

BOARD OF ELECTRICIANS AND PLUMBERS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Tuesday, April 17, 2012

Time: 10:30 a.m.

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

Present: Lindsey Kimura, Public Member, Chair
Maurice Torigoe, Industry Member, Vice Chair
Peter Akamu, Industry Member
Matt Brady, Industry Member
Morris Kaneshiro, Industry Member
Vernon Ta'a, Public Member
Rodney J. Tam, Deputy Attorney General
Charlene L.K. Tamanaha, Executive Officer
Christine Hironaka, Secretary

Excused: Randall Kaya, Public Member

Guests: David Yokoi – Bowman Connectivity Solutions, Inc. (“BCS”)
Thomas Lee – The Audio Visual Company (“AVCO”)
Dave Hanson – Landis & Gyr
Jonathan Patz – Utility Partners of America (“UPA”)
Peter Lee – Hawaii Laborers Employers Cooperation & Education Trust
 (“LECET”)
Toni Figueroa – Laborers Union 368
James Drumgold – Laborers Union 368
Ryan Takahashi – Hawaii Electrical Market Enhancement Program
 (“HEMEP”)
Troy Silva – Hawaii Electrical Market Enhancement Program (“HEMEP”)
Shanna Agad – General Contractors Association
Harold McDermott – Plumbers Union Local 675
Gregg Serikaku – PAMCA

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

Call to Order: There being a quorum present, Vice Chair Torigoe called the meeting to order at 10:35 a.m.

Additions/
Revisions to
the Agenda: None

Approval of
 the Minutes:

It was moved by Mr. Kaneshiro, seconded by Mr. Brady, and unanimously carried to approve the minutes of the February 14, 2012 Board meeting as circulated.

Executive
 Officer's Report:

a. Office of Information Practices

None.

b. Ethics Commission

The Executive Officer reminded the Board members that their financial disclosure forms are due on May 31, 2012. As it is an even numbered year, the "long" form is required. While the forms are fillable, it must be printed and mailed to the Ethics Commission.

c. Board Policies and Procedures

None.

d. Other

None.

Chair Kimura arrived at 10:45 a.m.

Examinations:

a. The Executive Officer distributed the following results of the Electricians' and Plumbers' examination:

Electricians' Exam (administered March 2012)

	<u>EJ</u>	<u>ES</u>	<u>EJI</u>	<u>ESI</u>	<u>EJS</u>	<u>ESS</u>	<u>EM</u>
Exams Administered	49	10	6	1	4	0	1
Successful	32	5	1	1	1	0	0
Unsuccessful	17	5	5	0	3	0	1

Plumbers' Exam (administered March 2012)

	<u>PJ</u>	<u>PM</u>
Exams Administered	32	0
Successful	14	0
Unsuccessful	18	0

b. Prometric fka Thomson Prometric Report/Announcements

None.

Appearances: Thomas K. M. Lee, The Audio Visual Company
David Yokoi, Bowman Connectivity Solutions, Inc. ("BCS")

Mr. Lee stated that he would like to sign off on the work done by his employees but he is unable to because he only recently obtained his EJS license on 10/4/11. Mr. Lee explained that he has been in business for 10 to 12 years and 70% of his contracts have been with the military installing specialized equipment after construction has been completed and the military contracts do not require licensed electricians to perform or supervise the installation. He asked the Board to consider allowing the experience on military contracts that did not require licensed electricians to perform or supervise the installation and to allow him to sign for his workers. Mr. Lee also stated that there exists an exemption where any public works project that requires additional qualifications beyond those established by the licensing law and which is deemed necessary and in the public interest by the contracting agency.

The Executive Officer indicated that the exemption he is speaking of is in HRS Chapter 444 (Contractor's statute), and not HRS Chapter 448E (Electrician and Plumber's statute).

Mr. Yokoi from BCS informed the Board that the market has become revolutionary and there is now a demand for specialties and according to the statutes the Board has the authority to waive the requirements if the workforce is insufficient according to the demand of the market or if there is a need in the marketplace. Public utilities are already exempt and Hawaiian Telcom has a holding company that competes for specialty work.

The Executive Officer informed Mr. Yokoi that the authority to waive the requirements is in HRS Chapter 444-9.5 and not HRS Chapter 448E. Thus the Contractors Licensing Board is able to waive the one to one ratio.

Executive Session: It was moved by Mr. Akamu, seconded by Mr. Kaneshiro, and unanimously carried to enter into executive session pursuant to HRS §§92-4 and 92-5, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities at 11:11 a.m.

EXECUTIVE SESSION

It was moved by Mr. Akamu, seconded by Vice Chair Torigoe, and unanimously carried to reconvene to the Board's regular order of business at 11:40 a.m.

After a lengthy discussion, it was moved by Mr. Akamu, seconded by Vice Chair Torigoe, and unanimously carried to deny Mr. Thomas Lee's request to allow him to attest to and sign for the experience his employees gained on federal projects that did not require licensed electricians to perform or supervise the

installation. The Board determined that it is bound by their statute and rules which require the experience to be gained under the supervision of licensed electricians and thus the federal project work experience to be creditable must be supervised by licensed electricians. An alternative for Mr. Lee's workers is to have their work attested to by licensed EJs or EJSs of the C-13 contractors who supervised their work.

The Board informed Mr. Lee and Mr. Yokoi that the exemptions mentioned in the statutes exist in HRS §444 Contractors and not in HRS §448E Electricians and Plumbers.

Chair Kimura announced he was taking the agenda out of order to address #9 Unfinished Business, #12 Scope and #13 Legislation.

Unfinished Business:

a. Rule Revisions

1. Local 675/PAMCA Proposal to Amend HAR §§16-80-2 and 16-80-3

This issue was deferred to the next meeting.

b. Implementation of Act 35 Update

The Executive Officer was not able to contact Preshess Willets-Vaquilar for an update. This issue was deferred to the next meeting.

c. Proposed Amendment to the Honolulu City & County Plumbing Code

The Executive Officer reported that she requested of Tim Hiu from the Building Division, Department of Planning, City and County of Honolulu, an amendment to the City & County Plumbing Code that would clarify and list HRS Chapters 444 and 448E.

The Board will be apprised of the status upon notification from the county.

Scope:

a. Re: Licensure Requirements
DHRD inquiry for Sprinkler System Repairer

The Board reviewed the March 8, 2012 email inquiry from DHRD as to whether a Journey Worker Specialty Electrician (EJS) is required to perform low voltage electrical "hook-ups" and wiring such as solenoid control wiring, terminating low voltage wiring at the sprinkler system control panels and/or terminating the low voltage wiring at the solenoids, and running low voltage wiring from

the sprinkler system control panels to the solenoids either through conduits or direct-bury.

After some discussion it was moved by Mr. Akamu, seconded by Vice Chair Torigoe, and unanimously carried that based solely on the information provided in the email and the class specifications for the "Sprinkler System Repairer", an electrician's license is required (i.e., journey worker specialty, supervising specialty, journey worker, or supervising electrician's license) to perform any electrical wiring which includes terminating any low voltage wiring on the control panels or solenoids whether or not through conduits or direct-bury.

- b. Utility Partners of America ("UPA") inquiry about the need to use licensed Journey Worker Electricians for meter exchange services.

The Board reviewed the email inquiry from UPA as to whether or not a journey worker (EJ) license is required to perform meter exchanges described as follows:

"During the meter exchange process, the field technician will simply remove the meter seal and door, remove the existing meter and replace it with a new meter, and replace the door and seal. We will not need to touch the wires or change the wiring or its integrity in any way. Should we encounter a problem during our work, we would contact the utility, and they will make any repairs that are necessary, not UPA."

It was moved by Mr. Kaneshiro, seconded by Mr. Akamu, and unanimously carried that based solely on the representations in the email, and the assurances from guests Dave Hanson from Landis & Gyr and Jonathan Patz, representing Utility Partners of America that no electrical wiring will be performed and further that should the technicians encounter a problem the utility will perform any necessary repairs, the Board determined that the meter exchanges do not require a licensed journey worker electrician as long as no electrical wiring is involved.

Legislation:

- a. HCR 45, HD1 and Proposed HD2, Requesting the Auditor to Conduct a Sunrise Review of the Regulation of Plumber Air Conditioning and Refrigeration Pipefitters, Plumber Fire Sprinkler Pipefitters, and Plumber Solar-Thermal Technicians.

The Board submitted testimony for HCR 45, HD1 and Proposed HD2 to the House committee on Legislative Management which noted the Board supported the intent of HCR 45, HD1 and agreed that a sunrise review completed by the Auditor will provide clear guidance as to whether the regulation of plumber air conditioning and refrigeration pipefitters, plumber fire sprinkler pipefitters, and solar-thermal technicians fall within the regulatory scheme of Chapter 448E, HRS, and the Board's purview, or whether the enactment of new chapters is required.

The committee was told that while the board did not meet as a whole to discuss H.C.R. No. 45, H.D.1, or the proposed H.D.2, the proposed amendments appear to make non-substantive changes for clarity such as, (1) amending the titles of the proposed regulated areas to note "plumber" to clearly identify that these classifications fall under the plumbing trade and (2) including the appropriate codes (Uniform Plumbing Code, Uniform Mechanical Code, and the Uniform Solar Energy Code) to which all work and installations shall be held. Further, the committee was told that it is not envisioned that the Board would oppose such amendments."

On April 14, 2012, the House committee on Legislative Management recommended the measure be deferred.

Chair Kimura announced he was resuming the order of the agenda.

Applications:

It was moved by Vice Chair Torigoe, seconded by Mr. Brady, and unanimously carried to **approve/defer** the following applications as noted:

a. ELECTRICIANS

1. Journey Worker Electrician ("EJ") – Approved

AKI, Houston K.
ALT, Joshua J.
ANANDA, Vairaji C.
BARROGA, Renz B.
BERTOLI, Michael G.
BOOKLAND, William
BOYKO, Harry
BRAS, Gavin J.
CARVALHO, Nicholas A.
CATUGAL, Keoni E.
CAZIMERO, Amber K. K. M.
COOKMAN, Christopher E.
DACUYCUIY, Rocky M.
DELA VEGA JR, Alfredo B.
DUKE JR, Gregory L. K.
EICH II, Michael C.

ELLIS, Brice T.
FORTUNE, Neil J.
FREEBAIRN, Jesse
FUNTANILLA, Harold J.
GANIR, Randie M.
GRIFFITHS, Cameron
HARRIS, Kevin J.
HAYDEN, Matthew
HOLLISTER, Karl K.
HORTON, Stephen M.
JOHIRO, Grant M.
KOKI, Allen N.
KOSEV, Milen – Denied application for license.
KOTOMORI, Josh U.
LAURIN, Marco
LEMAY, David E.
LUCIANI, William B.
LUU, Melvin K.
MANUEL JR, Eduardo B.
MARIN III, David P.
MCFARLAND, Michael K.
MESA, Shayne L.
MURAKAMI, Skyler A.
OFAGALILO, Opeta
PETERSON, Jared T.
PICO, Mika C.
POHINA JR, Charles K.
RIVERA, Diego
RILEY, James M.
ROA, Peter D.
RAMELB, Michael J.
ROBINOL, Eric V. T.
ROMERO, Edwin G.
SANTIAGO, Michael
SLECHTA, Todd W.
SORENSEN, Russell K.
STEPHEN, Travis J.
STROUMBOS, Duff J.
TOKUDA, Brady
WOYTUS, Christopher C.
XUE, Jianwei

2. Supervising Electrician (“ES”) – Approved

CRABBE, Curtis N. K.
DENNEY, Dana J.
HAMER, Adam C.
PARKER, Slade P.
SANBORN, Justin C.
SVEINSON, Craig L.
DAVIS, Mark E.

3. Journey Worker Industrial Electrician ("EJI") - Approved

ORMEROD, Ronald A.
PLUMMER, Jacolby

Supervising Industrial Electrician ("ESI") - Approved

None.

4. Journey Worker Specialty Electrician ("EJS") - Approved

AKIONA, Lane K.
APA, Justin L. I.
FAUTANU, Tate C.
KALEOPAA, Christian K.
MARSHALL, Christian E.
ORILLO, Gene P.
ROGERS, Kevin W.

5. Supervising Specialty Electrician ("ESS")

JENSEN, Gregory D.

7. Maintenance Electrician ("EM") - Approved

TAROMA, Jonathan

b. PLUMBERS

1. Journey Worker Plumber ("PJ") – Approved

ADAMES, Joseph M.
DEMELLO, Edward C. H.
DEMELLO, Haulani C.
DEMELLO, Keaholani E. J.
DEPONTE, Michael S.
FERNANDEZ, Cory S.
KAAWA, Sean K.
KAMAKA, Ulysis N.
LAMKIN, Dawayne A.
MAKAI AU, Ken K.
MIIKE, Keith N.
MONIZ, Harold J.
NOTLEY, Anthony S.
PAGENTE, Dwayne V.
RILLAMAS, Kelii M.
SAITO, Sheldon C.
SHIMAMOTO, Gavin P.
TALBO, Travis K.
YOUNG JR, Thomas C.

2. Master Plumber ("PM")

CONABOY, T. Shannon
FERNANDEZ, Vaughn E.

c. Deferred Applications

ANDRADE, June (EJ)
BAUM, Keith M. (EJ)
DE LEON, David (EJ)
GUTIERREZ, Brenden (EJ)
GUTIERREZ, Pablito Q. (EJ)
GUTIERREZ, Wilfredo Q. (EJ)
KELEKOMA, Kean K. (PJ)
KIM, Allen Y. (EJ)
KIM, Jong H. (EJ)
MAKEKAU, Darrin K. (EJ)
SCOLLON, John D. (EJ)

d. Denials

KOSEV, Milen – Denied license application for failure to demonstrate experience required.

e. Renewals

None.

New Business: None.

Correspondence: None

Announcement: a. Next Applications Committee Meeting

Tuesday, May 29, 2012
9:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

b. Next Board Meeting

Tuesday, May 29, 2012
10:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at
12:13 p.m.

Review and approved by:

Taken and recorded by:

/s/ Charlene L.K. Tamanaha
Charlene L.K. Tamanaha
Executive Officer

/s/ Christine Hironaka
Christine Hironaka
Secretary

CLKT:cmh

5/14/12

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