

**PRESENTATION OF THE
BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS,
SURVEYORS AND LANDSCAPE ARCHITECTS**

**TO THE HOUSE COMMITTEES ON
CONSUMER PROTECTION & COMMERCE**

**TWENTY-SIXTH LEGISLATURE
Regular Session of 2012**

**Thursday, March 29, 2012
2:35 p.m.**

**TESTIMONY ON SENATE BILL NO. 2167, S.D.1, H.D.1, RELATING TO
PROFESSIONS AND VOCATIONS.**

**TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND MEMBERS OF THE COMMITTEE:**

My name is Dan Hirota, surveyor member of the Board of Professional Engineers, Architects, Surveyors and Landscape Architects ("Board"). The Board appreciates the opportunity to testify in support of Senate Bill No. 2167, S.D.1, H.D.1, Relating to Professions and Vocations.

The purpose of Senate Bill No. 2167, S.D.1, H.D.1, is to clarify the definition of "landscape architect" and replaces the existing definition of "'surveyor' or 'land surveyor'" with definitions for "land surveying" and "'professional surveyor', 'professional land surveyor', or 'land surveyor'".

The Board believes the existing definition for "surveyor" or "land surveyor" is outdated and does not reflect the full scope of practice of land surveying. Amending the definition of land surveying would provide a more accurate description of the activities involved in the practice of land surveying.

As you are aware, the Board collaborated with the Hawaii Land Surveyors Association, the Regulated Industries Complaints Office, and the Attorney General's

Testimony on S.B. 2167, S.D.1, H.D.1
Thursday, March 29, 2012
Page 2

Office and agreed on a draft which has been implemented in the bill. Moreover, the Board respectfully recommends that the effective date in Section 3 be changed to upon approval of the Act.

Thank you for the opportunity to testify in support of Senate Bill No. 2167, S.D.1, H.D.1, with an amended effective date upon approval of the Act.



NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
www.hawaii.gov/dcca

KEALI'I S. LOPEZ
DIRECTOR

PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE

TWENTY-SIXTH STATE LEGISLATURE
REGULAR SESSION, 2012

THURSDAY, MARCH 29, 2012
2:35 P.M.

TESTIMONY ON SENATE BILL NO. 2167 S.D.1 H.D.1
RELATING TO PROFESSIONS AND VOCATIONS

TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND TO THE HONORABLE RYAN I. YAMANE, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Regulated Industries Complaints Office ("RICO") of the Department of Commerce and Consumer Affairs appreciates the opportunity to testify on Senate Bill No. 2167 S.D.1 H.D.1 Relating To Professions and Vocations. My name is Daria Loy-Goto, RICO's Acting Complaints and Enforcement Officer. RICO offers the following comments on the bill.

Senate Bill No. 2167 S.D.1 H.D.1 replaces the current definitions of "surveyor" or "land surveyor" with new definitions for "land surveying" and "professional surveyor", "professional land surveyor" or "land surveyor" in Chapter

Testimony on Senate Bill No. 2167 S.D.1 H.D.1
March 29, 2012
Page 2

464, Hawaii Revised Statutes, which governs professional engineers, architects, surveyors, and landscape architects. The bill also amends the current definition of "landscape architect" and has a defective effective date.

RICO notes that this Committee heard the House companion measure, House Bill No. 2272, and passed the bill with amendments. The Senate Committee on Commerce and Consumer Protection is scheduled to hear House Bill No. 2272 H.D.2 on March 29, 2012.

Senate Bill No. 2167 S.D.1 H.D.1 is substantially similar, but not identical, to House Bill No. 2272 H.D.2. In comparing the House and Senate versions, RICO prefers the language in Senate Bill No. 2167 S.D.1 H.D.1, except for the defective effective date, and respectfully requests that the defective effective date be amended.

Both Senate Bill No. 2167 S.D.1 H.D.1 and House Bill No. 2272 H.D.2 represent the combined efforts of the Board of Engineers, Architects, Surveyors, and Landscape Architects, industry groups, and RICO to update existing definitions that would capture the full range of conduct performed by land surveyors.

Thank you for this opportunity to testify on Senate Bill No. 2167 S.D.1 H.D.1. I will be happy to answer any questions that the members of the Committee may have.