

**Testimony of the Board of Professional Engineers, Architects, Surveyors, and
Landscape Architects**

**Before the
Senate Committee on Commerce and Consumer Protection
Friday, February 2, 2024
9:30 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 2697, RELATING TO PROFESSIONAL LICENSURE**

Chair Keohokalole and Members of the Committee:

My name is Kevin Katayama, and I am the Vice-Chairperson of the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). The Board will discuss this bill at its February 8, 2024, board meeting, after which it will be able to provide this committee its position.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs to revoke the licenses of architects who have been themselves or caused an employee of the Department of Commerce and Consumer Affairs (DCCA) to be convicted of a criminal offense involving the acceptance of a bribe.

I offer the following comments:

1. If the intent of the bill is to grant the Board the authority to revoke architect licenses, please note that it already has the authority to do so pursuant to Hawaii Revised Statutes (HRS) section 464-10, which states that “[For any cause authorized by law, including but not limited to fraud or deceit in obtaining the license or gross negligence, incompetency, or misconduct in the practice of the profession, or violating this chapter or the rules of the board.” Further, Hawaii Administrative Rules (HAR) section 16-115-10(5) provides that, “misconduct in the practice of the profession of engineering, architecture, land surveying, or landscape architecture means without limitation the following: (5) Misrepresentation, deceit, fraud, gross negligence, and other offenses relating to misconduct of the licensee’s practice.”

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2. I note that the proposed amendments reference the Department of Commerce and Consumer Affairs (DCCA), but it is the Board, not DCCA, that has the authority to act on licenses.
3. I also request clarification regarding the language on page 3, lines 1 to 6, which reference any licensed architect who has caused an employee of the DCCA to be convicted of a criminal offense involving the acceptance of a bribe. The Board is not aware of any bribery cases involving an employee of the DCCA and suggests that more general language be used if the intent is to address bribery at large.

Thank you for the opportunity to testify on this bill.