

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

MINUTES OF MEETING

Date: Tuesday, December 11, 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, Chairperson
Maurice Torigoe, Industry Member, Vice Chairperson
Peter Akamu, Industry Member
Matt Brady, Industry Member
Morris Kaneshiro, Industry Member
Randall Kaya, Public Member
Vernon Ta'a, Public Member
Rodney J. Tam, Deputy Attorney General
Charlene L.K. Tamanaha, Executive Officer
Christine Hironaka, Secretary

Excused: None

Guests: Jo Ann Uchida Takeuchi, Deputy Director, DCCA
Al Itamoto – Electrical Contractors Association of Hawaii (“ECAH”)
Kirk Kageno – Plumbers Union Local 675, Training
Harold McDermott – Plumbers Union Local 675
Chuck Shima – Plumbers Union Local 675
Glenn Ida – Plumbers Union Local 675
Gregg Serikakau – Plumbing and Mechanical Contractors Association
 (“PAMCA”)
Peter Lee – Hawaii Laborers Employers Cooperation & Education Trust
 (“LECET”)

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 Chairperson Torigoe called the meeting to order at 10:38 a.m.

Additions/
Revisions to
the Agenda: None

Introduction of Deputy Director, DCCA:

Jo Ann M. Uchida Takeuchi introduced herself as the current Deputy Director of the Department of Commerce and Consumer Affairs and the former Complaints Officer for the Regulated Industries Complaints Office. As Deputy Director she has come to understand the role of the Board in the Department's scheme and appreciates the efforts and hard work the Board performs. She explained that she and the Director are introducing themselves to the Boards and Commissions to encourage open communication with the Director's office. Ms. Uchida Takeuchi thanked the Board for attending the orientation and hoped members found it educational. She received very positive feedback that many Board members felt the orientation training meeting was very helpful. She thanked the Board members for their willingness to serve the public, educate the industry and protect the consumer.

Approval of the Minutes:

It was moved by Mr. Kaneshiro, seconded by Mr. Kaya and unanimously carried to approve the minutes of the October 16, 2012 Board meeting as circulated.

Executive Officer's Report

None

Examinations:

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

Electricians' Exam (administered September 2012)

	<u>EJ</u>	<u>ES</u>	<u>EJI</u>	<u>ESI</u>	<u>EJS</u>	<u>ESS</u>	<u>EM</u>
Exams Administered	61	7	6	0	12	0	5
Successful	39	4	0	0	3	0	2
Unsuccessful	22	3	6	0	9	0	3

Plumbers' Exam (administered September 2012)

	<u>PJ</u>	<u>PM</u>
Exams Administered	26	1
Successful	17	1
Unsuccessful	9	0

Electricians' Exam (administered November 2012)

	<u>EJ</u>	<u>ES</u>	<u>EJI</u>	<u>ESI</u>	<u>EJS</u>	<u>ESS</u>	<u>EM</u>
Exams Administered	83	5	9	0	12	0	5
Successful	54	2	4	0	4	0	2
Unsuccessful	29	3	5	0	8	0	3

Plumbers' Exam (administered November 2012)

	<u>PJ</u>	<u>PM</u>
Exams Administered	18	5
Successful	11	4
Unsuccessful	7	1

Vice Chairperson Torigoe announced he was taking the agenda out of order to discuss 8. Unfinished Business.

Unfinished Business:

a. Rule Revisions

i. 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

i. Apprentice Programs

The Board reviewed the following notice that is intended for apprenticeship coordinators advising the apprenticeship programs of the new requirements pursuant to Act 35 and that programs must submit their training curricula for review and acceptance by the University of Hawaii Community Colleges ("UOHCC") as equivalent to or greater than the HCC's coursework.

Re: New Minimum Qualifications for Electricians Effective July 1, 2013

This is to inform you that the minimum qualifications for the various electrician classifications shall be amended on July 1, 2013 pursuant to HRS section 448E-5(b) as follows:

- The minimum experience requirements for the journey worker specialty electrician, journey worker industrial electrician, supervising specialty electrician, and the supervising industrial electrician licensing classifications shall be amended as follows:

<u>Classification</u>	<u>Current requirements</u>	<u>Requirements effective July 1, 2013</u>
(a) Journey worker specialty electrician ("EJS"):	5 yrs and 10,000 hrs	3 yrs and 6,000 hrs
(b) Supervising specialty electrician ("ESS"):	4 yrs as a licensed EJS	2 yrs as a licensed EJS
(c) Journey worker industrial electrician ("EJI"):	5 yrs and 10,000 hrs	4 yrs and 8,000 hrs
(d) Supervising industrial electrician ("ESI"):	4 yrs as a licensed EJI	3 yrs as a licensed EJI

2. The following classifications shall have a new educational requirement (i.e., applicants are required to have satisfactorily completed electrical academic coursework that is accepted by a University of Hawaii community college offering an appropriate program of study):
- (a) Journey worker electrician ("EJ"): 240 hours of electrical academic coursework;
 - (b) Journey worker specialty ("EJS"): 120 hours of electrical academic coursework;
 - (c) Journey worker industrial ("EJI"): 200 hours of electrical academic coursework; and
 - (d) Maintenance electrician ("EM"): 80 hours of electrical academic coursework.

To comply with this new educational requirement, please submit your curriculum to the Honolulu Community College ("HCC") at the address below for their review and determination that your program's educational component is equivalent to HCC's program of study for the various electrician classifications:

Mr. Mike Barros
Interim Dean of Transportation and Trade
Honolulu Community College
874 Dillingham Boulevard
Honolulu, Hawaii 96817

Phone: (808) 845-9229

Upon review, HCC will notify the Board of Electricians and Plumbers of the approved programs.

Mr. Akamu requested that the journey worker electrician ("EJ") and the supervising electrician ("ES") classifications be added to the list showing "No change" under Current Requirements and Requirements effective July 1, 2013 and Mr. Kaneshiro added that the notice should also be sent to the following training coordinators:

- Rodney Capello – Hawaii Electrical Workers Local 722 (HEW)
- Francis Elan – Associated Builders and Contractors (ABC)
- Mimi Sroat – International Brotherhood of Electrical Workers (IBEW)

It was moved by Mr. Akamu, seconded by Mr. Kaya and unanimously carried to approve the letter as amended.

Correspondence:

- a. Letter from Frank Niimi Requesting a Waiver of the Continued Competency Requirements for Restoration.

After some discussion, it was moved by Mr. Brady, seconded by Mr. Akamu and unanimously carried to deny Mr. Niimi's request to waive the continued competency requirement of furnishing the Board with proof of attendance at an educational course or successful completion of an examination on the current updates to the 2006 UPC based on the requirements specified in Hawaii Revised Statutes ("HRS") section 448E-8 and section 448E-8.5. HRS section 448E-8(b) and (d) provides in relevant part that:

“(b) ...Prior to the June 30, 2009 renewal of the license, and prior to every license renewal thereafter, the applicant shall:
(1) Pay all required fees; and
(2) Meet the requirements prescribed in section 448E-8.5.”

“(d) Failure, neglect, or refusal of any licensee to pay the renewal fee or meet the requirements of section 448E-8.5 before the renewal date shall constitute a forfeiture of the license. Any license so forfeited may be restored upon written application within one year from the date of forfeiture, upon payment of the required renewal fee plus penalty fees and upon meeting the requirements in section 448E-8.5.”

HRS section 448E-8.5(b) provides in relevant part that:

“(b) Prior to each license renewal, all licensed plumbers shall:
(1) Furnish the board with proof of attendance at an educational course related to current updates of the Uniform Plumbing Code conducted or approved by the community colleges; or
(2) Successfully complete an examination prescribed by the board on current updates to the Uniform Plumbing Code. The board shall contract with a professional testing agency to prepare, administer, and grade the examination. A licensee shall pay all fees related to the examination directly to the professional testing agency.”

The Board determined that based on the foregoing, there is no statutory authority to waive the continuing competency requirement and therefore Mr. Niimi has until June 30, 2013 to restore his license by payment of the required fees and upon meeting the continued competency requirements.

The Board directed the Executive Officer to advise Mr. Niimi to contact Emma Boc at the HCC for further information on the scheduled classes.

Chairperson Kimura joined the meeting at 11:02 a.m.

Legislation: a. Proposed Legislation to License Plumber air Conditioning and Refrigeration Pipefitters, Plumber Fire Sprinkler Pipefitters, and Plumber Solar-Thermal Technicians submitted by Plumbers Local 675.

The Executive Officer and Verna Oda, Executive Officer of the Contractors License Board met with members of the Plumbers Local 675 to discuss and review the proposed legislation.

The Executive Officer suggested that on Page 12, line 20 to page 13, line 14 the journey worker plumber air conditioning, refrigeration, and fire sprinkler pipefitters could be combined. Mr.

McDermott explained that the trades were split because the contractors have classifications for refrigeration and air conditioning.

Mr. Akamu stated that according to the proposed legislation, the PJ can only qualify for an air conditioning classification license with additional years and hours of specialized training. Mr. McDermott responded that the PJ and PM share the beginning skills with the air conditioning and refrigeration pipefitters. Currently a licensed PJ can assist if the licensed contractor has an air conditioning classification. The air conditioning and refrigeration skills have become more specialized and more unique with the non-potable water requirements.

Mr. McDermott stated that the PJ can work on both potable and non-potable water installations, however technology has evolved to the point the PJ or PMs cannot do all of the work of the air conditioning or refrigeration pipefitter. There are different types of water noted in the code now and new equipment is being introduced for the use of reclaimed water.

The Board noted that the position of the proponents appears to have changed from last year in that the PJs and PMs no longer can perform all of the work of the air conditioning and refrigeration pipefitters.

Mr. Ta'a asked if there is a certification system in place. Vice Chairperson Torigoe stated that medical piping currently requires certification.

Mr. McDermott stated that 30% of the new plumbing recruits are requesting air conditioning work.

The Executive Officer stated that 2015 may not be enough time to license everyone because no exams exist as yet. Mr. Serikaku asked how much input does the Board have on exams? The Executive Officer responded that the testing contractor develops the exam and uses subject matter experts (contractors, city inspectors, license Board members) to review the bank of questions.

Executive Session: It was moved by Mr. Akamu, seconded by Vice-Chairperson Torigoe, and unanimously carried to enter into executive session pursuant to HRS sections 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 12:04 p.m.

EXECUTIVE SESSION

It was moved by Chairperson Kimura, seconded by Mr. Ta'a, and unanimously carried to reconvene to the Board's regular order of business at 12:45 p.m.

After some discussion, the Board noted that it supports the intent of adding the three new plumber classifications as green initiatives (using reclaimed and non potable water) in residential and commercial buildings. However, the Board would like the following amendments:

- 1) Because new classifications are being created and the scopes of work that existing plumber licensees can do will be affected, the Board would like more lead time to educate the licensees and public about these changes, implement the new requirements, promulgate administrative rules, and ensure that there are sufficient licensing examinations available. Thus, the Board requests that the implementation date be pushed back to at least July 1, 2016 or beyond;
- 2) The Board agrees with the five years and 10,000 hours experience requirement for the new classifications; however, the Board would like the requirements to be lower (i.e., two years) for those licensed as PJs and PMs;
- 3) The Board wants PJs and PMs to be able to continue to do solar water work without having to demonstrate additional years of experience; and
- 4) The Board wants to allow individuals who are only licensed in any of the three new classifications to be able to obtain a PJ or PM license by showing at least three years of work involving potable water systems.

The Board noted that in the proposed scheme, the PM or PJ would not be able to do all of the work of these new classifications without additional licensure unlike the Supervising electrician (ES) and Journey worker electrician (EJ) who can perform the scope of all other electrician classifications.

The Board suggests that the bill be deferred to the 2014 Legislative session to give the stakeholders more time to discuss and flesh out the issues, and to discuss if there is a need for a sunrise analysis in light of the discussion that PJs or PMs may not perform the work of these new classifications. However, if

proponents are intent on introducing a bill, the delayed implementation date beyond 7/1/15 is crucial.

Chairperson Kimura resumed the order of the agenda.

Executive Session: It was moved by Vice-Chairperson Torigoe, seconded by Mr. Kaneshiro and unanimously carried to enter into executive session pursuant to HRS sections 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 1:12 p.m.

EXECUTIVE SESSION

It was moved by Mr. Kaneshiro, seconded by Mr. Brady, and unanimously carried to reconvene to the Board's regular order of business at 1:21 p.m.

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

a. ELECTRICIANS

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

AGUILAR, Demetrio R
CANTOR, Kevin I
CHUNG, Kaleonahe G
CRONIN, Brent K F
DELA CRUZ, JR Walter H
DELOS SANTOS, Lawrence B
DULDULAO, Adolph
GALUSHA, Lawrence S
GOODFELLOW, Jason A
KAHOLOKULA, Ian K K
KANONGATAA, Melenga
LESHER, Robert C
LINCOLN, Paul T
LISKA, Shen R
MALILI, Melvin M
MCKEE, Robert
NAKAMOTO, Garrick S
NGUYEN, Nhan T
PAVON, Joseph M
PEDRO, Rocky K
POSEY, Brian A
PRICE, Daniel A
PRUSINSKI, Kevin G
TAKAMURA, Gavin K
TANABE, Charles J

TOLENTINO, Joven D
TOMA, Gregory S
TRICOCI-KAAUA, Jamie-Gene K
VANE, Anthony L
WINROW, David L
WONG, Aaron S
YI, Kevin

2. Supervising Electrician ("ES") – Approved

COLLINS, Alissa
SMITH, Lloyd R

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

GOSSELIN, III, Joseph Pierre

4. Supervising Industrial Electrician ("ESI") - Approved

None.

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

HERRERA, Norman R
MATTOS, Gordon A
PRESTON, Harry J

6. Supervising Specialty Electrician ("ESS")

None

7. Maintenance Electrician ("EM") - Approved

REYES, Justine B
WHITTAKER-MIGUEL, Darren K

b. PLUMBERS

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

HALE, Kelly D
KELSO, Bryant W
MANABAT, Travis V
MIYAHIRA, Justin I
RIFE, Franky H
WEIGEL, Chad N
YOUNG, Pono C

2. Master Plumber ("PM")

SMITH, Cameron S

c. Deferred Applications

GARCIA, Michael A (EJ)
HANEY, Hanns R (EJ)
JOHNSTON, Kenneth J (EJ)
SCHLOSSER, Alex (EJ)
THOMPSON, Michael G (ESS)
VALENZUELA, Jacob P (ES)
WILLIAMS, David A (EJS)

d. Denials

None

e. Renewals

None.

f. Ratification

None

Announcement:

a. Next Applications Committee Meeting

Tuesday, February 5, 2013
9:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

b. Next Board Meeting

Tuesday, February 5, 2013
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 1:25 p.m.

Review and approved by:

Taken by:

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

/s/ Christine Hironaka
Christine Hironaka
Secretary

CLKT:cmh

12/27/12

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