

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 RULES COMMITTEE MEETING

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

Date: Thursday, September 8, 2011

Time: 8:30 a.m.

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii

Present: Mike Miura, Rules Committee Chair  
Dan Hirota, Surveyor Member  
Jay Manzano, Public Member  
Shelli McCelvey, Landscape Architect Member  
Roberto Yumol, Architect Member  
Marc Ventura, Alternate Architect Member  
James Kobashigawa, Executive Officer  
Sandra Matsushima, Executive Officer

Excused: Clayton Pang, Engineer Member  
Carol Sakata

Call to Order: The meeting was called to order at 8:35 a.m.

Discussion on Amendments To Chapter 16-115, HAR, & Chapter 464, HRS: The minutes of the Rules Committee meeting on August 11, 2011 were updated to reflect that Marc Ventura is an alternate member of the Committee.

Per request at last month's meeting, drafts of provisions related to exam irregularities and display of pocket ID card in section 16-115-5 were distributed for review.

After review and discussion, the Committee recommends adding a new section 16-115-10.5 Exam irregularities as follows:

§16-115-10.5 Examination Irregularities. (a) Possessing, reproducing, or disclosing nonpublic examination questions, answers, or other information regarding the content of the examination without authorization before, during, or after the examination administration. Fraud, deceit, dishonesty, and other irregular behavior in connection with taking any Board examination is strictly prohibited. Irregular behavior includes, but is not limited to copying or allowing the copying of examination answers; failing to work independently; unauthorized access to materials; presence of unauthorized devices in testing room; communicating with other examinees or any outside parties by way of telephones, computers, the Internet, or any other means during the course of an examination; surrogate testing or other dishonest conduct; disrupting other examinees; creating any safety concerns; and failing to cease work on the examination when time is called.

(b) The board reserves the right to pursue all available remedies for examination irregularities, including canceling results, suspension of test eligibility, and pursuing administrative, civil and/or criminal remedies.

The Committee also recommends amending section 16-115-5 as follows:

§16-115-5 Display of certificate. Every licensee who, as an individual or as a member of a [firm, partnership, corporation, or limited liability company] business entity, conducts an office or other place of business for the practice of the licensee's profession, shall display the licensee's certificate [together with evidence of current validation] in a conspicuous manner[,] in the licensee's principal office or place of business. Evidence of current validation shall be made available upon request.

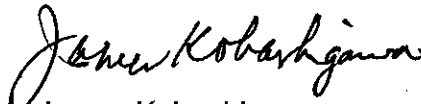
Next Meeting: The next Rules Committee meeting is scheduled for:

Thursday, October 6, 2011  
8:30 a.m.  
King Kalakaua Building  
King Kalakaua Conference Room, 1<sup>st</sup> Floor

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Adjournment:        The meeting was adjourned at 9:00 a.m.

Taken and recorded by:

  
James Kobashigawa  
Executive Officer

JK:tat

9/16/11

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_.