

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

MINUTES OF THE MEETING

Date: Monday, July 18, 2011

Time: 2:00 p.m.

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

Present: Julian Yates, Ph.D., Department of Entomology, Ex-Officio, Vice – Chair
Lance Kobashigawa, Department of Agriculture, Ex-Officio
Robert Koide, Industry Member
Alvin Fukuyama, Industry Member
Randall Burnett, Industry Member
Lynn Nakasone, Department of Health, Ex-Officio
Ronald Weinberg, Public Member
Rod Tam, Esq., Deputy Attorney General
Charlene L.K. Tamanaha, Executive Officer
Wilma Balon, Secretary

Guest: Tim Lyons, Hawaii Pest Control Association

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

Call to Order: There being a quorum Vice - Chair Yates called the meeting to order at 2:05 p.m.

Additions to the Agenda: It was moved by Mr. Koide, seconded by Ms. Nakasone and unanimously carried to add the following agenda items:

- 12. Scope
 - b. D.O.A. Inquiry re: usage of pesticides and other chemicals
- 13. New Business
 - a. Election Of Officers

Adjudicatory Matter: None.

Approval of the Minutes: It was moved by Mr. Weinberg, seconded by Ms. Nakasone, and unanimously carried to approve the minutes of the March 21, 2011 meeting as circulated.

Executive
Officer's Report:

- a. Office of Information Practices
None.
- b. Ethics Commission
None.
- c. Boards Policies & Procedures
None.
- d. Other

Prometric fka
Thomson Prometric:

- a. Examination Update

The Executive Officer indicated that she is in contact with Elizabeth Shamlam of Prometric to update the exam and list of exam references. Ms. Tamanaha asked for the Board's continued support and expertise in updating the exam. Once the lists of references have been selected, Prometric will commence developing questions for the item bank.

The Board discussed including the Handbook of Pest Control volume 9 that will be available in October 2011. Mr. Koide indicated that the Board should not wait until October 2011 to update the exam.

Ms. Nakasone inquired as to what would happen if an applicant took the exam and answered a question based upon volume 9. The Executive Officer explained that the applicant will be credited if Prometric finds merit in the candidate's challenge.

Discussion followed. Ms. Tamanaha informed the Board that once the exam questions are developed, Prometric will bring it to the Board for review and approval prior to administration of the new exam.

- b. Reference Material
None.

Appearances: None.

Applications:

- a. Exam Ratification(s)
None.

b. Exam

It was moved by Mr. Kobashigawa, seconded by Mr. Weinberg, and unanimously carried to **approve** the following applications:

1. Fred W M Chang; PCO, BR-2 – Approved
DHT Pest Control Inc; PCO-1017, BR-2
2. Peterson Manahan; PCO, BR-1 – Approved
Fil-Am Enterprises LLC; BR-1
3. Timothy D. Housman; PCFR, BR-1, BR-2 & BR-3 – Approved
Terminix; PCO-618, BR-1, BR-2 & BR-3
4. Tracy Ann G. Quiban; PCFR, BR-2 – Approved
Orkin Inc; PCO-772, BR-1, BR-2 & BR-3

c. Without Exam Ratification(s)

None.

d. Without Exam

It was moved by Mr. Kobashigawa, seconded by Mr. Weinberg, and unanimously carried to **approve** the following application:

1. DHT Pest Control Inc; PCO, BR-2 - Approved
RME – Fred Chang; PCO-725, BR-2
2. Fil-Am Enterprises LLC; PCO, BR-1 - Approved
RME – Peterson Manahan; PCO, BR-1
3. North Shore Pest Control; PCO, BR-1 & BR-2 – Approved
Nathan Nam; PCO 991, BR-2 & BR-3 – Approved dual status

e. Reconsideration of Any Application

None.

Correspondence: None.

Department of
Agriculture: None.

Unfinished
Business:

a. Rules Committee

The Executive Officer indicated that the Rules Committee did not meet prior to the meeting as they are still awaiting HPCA's draft.

Ms. Tamanaha inquired with Mr. Lyons on the status of the HPCA's draft to the standards of a TIR. Mr. Lyons indicated that the Industry Standards Improvement Committee has started on its first draft and is continuing discussion on this matter.

After discussion, it was the Board's consensus to defer this discussion pending HPCA's proposal.

Scope:

a. Inquiry by Renee Conner (re: Bed Bug Detection Service)

The Board reviewed a letter from Renee Conner dated May 12, 2011, inquiring whether a pest control license is required to offer or provide bed bug detection services using trained dogs. According to Ms. Conner's letter, she proposed to use dogs and provide "independent services to pest control companies and other commercial businesses to detect bed bug infestations".

It was moved by Ms. Nakasone, seconded by Mr. Burnett, and unanimously carried that Ms. Conner's proposed service appears to fall within the following definition of "pest control" in Hawaii Revised Statutes section 460J-1":

"Pest control" means, with respect to wood-destroying pests, or other pests which may invade households or other structures, including railroad cars, ships, docks, trucks, airplanes, or the contents thereof, the engaging in, offering to engage in, advertising for, soliciting, or performing the following for hire:

- (1) Identifying pests or infestations;
 - (2) Making an inspection for the purpose of identifying or attempting to identify infestations of household or other structures by pests; "
- (Emphases added).

Accordingly, the Board determined that the services Ms. Conner intends to provide requires a pest control operator's license.

b. D.O.A. Inquiry re: usage of pesticides and other chemicals

The Executive Office referred to an email from Christina Y. Zimmerman, Department of Agriculture, regarding an inquiry that she received from a member of the public who was concerned about the kind of pesticide used by the property manager around the complex. The public member is asking if the property manager or any other type of contractor applying pesticides around a building or residence was required to notify residents of what kind of pesticide was applied or at least provide the information if requested.

Discussion followed. It was the Board's consensus that it did not appear to fall within the definition of pest control; however, to apply pesticides on premises, the property manager shall be in compliance with the Department of Agriculture if restricted use chemicals are used.

New Business: a. Election of Officers:

Vice Chair Yates opened the floor for nominations for the office of Chairperson. It was moved by Mr. Fukuyama, and seconded by Mr. Burnett to nominate Vice Chair Yates as Chairperson. Being that there were no further nominations, it was moved by Mr. Fukuyama, seconded by Mr. Burnett and unanimously carried to close the nominations and Dr. Yates was unanimously elected as Chairperson.

Chair Elect Yates opened the floor for nominations for the office of Vice Chair. It was moved by Chair Yates, and seconded by Mr. Koide to nominate Mr. Fukuyama as Vice Chair. Being that there were no further nominations, it was moved by Chair Yates, seconded by Mr. Koide and unanimously carried to close the nominations and Mr. Fukuyama was unanimously elected as Vice Chair.

Legislation: a. H.R. No. 76

The Executive Officer informed members that House Resolution No. 76 passed the House; however, the Senate failed to move this measure.

Announcements: Next Meeting:

September 19, 2011
2:00 p.m.
King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, HI 96813

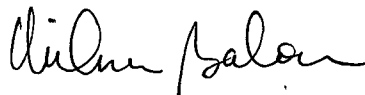
Adjournment: There being no further business to discuss, Chair Yates adjourned the meeting at 2:45 p.m.

Reviewed and approved by:



Charlene L.K. Tamanaha
Executive Officer

Taken and recorded by:



Wilma Balon
Secretary

CLKT:wb

8/8/11

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