

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

MINUTES OF THE MEETING

Date: February 21, 2023

Time: 2:00 p.m.

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

Present: David Lau, Industry Member, Chair
John Speed, Industry Member, Vice Chair
Scott Ai, Public Member
Julian Yates, Ph.D., Public Member
Greg Takeshima, Department of Agriculture, Ex-Officio
Gracelda Simmons, Department of Health, Ex-Officio
Lei Ana E. Green, Executive Officer
Christopher Leong, Esq., Deputy Attorney General (“DAG”)
Susan Reyes, Secretary

Member(s)
Excused: Terrance Manago, Industry Member
William Lee, Industry Member
Jia-Wei Tay, Ph.D., Department of Plant & Environmental Protection
Sciences, Ex-Officio

Guest(s): Tim Lyons – Hawaii Pest Control Association (“HPCA”)

Agenda: The agenda for this meeting was posted to the State electronic calendar pursuant to HRS section 92-7(b).

Call to Order: There being quorum present, Chair Lau called the meeting to order at 2:04 p.m.

Approval of Minutes: It was moved by Mr. Ai, seconded by Dr. Yates, and unanimously carried to approve the minutes of the November 7, 2022, meeting.

Executive
Officer's Report: a. Examination Report

**PROMETRIC
 HAWAII PEST CONTROL EXAMINATIONS
 EXAMINATIONS ADMINISTERED DECEMBER 2022**

<u>EXAM</u>	<u>NO. EXAMS</u>	<u>NO. FAIL</u>	<u>NO. PASS</u>	<u>% FAIL</u>	<u>%PASS</u>
PART 1	3	2	1	66%	44%
FIELD REP BR 1	1	1	0	100%	0%
FIELD REP BR 2	3	2	1	66%	44%
FIELD REP BR 3	2	2	0	100%	0%
OPERATOR BR 1	1	1	0	100%	0%
OPERATOR BR 2	0	0	0	0%	0%
OPERATOR BR 3	1	1	0	100%	0%
TOTAL NO. EXAMS ADMINISTERED				11	
TOTAL NO. EXAMS PASSED				2	
TOTAL NO. EXAMS FAILED				9	
TOTAL PERCENT PASSED				18%	
TOTAL PERCENT FAILED				82%	

Applications:

a. Pest Control Operator ("PCO")

	Applicant	Branch(es)	Board Determination
(i)	Aaron Chichester (PCO-1691 / BR-3) Additional Class The Terminix International Company, LP (PCO-618 / BR-1, 2, 3)	2	Approved
(ii)	Keith Lee Will Kill Termites & Pests, LLC (PCO-126 / BR-2, 3)	2, 3	Deferred

b. Pest Control Field Representative ("PCFR")

	Applicant	Branch(es)	Board Determination
(i)	Sean Chaves (PCFR-1460) Reactivation Pest Tech, LLC (PCO-618 / BR-1, 2, 3)	1, 2, 3	Approved

(ii)	Christian Garma Na Makana Aloha Group, Inc. (PCO-1606 / BR-2, 3)	2, 3	2 – Approved 3 – Approved pending additional documentation
(iii)	Bradly Hanis The Terminix International Company, LP (PCO-618 / BR-1, 2, 3)	1, 2, 3	Deferred
(iv)	Austen Hough Ecolab, Inc. (PCO-640 / BR-2, 3)	2, 3	Approved pending additional documentation

Dr. Yates asked if the deferrals for more documentation were for the same documentation for each applicant and, if so, if that's something the Board needs to address in the application process.

Chair Lau responded that the additional documentation being requested for each application varies depending on the documentation that each applicant submitted.

Executive Officer Green said that the Applications Review Committee ("Committee") reviews each unique application, and the Committee may recommend approving an application pending receipt of additional documentation. The Committee may also choose to recommend an application be deferred if they do not have enough information to make a decision to approve or deny and they would like to request that additional documentation be submitted.

Chair Lau called for a motion to enter into Executive Session to discuss specific applications.

At 2:11 p.m., it was moved by Vice Chair Speed, seconded by Ms. Simmons, and unanimously carried to move into Executive Session pursuant to Hawaii Revised Statutes sections 92-5(a)(1) and 92-5(a)(4) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 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.

At 2:22 p.m., it was moved by Mr. Ai, seconded by Vice Chair Speed, and unanimously carried to return to open session

It was motioned by Ms. Simmons, seconded by Vice Chair Speed, and unanimously carried to approve or defer applications as reflected above.

Pest Control Operator and
Pest Control Field Representative Exams:

a. Exam Administrator Update

Executive Officer Green briefed the Board that its exams being administered by PSI are live and available to approved candidates. She informed the Board that if anyone has concerns about the current exam process with PSI, or if they receive feedback from anyone in the industry who is having difficulty registering for the exam, please as individuals to contact the Board's office so that we can assist them. The Board's office is working with individuals and RMEs on getting approved candidates their unique candidate ID number so that they may register with PSI. Eligible candidates who sat for the exam with Prometric and did not pass the exam by December 31, 2022, but are still eligible, will receive a new exam notice with instructions on registering with PSI.

b. Exam Update

Executive Officer Green noted that, as discussed in the November 7, 2022, meeting, this change in exam administrator is an opportunity for the Board to update its exams. PSI will again be working with our subject matter experts ("SME") who will review the exam questions to update the exams for the pest control industry in this State.

Ms. Simmons asked when the contract with PSI expires. Executive Officer Green stated she will get that information and report back.

Vice Chair Speed asked how the SMEs are identified. Executive Officer Green responded that the Board's office maintains a list of SMEs.

2023 Legislation:

a. HB245, RELATING TO VESSELS / SB1524, RELATING TO VESSELS

Prohibits a vessel from being fumigated on ocean waters. Allows an owner whose vessel is required to be fumigated on ocean waters to apply for an exemption from the division of boating and ocean recreation. Requires any vessel granted an exemption to be fully covered and sealed while being fumigated and for any period of time thereafter needed to prevent fumigant or other chemicals from entering ocean waters.

Executive Officer Green briefed the Board that HB245 was heard by House Committee on Water and Land, on February 2, 2023, and was passed with following amendments:

- (1) Changing its effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, non-substantive amendments for the purposes of clarity, consistency, and style.

Its companion bill, SB1524, has not yet been scheduled for hearing.

b. HB254, RELATING TO PESTICIDES

Requires the department of agriculture to use consistent units of measurement in its summary to the public on the amounts of restricted use pesticides used. Effective 1/1/2024, establishes a one-half mile buffer zone for pesticides around schools and state and county public parks.

Executive Officer Green briefed the board that HB254 was introduced, but it has not yet been scheduled for hearing.

c. SB22, RELATING TO BED BUGS

Prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation. Establishes procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation

Executive Officer Green briefed the board that SB22 was heard at the joint Senate hearing of the Committee on Commerce and Consumer Protection and Committee on Housing, on February 10, 2023, and was passed with the following amendments:

- (1) Amending the amount of time within which a landlord shall acknowledge receipt of notification of a suspected bed bug infestation and inspect or hire investigatory services for the dwelling unit from five days to fourteen days;
- (2) Amending the amount of time within which a landlord shall take certain remedial actions upon the determination that the tenant's unit has an infestation of bed bugs from seven days to fourteen days;
- (3) Inserting a provision conditioning the landlord's duty to inspect a suspected bed bug infestation or remediate a confirmed bed bug infestation on the tenant's provision of reasonable access to the dwelling unit or common areas upon forty-eight hours' notice;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making a technical, non-substantive amendment for the purposes of clarity and consistency.

The next hearing scheduled for SB22 is with the Senate Committee on
Judiciary, Thursday, February 23, 2023, 9:45 AM

Announcements: a. Next Meeting:

Monday, May 22, 2023
2:00 p.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting adjourned at 2:32
p.m.

Taken and recorded by:

Taken and recorded by:

/s/ Lei Ana Green
Lei Ana Green
Executive Officer

/s/ Susan A. Reyes
Susan A. Reyes
Secretary

LG:sar

02/23/23

- Minutes approved as is.
 Minutes approved with changes, see minutes of _____.