

University of Maine Surveying & Engineering
Technology Program

➤ Additional winners receiving \$15,000

Oregon Institute of Technology
College of Engineering, Technology, &
Management Geomatics Program

Nicholls State University
Department of Applied Sciences
Geomatics Program

University of Florida
School of Forest Resources & Conservation
Geomatics Program

➤ Additional winners receiving \$10,000
New Mexico State University
Department of Engineering Technology &
Surveying Engineering
Surveying Engineering Program

Santiago Canyon College
Business & Career Technical Education Division
Surveying/Mapping Sciences Program

The University of Akron
College of Applied Science and Technology
Surveying & Mapping Program

- * Due to varying state-specific requirements, member boards have denied applications for initial or comity licensure when a candidate has a degree from an unaccredited engineering program or a science-related degree or if the candidate's experience was not gained working under the responsible charge of a licensee or while working in the United States.

The Federal Trade Commission ("FTC") announced in March 2017 the creation of the Economic Liberty Task Force, which will research impediments to job growth and the "proliferation" of occupational licensing. The FTC contended, "In many situations, the expansion of occupational licensing threatens economic liberty. Unnecessary or overbroad restrictions erect significant barriers and impose costs that harm American workers, employers, consumers, and our economy as a whole, with no measurable benefits to consumers or society."

Member boards need to review and reassess their current processes for licensure to ensure that no artificial requirements are being placed on candidates, especially for those who have been licensed for years in other jurisdictions and properly vetted by other member boards.

b. Architects Report

- Matters Related to the National Council of Architectural Registration Boards ("NCARB")
 - ✓ NCARB Fast Facts (August 2017)
 - * On July 27, 2017, the FTC Economic Liberty Task Force held a "Streamlining Licensing Across State Lines: Initiatives to Enhance Occupational License Portability" roundtable to examine the effects of state-based occupational licensing requirements on licensure mobility. This roundtable primarily focused on interstate compacts and convened a panel of representatives of organizations that have developed and administered compacts. NCARB previously responded to the FTC's call for public comments on the barriers to mobility in occupations by promoting the work of the state architectural licensing boards in protecting the public and establishing standards for licensees which includes requiring a combination of a rigorous education, years of practical experience, and a professional examination.

- * The 2017 NCARB by the Numbers is available on NCARB's website at <https://www.ncarb.org/nbtn2017>. The 2017 edition provides exclusive insight on the number of U.S. architects, the value of graduating from an accredited program, as well as the time it takes to earn a license.

Mr. Eggleston, Mr. Hirota, and Mr. Suzuki were also listed as the newest members to the Board.

- ✓ NCARB Webinar on Architectural Experience Program ("AXP"), Integrated Path to Architectural Licensure ("IPAL"), & Certification

Mr. Yumol participated in this webinar, which Harry Falconer, Jr., FAIA, NCARB Director of Experience + Education, presented a webinar to guide architect licensing advisors through key takeaways about AXP, IPAL, and new options for pursuing NCARB certification.

- ✓ NCARB Webinar on Architectural Registration Examination ("ARE")

This webinar was the second part of the NCARB Program Highlights session presented at the 2017 Licensing Advisors Summit. During this webinar, NCARB Director of Examination Jared Zurn, AIA, shared recent updates and pass rates for ARE 5.0.

- ✓ New NCARB Council Relations Departmental Structure

This new and strengthened Council Relations departmental structure will further NCARB's mission of leading the regulation of the practice of architecture by adding additional support to effectively provide that service and support to the member boards and volunteers. NCARB will be adding two Assistant Directors: Nefertari Carver will be promoted to Assistant Director for Volunteer Engagement; and Marta Zaniewski will be joining NCARB as Assistant Director for External Engagement.

✓ NCARB Centennial – Request for State Board History

NCARB will be celebrating its centennial in 2019. For this milestone, the Council would like each board to compile a brief overview of the board's history that will be included into a commemorative book which will be distributed at the 2019 Annual Business Meeting.

c. Surveyors Report

- Discussion on Candidate Examination Information for Hawaii Legal/Land Description

Mr. Hirota indicated that he reviewed and incorporated changes to the Candidate Examination Information, but believes that too much information shouldn't be given to the examinee on the brochure.

d. Landscape Architects Report

- Matters Related to the Council of Landscape Architectural Registration Boards ("CLARB")
 - ✓ Joint NCARB and CLARB Pilot New Member Board Member and Executive Orientation

This orientation, scheduled for February 8-10, 2018 in Washington, D.C., is for new licensing board members and executives to attend. It will provide a forum for meeting and building relationships with the community of regulatory professionals, learn about the roles and responsibilities of professional licensing board members and staff, gain a better understanding about how to be successful in the current regulatory environment and hear about how these national associations can help. Funding is available for first time members and executives.

On a separate note, although Mr. Kurokawa was not present at today's meeting as he was attending CLARB's Annual Meeting, his report from participating in CLARB's Region 5 Virtual Meeting was distributed to the members for their information.

Executive
Officer's Report:

- a. August 2017 Department of Commerce and Consumer Affairs
("DCCA") Disciplinary Actions

This list was circulated to the members for their information.

- b. Results of August 2017 Landscape Architect – Hawaii Plant
Materials State Exam

Number of Candidates: 2

Number of Candidates Eligible: 1

- c. 2017 Financial Disclosure Statements Filing

Mr. Kobashigawa reported that there were a couple of members who were late in filing their disclosure statement with the Ethics Commission and had been reminded to do so. Failure to file on time could result in a fine.

Public Comment: None.

Next Meeting: Monday, October 12, 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 10:34 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

9/25/17

[] Minutes approved as is.

[X] Minutes approved with changes; see minutes 10/12/17.