

ELEVATOR MECHANICS LICENSING BOARD

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Friday, July 1, 2016

Time: 2:00 p.m.

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

Present: Lawrence T. Morinaga, Industry Member, Chairperson

Jammie Paahana-Garcia, Industry Member
Steve Tsunemoto, Industry Member
Ronald H. Nakamine, DLIR Designee
Constance Cabral, Executive Officer
Rodney J. Tam, Deputy Attorney General
Ronni-Ann Bumgarner, Secretary

Excused: James Wilburn, Jr., Industry Member, Vice Chairperson

Guests: Christopher Webster, IUEC
Scott Roworth, Sunset Refinishers
Marc Yamane, IUEC Local 126

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

Call to Order: There being a quorum present, the meeting was called to order at 2:15 p.m. by Chairperson Morinaga.

Amendments to
and Approval of
the Agenda: None.

Approval of
Minutes: It was moved by Mr. Tsunemoto, seconded by Ms. Paahana-Garcia, and unanimously carried to approve the Board meeting and Executive Session minutes of the April 1, 2016 meeting as circulated.

Executive
Officer's Report: The Executive Officer reported on the following:

Elevator Mechanics Licensing Board
Minutes of the July 1, 2016 Meeting

Executive Officer Cabral announced that Mr. Keen is no longer with DCCA and she will be the temporary Executive Officer until a replacement is found.

Examination: None.

Executive Session: At 2:19 p.m., it was moved by Mr. Tsunemoto, seconded by Mr. Nakamine, and unanimously carried for the Board to move into Executive Session pursuant to HRS § 92-5 to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section HRS § 26-9 or both, and to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, as provided in HRS § 92-5(a)(1) and (4).

At 3:02 p.m., it was moved by Mr. Nakamine, seconded by Mr. Tsunemoto, and unanimously carried for the Board to move out of Executive Session.

Applications: **The following item was taken out of order:**

c. Examination

- Christopher Webster

Before discussion began, Mr. Webster disclosed that Board members Tsunemoto and Paahana-Garcia are his co-employees. However, he felt that they could be fair and impartial in reviewing and deciding on his application for examination and licensure. The two Board members also felt that they could be fair and impartial in their review.

Mr. Webster was of the opinion that he only needed to have two years of experience under the supervision of a licensed elevator mechanic in order to be eligible to take the examination. However, the Board explained that the licensing law now requires four years under the supervision of a licensed elevator mechanic in order to take the examination.

After due consideration of Mr. Webster's application for examination and licensure and supporting documents, it was moved by Mr. Nakamine, seconded by Ms. Paahana-Garcia and unanimously carried to deny Mr. Webster's application for examination and licensure, basing its decision on the following grounds in the Hawaii Revised Statutes ("HRS") and Hawaii Administrative Rules ("HAR"), which find support in the records and files of his application:

HRS 448H-1: "Apprentice elevator mechanic" means any person who is in training to acquire the skill to become an elevator mechanic and who is required to work for at least four years under the supervision of an

Elevator Mechanics Licensing Board
Minutes of the July 1, 2016 Meeting

elevator mechanic duly licensed under section 448H-6;

HRS 448H-6: Qualifications for license. No person shall be licensed as an elevator mechanic unless the person has satisfactorily passed the examination administered by the board, and satisfactorily completed at least four years of training under the supervision of a licensed elevator mechanic; and

HAR 16-81-5(d): An apprentice elevator mechanic shall complete a minimum of two years of work experience before applying for the elevator mechanic's examination and license. The starting date of the two-year experience requirement shall be the recorded date of registration as an apprentice elevator mechanic with the board.

In reviewing his application and supporting documents, the Board noted the date of his apprentice elevator mechanic registration as February 28, 2014, which is less than the four years required by Statute. As a result, the Board denied his application.

a. Temporary Permits

- Michael Brunner

Mr. Yamane confirmed that there is a shortage of elevator mechanics in Hawaii.

As such, it was moved by Mr. Tsunemoto, seconded by Mr. Nakamine, and unanimously carried to approve the above application for a temporary permit.

b. Apprentice Registrations

- Jeremy Thorn
- Arison Miyamasu
- Jason Yee
- Joshua Sulio
- Logan Nahale
- Daniel Morita
- Joshua Kamakahi
- Parris Kawaauhau
- Bryce Tanji
- William Byrnes

It was moved by Ms. Paahana-Garcia, seconded by Mr. Tsunemoto, and unanimously carried to ratify the above applications for apprentice registrations.

Elevator Mechanics Licensing Board
Minutes of the July 1, 2016 Meeting

c. Examination

- Keith Gomes

It was moved by Ms. Paahana-Garcia, seconded by Mr. Nakamine, and unanimously carried to defer the above application for examination, pending receipt of additional information.

- Dexter Thomas

It was moved by Mr. Ms. Paahana-Garcia, seconded by Mr. Tsunemoto and unanimously carried to approve the above application to sit for the elevator mechanic's examination.

- Bryan Williams

It was moved by Ms. Paahana-Garcia, seconded by Mr. Nakamine and unanimously carried to approve the above application to sit for the elevator mechanic's examination.

- Timothy Breiholz

It was moved by Mr. Tsunemoto, seconded by Ms. Paahana-Garcia and unanimously carried to approve the above application to sit for the elevator mechanic's examination provided that he apply for a temporary permit.

d. License Restoration – None.

e. Renewal – None.

Unfinished
Business:

None.

Correspondence:

None.

Audience Inquiry:

Mr. Scott Roworth asked the Board whether an elevator mechanic's license is required as his business performs sandblasting, powder coating, stainless steel, and "cladding" (refinishing). DAG Tam stated that the Board had discussed this issue at the January 8, 2016 meeting and that advice still stands. It was determined that a license is not required, pursuant to Hawaii Administrative Rules section 16-81-4, if the work does not penetrate the interior cab shell or adversely affect the operation or safety of the elevator.

Elevator Mechanics Licensing Board
Minutes of the July 1, 2016 Meeting

Announcements: Next Board Meeting

Friday, October 7, 2016
2:00 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 3:45 p.m.

Taken and recorded by,

/s/ Ronni-Ann Bumgarner

Ronni-Ann Bumgarner, Secretary

Reviewed and approved by:

/s/ Constance Cabral

Constance Cabral, Executive Officer

CK:rb

07/21/16

[X] Minutes approved as is.

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