

**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 posted to the State electronic calendar as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Date: Thursday, October 12, 2023

Time: 10:00 a.m.

Place: King Kalakaua Conference Room, First Floor
HRH King Kalakaua Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/85277848127>

Present: Clayton Pang, Electrical Engineer
Joel Kurokawa, Landscape Architect Member
Brian Fujiwara, Architect Member
Dan Hirota, Land Surveyor Member
Kevin Katayama, Mechanical Engineer, Vice Chair
Howard Lau, Structural Engineer
Tony Lau, Civil Engineer
Benedict Lee, Landscape Architect Member
Ken Ota, Public Member
Roberto Yumol, Architect Member

Members Excused: Jay Ishibashi, Public Member
Janet Primiano, Public Member, Chair

Staff: Sheena Choy, Executive Officer ("EO Choy")
Chelsea Fukunaga, Executive Officer ("EO Fukunaga")
Lee Ann Teshima, Executive Officer ("EO Teshima")
Christopher Leong, Deputy Attorney General ("DAG")
Kawehi Mau, Secretary

In-Person Guests: None

Zoom Webinar
Guests: Thiago Andrade Costa
Brett Biesemeyer
Antonio Isom
Vincent Au
Sylvana Saleh
Tommy Sweat

Eddie Moran
Britney

Call to Order: The Vice Chair took roll call of the Board members and excused the Chair and Mr. Ishibashi.

There being a quorum, the Chair called the meeting to order at 10:15 a.m.

Chair's Report: **Announcements**

None.

Approval of the Minutes of the August 10, 2023 meeting

The Vice Chair asked if there were any corrections to or discussion of the open session or executive session minutes for the August 10, 2023 meeting.

Mr. Hirota stated that the agenda item 3.b. should be amended to include Joanne Williamson as one of the subject matter experts ("SME") members assisting the Hawaii Description Writing ("HDW") State Exam PIG.

Upon a motion by Mr. Tony Lau, seconded by Mr. Pang, it was voted on and unanimously carried to approve the open session minutes of the August 10, 2023 meeting as amended.

Upon a motion by Mr. Fujiwara, seconded by Mr. Howard Lau, it was voted on and unanimously carried to approve the executive session minutes of the August 10, 2023 meeting.

Permitted Interaction
Groups:

Landscape Architects: Hawaii Plant Materials ("HPM") Exam PIG

Mr. Kurokawa reported that the HPM Exam PIG, consisting of himself and Mr. Lee, met with subject matter experts ("SMEs") Jason Uemoto, Kyle Sasaki, and Janine Mori, EO Choy, Professional and Vocational Licensing (PVL) Division Exam Branch Chief David Grupen, and the HPM Exam Proctor, PSI, Inc. on August 21 and 22, 2023 to review the existing HPM Exam. The group eliminated and/or revised outdated questions, wrote additional questions, and ensured the reference materials were up-to-date.

Surveyors: Hawaii Description Writing ("HDW") Exam PIG

Mr. Hirota reported that the HDW Exam PIG, consisting of himself, also met with SMEs Myer Cummins, Reid Siarot, Andy Harada, Joanne Williamson, and Kendall Hee, EO Choy, Exam Branch Chief David Grupen, and PSI, Inc. on August 21 and 22, 2023. The group reviewed the existing HDW Exam,

eliminated and/or revised outdated questions, wrote additional questions, and ensured the reference materials were up-to-date.

The HDW Exam will last be administered in-house by PVL on October 25, 2023. The HDW Exam will go “live” on PSI by the end of this year.

Engineering Experience PIG

Mr. Tony Lau stated that the PIG, consisting of Mr. Pang, Mr. Katayama, Mr. Hirota, Mr. Howard Lau, and himself, have begun researching other states’ laws and rules regarding experience requirements for licensure. The PIG plans to compare and contrast responses with Hawaii’s experience requirements to provide recommendations for rules revisions.

The PIG is also working on identifying local stakeholders to reach out to who may want to provide input on engineering experience requirements.

The Vice Chair announced the next agenda item as New Business.

New Business:

NCEES Annual Meeting 2023 – Reports

The Vice Chair stated that he, Mr. Tony Lau, Mr. Pang, and EO Choy represented the Board at the NCEES Annual Meeting in Boston, Massachusetts from August 14 to August 18, 2023. He invited the conference attendees to share their reports to the Board.

Mr. Pang reported that one of the main points of discussion was a proposal for NCEES to create a non-profit foundation with a separate board for charitable, scientific, and education purposes. NCEES proposed to transfer \$7 million from their surplus budget to the foundation. NCEES currently has annual budget of \$30 to \$35 million. The organization reported a \$4 million loss for 2023 that was anticipated due to their move to a new building.

Mr. Pang further reported that October 2023 will be the last month for the paper and pencil administration of the Structural Exam. In 2024, the Structural Exam will transfer to computer-based testing (CBT), making all NCEES exams CBT. NCEES administers two types of CBT tests – linear on-the-fly (“LOFT”), which can be taken year-round and linear fixed exams, which have set exam dates. Once approved for exam, a candidate has one year to take the exam. There are seven (7) types of FE exams, 25 PE exams, 1 FS exam, and 1 PS exam.

Mr. Pang stated he attended a session on higher education and it is anticipated that there will be a large drop in college attendees by 2025. There is an increase in female graduates in engineering, and there is concern over the decline in male graduates.

The 2024 annual meeting will be August 14 to 17 in Chicago.

Mr. Tony Lau reported that there was a motion made during the business meeting to potentially allow a public member to be eligible for the office of NCEES president-elect. The motion was voted down. The Committee on Examinations and Professional Surveyors also introduced a motion to develop a public land survey system module to use in conjunction with the PS exam for two sections that require such an exam. One of the objectives of the motion was to increase ease of licensure by giving the opportunity for states to eliminate state-specific exams. This motion was withdrawn before the vote.

Mr. Tony Lau also attended the surveying forum. Attendees were updated that both the FS and PS exam are linear on-the-fly testing and are available year-round. Mr. Tony Lau also reported that the 2024 Western Interim Zone Meeting is scheduled for May 16 to 18 in Bozeman, Montana. The 2025 Western Interim Zone meeting will be held jointly with the Central Zone in New Mexico.

The Vice Chair reported that in addition to what Mr. Pang and Mr. Tony Lau shared, the trend for exam takers has not yet reached pre-pandemic levels. There are still less people taking the exams than pre-pandemic.

EO Choy reported that this was a very helpful experience, especially as a first-time attendee. She was able to meet many of the EOs from other states, learn more about NCEES as an organization, and gain insight on national trends in the profession.

EO Choy stated that she found the “Advocacy and Alliance for Responsible Professional Licensing” workshop very educational. The presenters were Marta Zaniewski, Executive Director, Alliance for Responsible Professional Licensing (ARPL) and Joshua Twitty, Advocacy & External Engagement Strategist, NCEES.

This session reported on threats to public protection from nationwide licensure reform. The presenters shared resources and information on preparing and guiding boards through advocacy issues and provided an update on the most recent legislative sessions and their impact on engineering and surveying licensure.

Mr. Zaniewski shared findings from ARPL’s nationwide research over the past few years which demonstrates the public overwhelmingly supports regulation “done right.” 75% of voters believe that ensuring qualifications for certain professions is important, 71% of voters believe that licensing of certain occupations should be required unless it can be proven that eliminating licensing will not have a negative impact on public health and safety, and 67% of voters believes that consumers are best protected by a system that regulates education, examination, and experience standards - all of which are overseen by a professional licensing board.

Consideration of acceptance of the CACB evaluation as an accepted evaluator for foreign degrees

EO Choy stated that pursuant to HAR 16-115, all applicants who wish to have a foreign degree considered for licensure must “submit an official report by a professional service approved by the board which has evaluated the person’s foreign credentials.”

On February 8, 2011, the Board voted and unanimously agreed to require foreign architecture degrees to be evaluated by the National Architectural Accrediting Board’s (“NAAB”) Education Evaluation Services for Architects (“EESA”), effective May 1, 2012. This is the only evaluator currently accepted by the Board for foreign architect degrees.

EO Choy stated that with the national trends in the EASLA professions moving towards recognizing basic licensure “equivalency” between the US and Canada, she recommends the Board consider adding the Canadian Architectural Certification Board (“CACB”) as an approved evaluator of foreign degrees.

The CACB was established in 1976 by an agreement of the Councils of the Canadian Architectural Licensing Authorities (Regulators), who grant it the authority to act on their behalf in assessing the educational qualifications of individuals holding a professional degree or diploma in architecture. The CACB is part of working agreements with the US National Architectural Accrediting & Board (“NAAB”) and the US National Council of Architectural Registration Boards (“NCARB”). CACB Education Certification confirms an individual’s academic qualifications in compliance with the Canadian Education Standard (CES) in Architecture for entry into the profession.

EO Choy stated that she provided the Board with a chart comparing the NCARB Education Standard and the CACB Education Standard. EESA evaluations of foreign architecture degrees measure for “equivalency” with the NCARB Education Standard – an approximation of the requirements of the professional degree from a NAAB-accredited degree program. The chart was made using the 2010 edition of the CACB’s “Conditions and Procedures for the Certification of Educational Qualifications” and the 2021 edition of NCARB’s “Education Guidelines.”

The Vice Chair asked if there was any public testimony or discussion on this agenda item.

Thiago Andrade Costa used the “raise your hand” button on Zoom and was promoted to panelist.

The Vice Chair welcomed Thiago Andrade Costa to the meeting and reminded him that he has 5 minutes to share testimony on this agenda item.

Mr. Andrade Costa stated that the CACB is the Canadian equivalent of

NCARB in the U.S. Like NCARB, the CACB's role in Canada includes: certifying educational qualifications of architect graduates, accrediting professional architecture programs, and evaluating and certifying the qualifications of foreign architects who intend to apply for Canadian architect licensure. The CACB, NCARB, and NAAB have close relationships; for instance, in the NCARB Educational Guidelines, there are multiple mentions of the CACB as a partner in the licensure of foreign architects. The CACB also issues educational certificates for graduates of Canadian architecture programs and provides foreign credential evaluation services for international candidates. The service is very similar in standards and rigor to the EESA in the U.S.; therefore, Mr. Andrade Costa requests the Board accept the CACB as an approved evaluator of foreign architect degrees.

The Vice Chair asked if the Board had any questions for Mr. Andrade Costa.

Mr. Yumol asked if there is a document that speaks to the equivalency of the EESA and CACB education certificate in evaluating architect degrees.

Mr. Andrade Costa stated that he has an education certificate and a letter from the CACB regarding the evaluation of his foreign architect degree in Canada.

EO Choy stated that her understanding is that NCARB recognizes both NAAB-accredited degrees and CACB evaluated degrees.

Mr. Andrade Costa confirmed that this is correct. The CACB is involved from the beginning of the licensure process, just like NCARB. Any foreign candidate who wishes to be an intern architect in Canada needs to have their entire education evaluated. The CACB follows up with a full assessment evaluating a candidate's undergraduate courses, studio work, projects, and portfolio.

Seeing no further questions, the Vice Chair thanked Mr. Andrade Costa and he was returned to "attendee" status on Zoom.

Eddie Moran used the "raise your hand" button on Zoom and was promoted to panelist.

The Vice Chair welcomed Eddie Moran to the meeting and reminded him he has 5 minutes to share testimony.

Mr. Moran stated that he is a homeowner in the county of Hawaii, a former military dependent, and a dual citizen of the U.S. and Canada. Mr. Moran stated that he is speaking in support of the Board accepting the CACB Education Standard as an accepted education evaluator for foreign architects.

Mr. Moran stated that his support is due to concern over Hawaii's housing and rental shortage. He believes the CACB process is equivalent to

NCARB/NAAB's and that acceptance of the CACB Education Standard will lead to increased constructions or homes and remove a barrier to licensing.

The Vice Chair asked if the Board had any questions for Mr. Moran.

Mr. Fujiwara asked Mr. Moran to clarify if he is dual-licensed in both Hawaii and Canada.

Mr. Moran replied that he is not an architect; he is a concerned homeowner and dual citizen of the U.S. and Canada.

The Vice Chair asked if there were any other questions from the Board. Seeing none, the Vice Chair thanked Mr. Moran for his testimony, and he was returned to "attendee" status on Zoom.

The Vice Chair asked if there was any further discussion on this agenda item.

Mr. Fujiwara stated that he would need more information and time to look into this matter before making a decision.

Mr. Yumol suggested that the Board form a Permitted Interaction Group ("PIG") to investigate the matter further.

EO Choy stated that formation of a PIG for this matter could be added to the agenda for the Board's next meeting.

Mr. Fujiwara stated that he is interested in finding out if NCARB has ever rejected any institutions/degrees that CACB approved.

EO Choy stated that she believes NCARB and CACB have an agreement that mutually recognizes each other's approved degrees. However, she stated she will reach out to NCARB to verify.

Seeing no further discussion, the Vice Chair stated that decision-making on this agenda item will be deferred for more information.

Regulated Industries Complaints Office (RICO): EASLA Advisory Committee Members

The Vice Chair deferred this agenda item to be the last item on today's agenda.

Council on Landscape Architectural Registration Boards (CLARB) Annual Meeting 2023 – Report

Mr. Kurokawa represented the Board at the CLARB Annual Meeting in Henderson, Nevada from September 20 to 22, 2023. The Vice Chair invited Mr. Kurokawa to share a report to the Board.

Mr. Kurokawa reported that this was the first fully in-person annual meeting; 38 jurisdictions were represented at the meeting. Joshua Twitty, the NCEES president, and Maurice Brown from NCARB were present and participating from CLARB's sister organizations across the other EASLA disciplines. A lot of the discussion centered around practice overlap and working together, instead of in silos, on shared challenges.

CLARB is working with the Landscape Architectural Accreditation Board ("LAAB") on a pilot certification project with the National University of Mexico in accrediting their landscape architecture program. In Canada, LAAB has been working with its Canadian counterpart on licensing initiatives, and five provinces in Canada currently recognize the L.A.R.E. licensing exam used by all the jurisdictions in the U.S. CLARB has also been advocating for LAAB to reach out to its counterparts outside of North America.

Mr. Kurokawa stated that previously, the Board voted in principle to adopt the CLARB Uniform Standard, which is CLARB's response to standardizing the experience and other landscape architecture licensure requirements across the U.S. CLARB is now working with jurisdictions to align their laws and rules with the Uniform Standard. This would be a bigger leap for Hawaii as the Board's laws and rules would require a lot of changes if the Board wished to align with the Uniform Standard.

Mr. Kurokawa also reported that landscape architecture was designated by the federal government this fall as a STEM discipline. This will allow universities and organizations to attract more talent from a wider pool.

The Vice Chair announced the next agenda item as the Executive Officer's Report.

Executive Officer's
Report:

Status of Proposed Amendments to HAR Title 16 Chapter 115

EO Choy stated the Board's proposed amendments to HAR 16-115 are now official, effective September 22, 2023. The new rules are available on the Board's website: https://cca.hawaii.gov/pvl/boards/engineer/statute_rules/.

Board staff is working on amending the applications to reflect the new rules, and an announcement summarizing the changes will also be posted on the Board's website: https://cca.hawaii.gov/pvl/news-releases/easla_announcements/.

EO Choy stated that since the new rules are now in effect, she suggests the Board consider granting a "grace period" for some of the new rules provisions to allow the public time to become aware of the new licensure requirements. A cover page would be placed temporarily on the application/instructions to inform applicants of any updates.

EO Choy stated that current applications submitted before the new rules went into effect will still be processed under the previous version of the rules, since they went into effect while their applications were still pending.

Mr. Hirota asked if the new rules allow the board to license environmental and fire protection engineers.

EO Choy confirmed that the new rules allow the board to license environmental and fire protection engineers and interested individuals may begin applying immediately. EO Choy stated that board staff has already received some inquiries regarding these two new disciplines, and inquirers have been informed that while the applications are in the process of being updated, they can still apply using the old application form.

The Vice Chair suggested that the Board grant a “grace period” specifically for the experience requirement amendment until December 31, 2023 for engineer and land surveyor applicants submitting “lawful experience” to concurrently fulfill the education and experience requirements.

Upon a motion by Mr. Tony Lau, second by Mr. Yumol, it was voted upon and unanimously carried to grant a “grace period” for engineer and land surveyor applicants submitting “lawful experience” to concurrently fulfill the education and experience requirements until December 31, 2023.

Therefore, the Board will continue to accept internship or other experience gained to complete an applicant's engineering degree requirements as “lawful experience” to fulfill the experience requirements of Hawaii Revised Statutes (HRS) §464. All experience is subject to Board review and approval.

Applications must be **received by the Board's office by December 31, 2023** to qualify for the waiver.

All other amendments to HAR 16-115 are effective for new applicants as of September 22, 2023.

Governor Josh Green's Emergency Proclamations Relating to Wildfires

EO Choy stated that the State is currently operating under Governor Green's Seventh Emergency Proclamation Relating to [the Maui] Wildfires (“Proclamation”). The exact text of the Proclamation is available at: <https://governor.hawaii.gov/emergency-proclamations/>.

Other Professional and Vocational Licensing Division boards have received concerning reports that there are unlicensed individuals who are trying to circumvent the licensure laws and take advantage of the emergency situation on Maui.

All individuals are advised that the Proclamation does not exempt any

provision for licensure in HRS Chapter 464 or HAR Chapter 115. Anyone who wishes to practice professional engineering, architecture, surveying, or landscape architecture in the State of Hawaii must hold a current and active license that is in good standing.

The Emergency Proclamation only suspends HRS §464-4, regarding public works required to be supervised by professional engineers, architects, surveyors, or landscape architects, to the extent necessary to respond to the emergency.

§464-4 Public works. (a) Notwithstanding any other provision to the contrary, public works projects involving:

(1) Alteration or new construction shall be required to have:

(A) Plans or specifications prepared by or under the supervision of an appropriately licensed professional engineer, architect, or landscape architect. The licensed professional engineer, architect, or landscape architect, as the case may be, shall stamp the plans or specifications, and indicate that the licensee has prepared or supervised the preparation of the plans or specifications; and

(B) A licensed professional engineer, architect, or landscape architect designated by the State, county, or political subdivision that is undertaking the public works project to observe the alteration or new construction. For the observation of construction of these types of public works projects, the licensed professional engineer, architect, or landscape architect, as the case may be, shall not be required to stamp the plans or specifications.

(2) Maintenance work shall:

(A) Not be required to have plans or specifications prepared by or under the supervision of an appropriately licensed professional engineer, architect, or landscape architect; and

(B) Be required to have a licensed professional engineer, architect, or landscape architect designated by the State, county, or political subdivision that is undertaking the public works project to observe the maintenance work. For the observation of construction of this type of public works project, the licensed professional engineer, architect, or landscape architect, as the case may be, shall not be required to stamp the plans or specifications.

(b) All land surveys involving property boundaries for public purposes or plans thereof shall be made or supervised by a licensed surveyor. The licensed land surveyor shall stamp the land surveys or plans, and indicate that the licensee has prepared or supervised the preparation of the land surveys or plans.

(c) For purposes of this section:

"Maintenance" means minor repairs or replacement work which do not affect or involve the structural integrity of the public works project.

"Public works projects" means projects undertaken by the State, counties, or any political subdivisions thereof.

All individuals and employers are reminded that pursuant to HRS §464-2

and §464-12 practice without a license is strictly prohibited. Further, HRS §464-10 provides the Board with the authority to suspend, revoke, and/or fine licensees and/or otherwise impose administrative penalties for unauthorized activities.

The Vice Chair announced the next agenda item as Applications: Ratification Lists.

Applications:

Ratification Lists

Upon a motion by Mr. Howard Lau, seconded by Mr. Pang, it was voted on and unanimously carried to approve the attached ratification lists.

Recommendations from Application Review Committees

Upon a motion by Mr. Howard Lau, seconded by Mr. Kurokawa, it was voted on and unanimously carried to approve the attached recommendations from the following Application Review Committees:

- 1) Professional Engineer Committee
- 2) Professional Architect Committee
- 3) Professional Surveyor Committee
- 4) Professional Landscape Architect Committee

The Chair asked for a motion to enter into executive session in accordance with HRS §92-4 and §92-5(a)(1) and (4) "To consider and evaluate personal information relating to individuals applying for licensure;" and "To consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities;".

Executive Session:

At 11:08 a.m. upon a motion by the Vice Chair, seconded by Mr. Fujiwara, it was voted on and unanimously carried to enter into executive session.

Mr. Howard Lau was excused from the meeting at 12:02 p.m.

At 12:43 p.m., upon a motion by Mr. Fujiwara, seconded by Mr. Pang, it was voted on and unanimously carried to move out of executive session.

Engineer Applications

Brett Biesemeyer

Upon a motion by Mr. Tony Lau, seconded by Mr. Fujiwara, it was voted on and unanimously carried to approve Mr. Biesemeyer's application.

Parks Ligon

Upon a motion by Mr. Tony Lau, seconded by Mr. Fujiwara it was voted on and unanimously carried to defer the application for Mr. Ligon for additional information.

Joseph McCabe

Upon a motion by Mr. Tony Lau, seconded by Mr. Yumol, it was voted on and unanimously carried to approve Mr. McCabe's application.

Corey Wageman

Upon a motion by Mr. Tony Lau, seconded by Mr. Pang, it was voted on and unanimously carried to approve Mr. Wageman's application.

Kamran Khosrovian Kermani

Upon a motion by Mr. Tony Lau, seconded by Mr. Kurokawa, it was voted on and unanimously carried to defer Mr. Khosrovian Kermani's application for additional information.

Architect Applications

Thiago Andrade Costa

Upon a motion by Mr. Tony Lau, seconded by Mr. Yumol, it was voted on and unanimously carried to defer Mr. Andrade Costa's application for additional information.

John Bellisario

Upon a motion by Mr. Tony Lau, seconded by Mr. Fujiwara, it was voted on and unanimously carried to approve Mr. Bellisario's application.

Rebecca Palmer

Upon a motion by Mr. Tony Lau, seconded by Mr. Yumol, it was voted on and unanimously carried to approve Ms. Palmer's application.

The Chair announced the next agenda item.

New Business:

Regulated Industries Complaints Office (RICO): EASLA Advisory Committee Members

Upon a motion by the Vice Chair, seconded by Mr. Fujiwara, it was voted on and unanimously carried to approve the RICO Advisory Committee List as amended and any additional interim appointees that RICO deems necessary to aid its investigations.

Next Meeting:

Date: **December 14, 2023**
Time: 10:00 a.m.
Location: King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment:

There being no further business, the Chair adjourned the meeting at 12:50

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p.m.

Taken and Reviewed by:

/s/ Sheena Choy

Sheena Choy
Executive Officer

12/1/23

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes _____.

