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REPORTER

The Magazine of the Pennsylvania Society of Professional Engineers



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**NSPE Code of Ethics for Engineers
 Engineers' Creed**

As a Professional Engineer, I dedicate my professional knowledge and skill to the advancement and betterment of human welfare. I pledge:

To give the utmost of performance;

To participate in none but honest enterprise;

To live and work according to the laws of man and the highest standards of professional conduct;

To place service before profit, the honor and standing of the profession before personal advantage, and the public welfare above all other considerations.

In humility and with need for Divine Guidance, I make this pledge.

Adopted by National Society of Professional Engineers, June 1954

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Cover Photo

The Port Authority of Allegheny County's Stage II Light Rail Transit System Project has been named Project of the Year in the transportation category by the Engineers' Society of Western Pennsylvania (ESWP). Gannett Fleming, an international planning, design, and construction management firm, served as the construction manager for this project, in a joint venture with DMJM+Harris. See page 8 for more details.

PSPE members who wish to publish a project photo on the cover should contact Jennifer Summers, 717.441.6051.

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President's Message

Harry E. Garman, P.E., PLS



Greetings to everyone. For those of who attended the PSPE Annual conference at the Chateau Resort in Tannersville in May, I thank you on behalf of the society. I hope everyone had a good time and managed to take in the excellent seminars that were provided. I hope you can plan to attend next year's conference in Valley Forge. For those who have never attended a PSPE annual conference, I urge you to find the time to get out to our conference so that we can make next year's conference the most successful and enjoyable conference in recent years.

On June 18, 2005, PSPE held a leadership conference in Eastern Pennsylvania at Fogelsville. There were over twenty in attendance which made this a very successful event. A concurrent conference was scheduled in the Pittsburgh area, but due to a low registration of attendees, this conference was unfortunately cancelled. Leadership conferences are held each year. Chapter officers find the conference very useful for chapter for planning their activities. This is an excellent opportunity to meet with neighboring chapters and exchange ideas and possibly plan joint meetings.

During the leadership conference in June, Walt Poplawski, P.E., distributed a copy of the Engineer's Creed. This prompted a

discussion regarding the line about placing service above profit. I've decided to write about service in my first of several President's messages that I will be sending to you this coming year.

I remember the first PSPE executive committee meeting I ever attended. In was at the annual conference in Johnstown in 1988. I, being elected as Northeast Regional Vice President that year, was invited to attend the executive committee meeting even though I was not yet installed as an officer of the society. Gary Bruce, P.E. was President and he began the meeting by asking everyone on the executive committee - What is the value of our membership in NSPE and PSPE and what do you get for your dues? Being the new guy on the block, Gary saved me for last; therefore, I had the chance to hear everyone else's response before I would answer. As we went around the table the answers covered things like our representation at the state government through our lobbyists, receiving Engineering Times and the PE Reporter, the opportunity to take advantage of some of our affinity programs such as discounts on car rentals, life insurance and so on, opportunities to network with other engineers and possibly find employment or get new work, and the opportunity to develop leadership skills. When Gary finally got to me, all of the answers were given, at least the answers that covered what measurable things one could get out of their membership. I responded by saying that the one thing that I

did not hear from any of the previous replies, was that our membership in NSPE & PSPE gives us the opportunity to give back to our profession. Our membership in this society helps the society to meet its mission and goals which are intended to serve the public.

As a person that has volunteered for a number of organizations and at times has volunteered for a position that requires getting other volunteers, I know that one theme comes through time and time again - time is money. Both are very measurable and it seems that whenever someone is asked to serve an organization, whether it be PSPE, the local youth association, a church or whatever it may be, the first question asked from the potential volunteer is how much time will this involve. Many times the excuse given for not serving is that the person does not have the time. What is frequently ignored is what is gained from the time that is spent. This cannot be measured. It is the feeling of helping someone else with no expectation of receiving any compensation for your time. If you have ever experienced this you know that this feeling is priceless. For many of you, you have known this feeling often. Many of you are past or present officers in your chapter or of PSPE. For those of you that have not yet been an officer, please consider volunteering for our organization. I am sure that you will find the reward well worth your time. ■

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On Capitol Hill

John D. Wanner, CAE

Budget Finally Passed, Cuts Averted

For the second straight year, legislators and lobbyists spent Fourth of July weekend together, finalizing the FY 2005-06 budget. Though required by law to pass the annual spending plan by midnight on June 30, legislative leaders and the Governor again failed to meet the deadline, wrangling over restoration of the proposed cuts in the DPW budget, Sunday beer sales, implementation of the voter-approved Growing Greener II environmental stewardship plan, and of course, a 16% legislative pay raise.

Of particular interest to PSPE was the restoration of the \$1 million engineering equipment grant program in the Department of Education budget. While PSPE has spearheaded the lobbying effort in support of this line item for more than 20 years, it was not included in the Governor's budget presented earlier this year. As a result, the Legislature needed to put it back into the budget and that is exactly what happened. Also restored was the grant line item that supports the Mathcounts program. That appropriation was less than the previous year's grant however. Still, the inclusion of both of PSPE's education initiatives represents a successful budget in that regard.

Governor's Office Announces Updates to Regulatory Agenda

In the March Legislative Report, we noted a number of regulations announced by the Rendell Administration. Here is a mid-year update to that report, as published in the July 2, 2005 PA Bulletin. Contact the listed agency contact for more information.

1. Department of Environmental Protection (DEP) – two regulations:

a. New Chapter 301 Operator Certification Regulations Water and Wastewater Systems Operators' Certification Act. This proposal will implement the provisions of Act 11 of 2002, the Water and Wastewater Systems Operators' Certification Act which restructures the testing and training program for operators and enhances security provisions

for all water and wastewater treatment systems in PA. Scheduled to be published in "September 2005", as proposed. Contact Veronica Kasi (717) 772-4053 for more information.

b. Chapter 109—Safe Drinking Water Act 25 Pa. Code, Chapter 109. This general update will revise several sections in Chapter 109 to retain or obtain primacy, including monitoring/reporting requirements for lead, copper, inorganic chemicals, volatile synthetic organic chemicals, and synthetic organic chemicals. Other sections will be clarified, such as QA/QC requirements for on-line instrumentation; monitoring/reporting requirements for disinfectants and disinfection byproducts; requirements regarding the practice of engineering, land surveying and geology; reporting requirements for failure to monitor; and comprehensive monitoring plan requirements. Scheduled to be published in "October 2005", as proposed. Contact Lisa Daniels (717) 772-2189 for more information.

2. Infrastructure Investment Authority - 25 Pa. Code §§ 963.12(a)(6) and (7) 963.13(b) 2,963.13(c), 963.15(a), and 25 Pa. Code § 965.4(9).

PENNVEST recommends the following revisions:

(1). Delete Sections 963.12(a) (6) and the second sentence of Section 963.13(b)(2) thereby allowing PENNVEST to provide financial assistance (loan or grant) for costs associated with development of an approvable official sewage plan under the Sewage Facilities Act, 35 P. S. § 750.1 et seq. While PENNVEST has always construed these costs to be encompassed with in the statutory definition of "eligible cost" (35 P. S. § 751.3), the agency chose as a matter of policy not to fund this planning process because the Pennsylvania Department of Environmental Protection already provided grant funds for 50% of these costs. PENNVEST is revising its policy because the agency is concerned that, in some instances, needed projects are unable to move forward in a timely manner due to a lack of funds to conduct this necessary planning.

PENNVEST, therefore, is removing the impediment to funding imposed by the above regulatory provisions.

(2). Delete 25 Pa Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor. While PENNVEST has historically allowed these costs for public facilities provided the profits were used to reduce system user costs it has not allowed financial assistance for such processes for private facilities. PENNVEST is revising its policy because it wants to support recycling and other innovative wastewater projects and the current policy has the potential to stifle such projects. In order to further these objectives, PENNVEST is removing the impediment to funding imposed by the above regulatory provision.

(3). Amend 25 Pa Code 963.13 (c) by revising the section to read as follows: "Terms of Loans. Advance funding loans will be for a term of five years. The term will be payment of interest only for 59 months and repayment scheduled for month 60. The scheduled repayment date, month 60, shall not exceed 1 year from completion of the advance funding project. If the recipient of an advance funding loan subsequently receives a construction loan from the Authority, the term of the outstanding advance funding loan shall be amended to carry both the interest only term and the repayment term of the construction loan, provided the interest only term shall not be extended beyond five years."

(4). Amend 25 Pa. Code § 963.15(a) by revising the first sentence to read in its entirety: "The term of the loans shall normally be twenty years beginning on the date construction is completed or three years from of the date of loan closing, whichever occurs first." This amendment provides a level loan repayment and a defined term at loan closing (normally twenty years). Under the old policy

"Capitol" continued p. 16

Highlights from the Action Plan of the NSPE Future Directions Task Force to Revitalize NSPE

Presented to the NSPE Board of Directors
June 20, 2005

The Future Directions Task Force began its work in the spring of 2004 with a clear charge from the national leadership and a broad call from the state societies to address the NSPE membership and service challenges. Following are excerpts from the task force report.

The Future Directions Task Force was charged by the NSPE leadership and state societies to:

- Reaffirm or reinvent the NSPE vision/mission.
- Formulate a plan to enhance and focus NSPE programs, products, and services.
- Streamline governance and administrative operations.
- Recommend bold overall changes to ensure the long-term sustainability of NSPE.

The overriding framework for the charge was key: Start with a blank slate. If you were to create NSPE from nothing, what would it look like? Nothing is sacred. Nothing is off limits for consideration.

A highly respected association consultant, Rhea Blanken, was retained to facilitate the initial phase of the FDTF process and meetings. She first guided the task force on through an in-depth review of a large body of reports from NSPE. Reports from Blue-ribbon panels and state executive

recommendations had called for change of various sorts over the past two decades. The task force delved into extensive member survey and market research results performed over the past several years.

With this extensive analysis and background, the task force began to zero in on central questions facing any association. Who will the members be? Who will the new association serve? The FDTF formed three subgroups to develop three potential scenarios for a future Society, evaluating the strengths, weaknesses, and measurement metrics for each, and developing potential vision, mission and goal statements for each. Those membership scenarios were as follows:

1. PEs only (and EIs who will acquire a PE in a reasonable amount of time);
2. An enhancement of the current model-graduates of ABET-accredited engineering colleges and PEs;
3. The "big tent," geared toward all those with an engineering degree

Vision and Mission

The FDTF narrowed the Society's focus to PE and EI members only. The next step was to determine what image NSPE should attain in the engineering community and what potential members would want from the Society. These aspects were incorporated into Vision and Mission statements, with the definition of membership serving as the guiding factor.

The Vision

The new NSPE Vision statement paints a picture, in the present tense, of the future that NSPE seeks to attain, not how it will be achieved. A proposed Vision was developed and then presented at the January 2005 Summit in San Diego, and with a modification recommended by the participants, the following was approved with overwhelming support:

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Even if highly successful, the Society may never reach a point where every professional engineer is a member, but for those who make the commitment to become licensed, we want NSPE to be the organization they look to for defending their interests and defining their image.

Many other societies serve and promote the individual disciplines of engineering, but the license is what sets NSPE apart. To work towards this Vision, NSPE needs to exploit what makes its members different.

The Mission

The new NSPE Mission statement provides a declaration of identity and purpose, declaring the primary objectives toward which resources, programs, and products will be aimed. The Mission provides direction for the Society, but not specifically measurable goals that could quickly become outdated. The proposed Mission was also presented at the San Diego Summit and garnered nearly universal support from participating members.

NSPE, in partnership with State Societies, is the organization of licensed Professional Engineers (PEs) and Engineering Interns/Engineers in Training (EIs/EITs).

Through education, licensure advocacy, leadership training, multi-disciplinary networking, and outreach, NSPE enhances the image of its members and their ability to ethically and professionally practice engineering.

Goals

The FDTF has proposed three primary goals for the Society:

1. State-National Partnerships
2. Value to Members
3. Membership Growth

“Value to members” remains paramount, but that goal cannot be achieved without full commitment to the other goals as well. Goal 1 (state-national partnerships) represents a “how” in better providing value to members. Goal 2 focuses on the members themselves, and Goal 3 (membership growth) can be viewed as both a result of the better value and a cover for the “how’s” of recruitment and retention.

Let us take each goal in turn, with the proposed strategic plan objectives for each and what they imply for change.

Goal 1: State/National Partnerships Objectives

1. Foster state-national communication and relations.
2. Share association management knowledge, resources, and assistance.
3. Share resources and expertise on legislative and regulatory affairs affecting PEs/EIs.
4. Develop products and services (e.g., speakers, educational courses, etc.) for delivery at all levels of NSPE (chapter, state, and national) to meet member needs.

Goal 2: Value to Members Objectives

1. Promote and protect PE licensure and the practice of professional engineering.
2. Provide leadership, outreach, and

- management training opportunities.
3. Provide networking and mentoring opportunities for PE/EIs across disciplines and within interest areas.
4. Provide various opportunities for continuing education.
5. Provide assistance to EI members to acquire the PE license.
6. Serve as the information resource for members on all PE issues.
7. Promote ethical practice and provide ethical training to our members.

Goal 3: Membership Growth Objectives

1. Market and promote membership through a national-state-chapter partnership and possible partnerships with other organizations.
2. Improve the visibility and importance of membership in NSPE.
3. Expand/improve the Enterprise Program for PE/EIs.
4. Offer a template to states and interest groups on how to establish virtual chapters.
5. Effectively communicate and promote the benefits of membership.
6. Create an alliance with NCEES and with other national and state organizations.
7. Develop strategies to attract young engineers.

Guidelines and Goals for Interest Groups

“Interest groups” refer to groups of members who come together to share a common interest.

These can range from a group networks via an online forum to a full-fledged practice
“Future” continued p. 12



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Cover Story

The Port Authority of Allegheny County's Stage II Light Rail Transit System Project has been named Project of the Year in the transportation category by the Engineers' Society of Western Pennsylvania (ESWP). Gannett Fleming, an international planning, design, and construction management firm, served as the construction manager for this project, in a joint venture with DMJM+Harris.

The \$400 million Light Rail Transit System Project reconstructed and improved the Overbrook Line located in Pittsburgh, Pa. The project also provides signals, communications, and trackwork upgrades throughout the existing and expanded system, including additional stations, park and ride facilities, and light rail vehicles. Originally constructed in 1873 as a narrow-gauge single-track coal line, the 5.2-mile Overbrook Line section was closed more than 10 years ago due to its deteriorating condition.

According to the ESWP, the Light Rail Transit System Project enhances patron safety, provides parking and passenger interfaces to enhance ridership, and decreases the overall downtown commute time for many of the system's 24,000 daily light rail transit patrons.

"Gannett Fleming is delighted to have teamed with the firm DMJM+Harris to provide the full spectrum of construction management services on this project, from constructability reviews during the project's design phase, through construction inspection, to operational start-up," stated Michael A. MacAllister, P.E., Stage II project manager. "This successful project provides the South Hills communities with a faster and safer light rail transit line to downtown Pittsburgh, improving the vitality of the entire metropolitan area."



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Risky Business

Rebecca Bowman, Esq., P.E.

When our founding fathers declared their independence from England, we were thirteen colonies. On September 3, 1783, the Treaty of Paris ended the Revolutionary War and doubled the size of the United States by shifting the boundary to the Mississippi. Twenty years later, on April 30, 1803, the United States doubled again with the Louisiana Purchase. Without transportation, all that land was part of the country on paper only.

How much did transportation matter? By 1803, when Lewis and Clark set out on their expedition, transportation as far as St. Louis was so reliable that most people consider the expedition to have started there. East of St. Louis, transportation was nearly routine.

This development did not occur naturally. The development of reliable transportation systems was intentional and strategic.

The Route

The route west originated as a buffalo and deer path, then the path of the Delaware Indians. In 1751, Thomas Cresap and the Delaware guide, Nemaquin, followed the path, blazing the trees so that the white folk could find it.

In 1753, 21-year old George Washington was sent west by the British governor of Virginia to warn the French to leave the Ohio country. Washington was with General Braddock as he struggled to move cannon

from the Monongahela River to Fort Necessity. He had participated in the transformation of this path into a 12-foot-wide corduroy road, clearing the path and laying the cut logs in a parallel pattern to form a (somewhat) stable surface.

Washington traveled the road again in 1784 to inspect western land he owned and to encourage travel. It took his party five weeks to travel 680 miles. The trip was more than personal to Washington because he was opposed to letting geological barriers divide the land into domains and wanted to demonstrate the possibilities.

The Impact

How important were roads to the development of the United States and specifically in Pennsylvania? Curiously, the lack of a good road was a major factor in the Whiskey Rebellion in 1794. Western Pennsylvania farmers had a surplus of grain. Gross profit on a ton of grain transported back east by wagon was \$36. Gross profit on a ton of corn whiskey transported back east by wagon was \$220. Whiskey quickly became currency.

The new Federal government decided to tax that currency. When the farmers rebelled, Washington called up the militia, 15,000 men, to suppress the revolt.

Many understand the Whiskey Rebellion to have been the first test of the Federal government's ability to impose taxes. Some

understand that the Whiskey Rebellion was the first demonstration of the Federal government's ability to act locally. Few understand the role of road transportation in the Whiskey Rebellion.

Without transportation, all that land was part of the country on paper only....

The development of reliable transportation systems was intentional and strategic.

Had the National Road already been in place in 1794, there would have been no need for whiskey to be a form of currency, that first excise tax would have been levied on some other product, and that first demonstration of Federal power would have been about something completely different. (Of course, I think it's exciting in a James Dean-rebellious sort of way that Pennsylvania was the source of the Whiskey Rebellion.)

There were other less obvious consequences of the lack of good roads, too. When the First Congress convened on March 4, 1789, there was no quorum. The House did not have a quorum until April 1st; the Senate

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did not have a quorum until April 6th. In large part, this was because bad weather had rendered the primitive roads completely impassable. In fact, one commentator noted that the roads were actually better in the wintertime: Once the snow fell, using a sleigh was much more reliable than trying to use a wagon or carriage over rutted roads.

The Genesis

When Thomas Jefferson became president, he and his Secretary of the Treasury, Albert Gallatin, were seriously concerned with unifying the union and establishing a presence in the west. Both men believed that a road built as a nationally-sponsored and nationally-funded project would significantly enhance the country, easing homesteading and facilitating economic development, reducing mail time and enhancing communication.

Secretary Gallatin proposed the National Road, estimating that it would save \$200,000 per year in transportation costs and recapture commerce currently being diverted by water transportation to the French territories at the mouth of the Mississippi in New Orleans.

Jefferson was concerned that the Constitution did not provide authority for construction of internal improvements or for their funding. Gallatin's solution was to set aside a portion of the sale price of government land to fund construction. He asked for 10% and got 2%. It was enough.

In 1806, Congress launched the National Road with a Cumberland Road Commission to establish the route and to oversee construction and maintenance. The 1806 route report of the Commission missed Uniontown and Washington. Pennsylvania declined to give its approval unless the route was altered to include both towns. The change added both miles and elevation, and consequently costs, but without Pennsylvania's agreement, the Road was impossible.

At the time, the normal method of achieving reliable roads was to form a company to invest in construction; profits would result from net toll income. Responsible companies set aside a portion of the net toll income for repairs and maintenance; their roads had relatively long life spans. Irresponsible companies invested

the minimum amount in construction and took all of the net toll income as dividends; their roads came and quickly went. In this way, private investors had already banded together in 1797 to build the Baltimore Pike, a toll road from Baltimore to Cumberland, Maryland.

As states became more stable, they regulated turnpikes closely, both setting tolls and establishing construction standards. Private turnpikes had two common characteristics: They connected population

The effect of the National Road was immediate. Land values in western Pennsylvania soared from \$6 per acre to as high as \$70 per acre.

centers and they were in low-challenge terrain.

The challenge for the National Road was that it needed to proceed west without the support of existing population centers and it needed to cross the Allegheny Mountains. Private investors were not interested in that market!

More about the Route

Beginning in Cumberland, the proposed National Road was to follow Braddock's route as far as Uniontown then proceed west into Ohio, then seeking statehood. The plan was to proceed from Uniontown through Brownsville and Washington, Pennsylvania to Wheeling, Virginia and on through St.Clairsville, Ohio to Zanesville. In Zanesville, the National Road was to intersect with the post road known as Zane's Trace from Wheeling to Chillicothe, Ohio.

Construction and Cost

The National Road was to be a four-rod (66-foot) right of way finished with stone with a maximum grade of 8.75%. (Only a single,

mountainous stretch between Cumberland and Uniontown exceeded the grade standard at 9.2%.) The profile was to be raised in the middle with stone, earth or gravel, and sand with a ditch on each side.

The initial estimate was a cost of \$6,000 per mile, excluding bridges. The final cost of the National Road from Cumberland to Uniontown was \$9,745, including bridges. For the 30 miles between Uniontown and Washington, the average cost was \$6,400 per mile. But, between Washington and Wheeling, the average price shot up to \$24,400, resulting in a scandal and an investigation.

There were two road construction standards in use at the time. Frenchman Pierre Tresaguet's approach was developed in 1760. His method consisted of a crowned sub-base of 7" stones hammered in place and a base of small hard stones. There was no integration of the surfaces. Englishman Thomas Telford's method consisted of a sub-base of set stones packed with stone chips. This was topped with a tapered, compacted layer of small stones with a depth of 7" in the center and 3" at the outer edges. This was topped with 1.5" of clean gravel. This method was more durable, but much more expensive.

No, Scotsman John Loudoun McAdam's method (macadam) was not in use. It was introduced in Europe in 1816, but the first U.S. use was on a private turnpike in 1823. McAdam's focus was on reducing the penetration of water. He required that all stones must pass through a 2" ring. Thin layers were installed and traffic was permitted to compact them.

The National Road was constructed in large part using a local variation of the Tresaguet method: The standard called for a layer of stones that could pass through a 7" ring, topped by a layer of stones that could pass through a 3" ring. While the road construction methods were less than ideal, the spectacular and beautiful engineered structures were immediately famous and, with several still in place today, wonderfully durable.

Progress

Contracts to clear were let in 1808, but construction contracts for the first 10 miles were not let until 1811. By this time, the plans

for the National Road had been expanded to include the capitals of three new states: Ohio (Columbus), Indiana (Indianapolis), and Illinois (Vandalia). However, it wasn't until 1820 that Congress appropriated an additional \$10,000 to extend the National Road from Wheeling to the Mississippi between St. Louis and the mouth of the Illinois River.

Construction proceeded in segments of approximately 10 miles. Magnificent arched bridges crossed various waterways. Many of those bridges still exist. Travelers consistently commented on their beauty and solidity. Wheeling was finally reached in 1818. Although there were still some sections unpaved, U.S. mail service began between Wheeling and Washington, D.C. in 1818. The effect of the National Road was immediate. Land values in western Pennsylvania soared from \$6 per acre to as high as \$70 per acre.

The section from Wheeling to the Mississippi River broke ground on July 4, 1825. The U.S. Army Corps of Engineers did not have authority to be involved in civil works projects until the General Survey Act was passed on April 30, 1824. At that point, the Corps became involved in construction west of Wheeling and maintenance and repair east of Wheeling.

The Corps already faced severe damage to the eastern segments as a result of overuse and from wagoners setting brakes on the slopes. The Corps was responsible for the first installation of macadam on the Wheeling segment. In 1827, Congress appropriated \$170,000 to finish the Road from Bridgeville, Ohio to Zanesville, a distance of 73 miles.

The National Road reached Columbus, Ohio in 1833. Did it make much difference? By 1840, Ohio was the third most populous state. Due to gentle terrain, the cost of the National Road in Ohio was only \$3,400 per

mile. By 1850, the National Road had been completed through Indiana and into Illinois. The western section used an 80-foot right of way, but the construction quality was poor because of the poor quality of local stone.

The issue remained, however, of how to pay for maintenance. In 1815, Senator Calhoun argued for increased funding for the National Road, especially for maintenance, citing the problems caused in the War of 1812 by poor roads. The bill passed the Congress, but President Madison, who strenuously opposed the concept of a national turnpike, vetoed it on March 3, 1817. This action ultimately forced control of the National Road to pass to the respective states. Token amounts were appropriated for repairs until 1829, when Congress released \$100,000 for repairs. As repairs were completed, a segment was to be turned over to the state. Until a segment was turned over, the states could not perform repairs on national property, no matter how badly they wanted to.

In 1831, Congress started transferring control to the respective states. In 1838, all Congressional appropriations for construction ended (excluding the allocation from the sale of government lands). In 1849, Congress turned the Indiana segment over to the state after spending \$1.1 million on grading, draining, and bridging the route; note that didn't include paving. In 1856, Congress turned the Illinois segment, which never got further than Vandalia, over to the state after spending \$746,000 for only clearing and grading. By that time, the general expectation was that the right of way would be used for a railroad.

The National Road was not without historically-amusing controversy. Concerned that a cabled bridge over the Ohio at Wheeling

would divert traffic away from Pittsburg and Washington, Pennsylvania's Edwin Stanton sued to stop construction of that bridge, alleging that the bridge would interfere with river traffic. The bridge was built anyway. In 1849, Stanton smashed a steamship into the bridge to demonstrate the interference. In response, Charles Ellet, Jr. had the bridge declared a postroad, giving it priority right-of-way. The battle became moot when the bridge blew down in 1854.

Empire Builders

As Europe observed the fledgling nation establish its personality, one thing was striking. The European tradition was for leaders to build palaces and monuments to elevate their stature. The United States' great monument to its empire was a National Road, built at great expense and risk, looking to the future of the entire population.

Interestingly, by the time it was completed, the National Road had become technologically obsolete. Engineers would force us to move forward. We'll look at that next time. At every stage, though, without engineers as empire builders, westward expansion would have been a risky business. ■

The "Risky Business" column offers articles covering liability from both the legal and engineering perspective. Mrs. Bowman's articles share general information and should not be relied upon as professional legal advice of either a general or specific nature. Rebecca Bowman is a civil engineer-attorney in solo private practice in McMurray, Pennsylvania for more than 25 years. Her practice is a certified woman-owned business. Her B.S. in Civil Engineering is from the University of North Dakota.

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division like those that exist today. Such interest groups should represent one of NSPE’s important member services. After all, one of the Society’s unique features is that it brings together engineers of all disciplines and all service sectors; interest groups can help provide such interactive and service-producing forums. Members may choose to join any number of interest groups and no member will be “assigned” to a particular one.

Interest groups might fit one of three levels:

1. Few or no resources required; minimal approval process; fast response to member interests (this could be as little as an online forum).
2. Modest resource allocation and administration process and simple business plan. An in-year approval process may be possible.
3. Significant resource allocation; more complex administrative structure required; more sophisticated business plan, probably requiring specific inclusion in the annual budgeting process. (Example: Professional Engineers in Private Practice [PEPP])

Interest groups will receive significant autonomy within certain reasonable guidelines. Activities must meet the mission and objectives of NSPE. Beyond that, there will be budget evaluation and allocation based on the value delivered to members, and in so doing, interest groups will be encouraged to engage members in innovative and new ways to address a common interest or concern

The current practice divisions are folded under the interest group umbrella because they are basically large interest groups. Each

of the historical five practice divisions - construction, education, government, industry, and private practice - have been critical to NSPE’s past success, despite some past NSPE organizational changes that, for some, have made their continued financial viability a challenge.

Moving forward, the business plans of the current practice divisions will be reviewed annually to determine what resources they will require and how they will operate, and in general, interest groups will need to deliver measurable outcomes for continuation of their programs, as with any NSPE initiative.

Each practice division will align itself within the same guidelines as other interest groups. One enhancement to the general resource allocation process will be a greater unification of the interest group/practice division budgets into the full national budget for comprehensive program prioritization. The new structure will give flexibility in providing the needed staff resources, less duplication of effort, and a lifting of rules that require practice divisions to balance their budgets. If an opportunity exists for a practice division to provide valuable services paid out of membership dues and not their own revenue programs, then the prioritization process can put that effort on the table with everything else.

A measurable outcome of these interest groups will be the number of satisfied members who are engaged in their activities and who see the benefit of participating.

Role of Regions

State societies will be encouraged to continue meeting with one another to foster communications, share ideas, and serve the members. However, the traditional role of

the regions will be eliminated under the new governance scheme. With each state society having a direct representative (Delegate) to the House of Delegates, there will no longer be Regional Vice-Presidents representing each of the regions on the Board of Directors (as of July 2006).

Geographic districts will be established to provide for a regional distribution on the Board of Directors and the Candidate Screening Committee, but will have no other official role.

New Governance Model

The new governance model is designed to address two critical questions:

1. How do we provide a more direct relationship between each state society and national?
2. How do we provide a more efficient and expedient way to make critical decisions?

Although these can be seen as contradictory priorities, a balanced approach has been developed to meet both objectives (while also providing members a great opportunity to develop organizational and leadership skills). With the changes outlined below, we are seeking a more efficient and flexible organization that can nimbly shift to address ever-changing member needs.

House of Delegates

A House of Delegates is proposed to provide a direct relationship between each state society and national. The House of Delegates will be comprised of one representative from each state society and one seat for each member of the Board of Directors, for a total not to exceed sixty-nine (69) Delegates. Each state society will select

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their Delegate, who will serve a two-year term; half of the state Delegates will rotate in and out of the House of Delegates each year.

A House of Delegates assembly will meet each July to deliberate and determine *strategy* and *policy* for NSPE and elect members to fill expired terms of the NSPE Officers and Board of Directors. We recommend that Delegates' attendance at the House of Delegates assembly be reimbursed for reasonable expenses as defined in the Operating Procedures (still to be developed).

Full and engaged participation of each state society in the strategic decisions of the national organization is essential to the ultimate success of both national and each state society. The House of Delegates will make all significant decisions concerning the direction of NSPE, including the election of the Board of Directors and NSPE Officers. The House of Delegates will be responsible for defining what the organization will do to meet the vision, mission, and goals. The House of Delegates will also have the sole power to amend the new NSPE Bylaws.

The proposed Bylaws will include weighted voting for each State Delegate, based on the membership of the state society represented. This issue was much debated at the January 2005 Summit in San Diego. The weighted voting scheme proposed in the Bylaws will provide greater influence for the larger states while assuring that the smaller states have a strong voice.

This model is the most effective way to engage each state society in NSPE. However, this is not the "old Board of Directors." The House of Delegates will deal with *policy* and *strategic planning* for the organization but will not be involved with the business aspects of NSPE. Issues such as budget allocation and

staffing will be the responsibility of the Executive Director, national leadership, and the NSPE Board of Directors.

Board of Directors

The Board of Directors will be limited to sixteen (16) members and be comprised of the NSPE Officers (President, President-Elect, Immediate Past President, Treasurer and Secretary), State Society Executives Council (SSEC) President, and ten (10) other Directors.

Each member, except the Secretary, will be a voting member of the Board of Directors and by extension, voting members of the House of Delegates. NSPE Officers will serve the term defined in the Bylaws. The SSEC President will serve for a one-year term corresponding to their term as SSEC President. Each of the ten Directors will serve a two-year term with five (5) Directors rotating off the Board each year. These Directors will not be eligible for re-election to a second consecutive term. A State Delegate can be elected to the Board of Directors but he/she will have only the vote(s) of their state society at the House of Delegates assembly.

This smaller Board of Directors will focus on the implementation of the strategies and policies set by the House of Delegates. They will be focused on "how" not "what." They will also focus on measuring the outcome of the various initiatives and the performance of the national staff, through the Executive Director.

Election of NSPE Officers

The House of Delegates will elect the NSPE President-Elect every year, and Treasurer every two years. The all-member election of these officers is being changed to give direct control over the election of the

Officers to the House of Delegates. This change enables NSPE to conduct a more conventional election, with more than one candidate for each position.

The NSPE Candidate Screening Committee will review candidates for NSPE President-Elect and Treasurer and prepare a ballot including all qualified candidates for both positions. This ballot will be submitted to the House of Delegates for the election of NSPE Officers. No longer will the Candidate Screening Committee select the one recommended candidate for each office, virtually electing the new officers when the selection is not contested by the other candidates. A majority vote of the House of Delegates is required to elect an Officer. A second or third ballot may be required to achieve this majority vote as set forth in the Bylaws if there is a race for an office with more than two candidates. NSPE Officers will be directly responsible to the House of Delegates.

Election of Board of Directors

The House of Delegates will also elect the ten other Directors (five Directors each year.) The proposed Bylaws and Operating Procedures will define an initial allocation of the ten Directors to represent specific constituent groups as follows: one for each geographic district (six total, with the geographic districts defined in the Operating Procedures [see "Role of Regions" in the complete report online]), two to represent the practice divisions (two total), one to represent the Young Engineers Advisory Council (YEAC), and one representative from the voting membership at large.

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The House of Delegates can change this allocation as they see fit. The presiding officer of the House of Delegates assembly will take nominations and conduct an election for each vacant position on the Board of Directors.

The election of each of these Directors will still fall to the House of Delegates. The only representatives to the Board of Directors not directly ratified by the House of Delegates will be the SSEC President who is chosen by the State Society Executives Council and the Secretary who is elected annually by the Board, and is traditionally the NSPE Executive Director. In this manner, the Board of Directors is responsible to and serves at the pleasure of the House of Delegates, who have the ultimate authority over the governance of NSPE.

Constitution & Bylaws Revisions

Changes to the current Constitution and Bylaws governing NSPE have been developed to accomplish this new governance scheme. We propose to eliminate the Constitution and incorporate all the major organizational functions in a new set of NSPE Bylaws.

The Board of Directors is expected to send the Constitutional revisions to the membership for a vote at their summer meeting in July 2005. Presuming that the Constitutional revisions receive the required two-thirds affirmative vote of the membership, these revisions will be ratified by the Board of Directors in October 2005 along with the proposed new Bylaws and Operating Procedures. The new proposed NSPE Bylaws are included in the appendices.

When the Constitution and Bylaws revisions are ratified in October 2005, the newly created House of Delegates will convene for the first time at the Annual Meeting in Boston, MA, in July 2006. Each state society will need to determine how they

will select their representative to the House of Delegates. One half the State Societies will select a Delegate to serve for a one-year term (selected by random lot), while the other half will elect their Delegate to serve a two-year term. All subsequent Directors will serve a two-year term to set the desired rotation of representation to the House of Delegates.

The House of Delegates will elect NSPE Officers and Directors to take office upon the close of the Board of Directors meeting to be held after the House of Delegates meeting in July 2006.

New Meetings Format

Like many associations, NSPE has traditionally invested considerable resources in large national meetings. The ultimate goal is to develop a program integrated with the new Vision, Mission, and Goals, emphasizing value to our members and creating a dynamic experience. Whether to hold two major national meetings became the first question to answer. Discussions centered around many members' unwillingness to make the time or monetary commitment for two national meetings and the perception that more inexpensive local meetings provided more appealing opportunities to receive education. Many active members attend national meetings not because they see a compelling career value in the education, but primarily for the governance aspects expected or required of their positions. It was felt that decreasing to one all-member meeting per year, to be held in July, would allow for a more focused approach for reaching members as well as providing a focal point to celebrate engineering.

All-Member Meeting Format and Content

The FDTF recommends the following format and content for the new Annual Meeting:

- The annual meeting will be shortened to four days (Thursday – Sunday), with general/plenary sessions, education, NSPE leadership training, governance, and recreational activities in concurrent time slots. Members should have so much to choose from that they want to return the following year to catch what they missed. With the current, extended format, some active members must spend a week or more on site, with a meeting of interest at the beginning of the conference and another at the end.

- The House of Delegates will hold their annual assembly, and standing committees will meet as well. Committee chairs will be available to deliver reports to the House of Delegates. The Board of Directors will hold their quarterly meeting.

- A major State of the Society address will be given by the NSPE President at a plenary session.

- A Grand Banquet will be held to celebrate engineering, install national officers, and recognize selected award recipients for that year.

- A State Leaders Forum will be held to discuss topics of concern among the states as well as to share best practices.

- As new interest groups form within the society, roundtable discussions may be scheduled to encourage participation and increase the visibility of these new groups.

- The location of the meeting will change each year with the focus on affordable, desirable, and easily-reached destinations. Meetings will rotate among four locations, with three being repeated and permanent.

If you are interested in reading the complete report, check it out online at www.nspe.org. Scroll partway down the front page to “Future Directions Final Report” to view the Word document. ■

Political Action Committee

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Many thanks to the following individuals who contribute to the PSPE Political Action Committee fund, allowing our staff to influence bills on behalf of PSPE members. PSPE is very active at the Pennsylvania state capitol monitoring legislation that could impact PSPE members in their profession. Your contributions are critical as PSPE affects bills such as those found in the article "On Capitol Hill."

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the loan term was determined after construction closed out. Consequently, under the old policy a Borrower with a project that took two years to construct would have had only eighteen years to repay the loan. Under the new policy the repayment term would be twenty years plus two years of interest-only payments to provide for construction.

(5). Amend 25 Pa. Code § 965.4 (9) to place a period after the word “Board” and delete the remainder of the sentence. This amendment allows costs associated with acquisition of land under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to be financed by PENNVEST. This change is necessary to reflect a shift in policy by the Environmental Protection Agency and the desire of PENNVEST to take advantage of the policy shift to finance such costs. Now expected to be published in “fall/winter 2005” as proposed. Contact Jayne B. Blake 717.783.6776, for more information.

3. Department of State – two regulations:

a. State Registration Board for Engineers, Land Surveyors and Geologists Biennial Renewal Fees and Examination Fees 49 Pa. Code § 37.17 (16A-478)

The regulation would increase biennial renewal fees for all license classes, delete examination fees as unnecessary, and make editorial and organizational changes to the other fees. This regulation is expected to be published in fall 2005, as FINAL. Contact Shirley Klinger 717.772.8528 for more information.

b. General Revisions 49 Pa. Code, Chapter 37 (number not yet assigned) The regulation represents a comprehensive

updating and revision of the Board’s regulations, including matters relating to eligibility for examination and licensure as a professional engineer, professional land surveyor and professional geologist; references for qualifying experience; temporary practice permits; reactivation of licensure; approval of corporate or fictitious names; and use of professional seal. This regulation is expected to be published in winter 2005-06, as proposed. Contact Shirley Klinger 717.772.8528, for more information.

Legislative Activity

HB 86 RE: Army Corps of Engineers Liability (by Rep. David Steil, et al)

Act stating that DCNR, PennDOT and DEP, acting in the name of the Commonwealth, are authorized to agree to hold and save the United States Army Corps of Engineers free from all damages arising from construction, operation and maintenance of projects along the Delaware Canal State Park, and projects in the Boroughs of Stockertown and Tatamy and the Township of Palmer located in Northampton County, involving cooperative agreements between the Commonwealth and the United States Army Corps of Engineers, except for any damages due to the fault or negligence of the United States Army Corps of Engineers.

Passed House, 6/8/2005 (197-0)

Passed Senate, 7/5/2005 (50-0)

In the hands of the Governor 7/6/2005. Last day for Governor’s action, 7/16/2005

HB 138 RE: Comparative Negligence (by Rep. Mike Turzai, et al)

Amends Title 42 (Judiciary) reenacting provisions relating to comparative negligence,

including that where recovery is allowed against more than one person, and where liability is attributed to more than one defendant, each defendant would be liable for that proportion of the total dollar amount awarded as damages in the ratio of the amount of that defendant’s liability to the amount of liability attributed to all defendants and other persons to whom liability is apportioned. For purposes of apportioning liability only, the question of liability of any defendant or other person who has entered into a release with the plaintiff with respect to the action and who is not a party would be transmitted to the trier of fact upon appropriate requests and proofs by any party. Nothing in this section would affect the admissibility or non-admissibility of evidence regarding releases, settlements, offers to compromise or compromises as set forth in the Pennsylvania Rules of Evidence. Also, the doctrine of voluntary assumption of risk as it applies to downhill skiing injuries and damages is not modified by this reenactment. Lastly, Section 7102(b) of Title 42 is repealed.

Reported as committed from House State Government Committee, read first time, and Rereferred to House Rules Committee, 6/20/2005

HB 488 RE: Prototypical School Facility Design Clearinghouse (by Rep. Bev Mackereth, et al)

Amends the Public School Code providing for a prototypical school facility design clearinghouse. The legislation authorizes the Department of Education to establish a central clearinghouse of prototypical school facility designs for access by any school entity that may want to use a prototype design in the construction of school



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facilities. The Department will compile all necessary publications and set up a computer database to make the information available by school entities and the public at large. Design professionals registered in PA may submit plans. The original design professional retains ownership of a prototype design.

Passed House, 6/13/2005 (200-0)

Referred to Senate Education Committee, 6/17/2005

HB 815 RE: 2005-06 Budget (by Rep. Brett Feese, et al)

This is the General Appropriation Act of 2005 providing for expenses of the Executive, Legislative and Judicial Departments, the public debt, for the public schools for the fiscal year July 1, 2005, to June 30, 2006.

Approved by Gov. Rendell, with line item vetoes, 7/7/2005. Act. No. 1A of 2005

HB 1108 RE: Water and Wastewater System Connection Funding (by Rep. Carol Rubley, et al)

Amends the Pennsylvania Infrastructure Investment Authority Act establishing the Water and Wastewater System Connection Funding Program to authorize financial assistance in the form of grants and low-interest loans to homeowners for tapping or facilities extension fees and eligible costs relating to the installation of a water or wastewater lateral for homes constructed prior to the installation of a publicly or privately owned water distribution system or a publicly or privately owned wastewater collection system servicing the property or relating to the replacement of water or wastewater laterals to housing units as part of an upgrading or reconstruction of a publicly or privately owned water distribution system

or publicly or privately owned wastewater collection system. To be eligible for the program, an applicant must be an owner-occupier of a housing unit and any of the following exist: (1) the housing unit is served by a publicly or privately owned water or wastewater system; (2) the owner- occupier is required to replace private water or wastewater laterals as part of an upgrading or reconstruction of a publicly or privately owned water or wastewater system; (3) the owner of the real property into which the property lateral will be installed is the owner of the housing unit located thereon. Loans would be provided under the program if the applicant's household income is less than 200% of the statewide median household income and grants would be provided to applicants whose household income does not exceed the most recent Federal poverty guidelines. Grants and loans would be made out of the Water and Wastewater System Connection Funding Program Fund, into which \$5,000,000 would be transferred from the Pennsylvania Infrastructure Investment Bond Authorization Fund. The legislation also makes several editorial changes.

Amended on House floor and passed House, 6/29/2005 (198-0)

Referred to Senate Environmental Resources and Energy Committee, 6/29/2005

HB 1467 RE: Residential Construction Dispute Resolution Act (by Rep. Tom Stevenson, et al)

Establishes dispute resolution procedures relating to residential construction defects between contractors and homeowners or members of associations. In an action under the legislation, the claimant must notify the contractor of a claim at least 75 days before

initiating action. The contractor would have 15 days to respond. The legislation would not apply to any claim for personal injury or death.

Reported as committed from House Urban Affairs Committee, read first time, and rereferred to House Rules Committee, 7/6/2005

HB 1507 RE: Building Code Exemptions (by Rep. Rod Wilt, et al)

Amends the Pennsylvania Construction Code Act by adding that an existing building which did not have a certificate of occupancy prior to April 10, 2004, would be treated as an existing building under Chapter 3. Such a building would be issued an occupancy permit if the entire building meets the requirements for fire protection systems and means of egress and the building is not unsafe, unsanitary or judged to be a fire hazard or dangerous to human life or public welfare. A code administrator may not require changes which are technically infeasible for the purpose of meeting means of egress requirements.

Amended on House floor and passed House, 6/22/2005 (198-0)

Referred to Senate Labor and Industry Committee, 6/24/2005

HB 1522 RE: PA Construction Code Act Enforcement (by Rep. Tom Creighton, et al)

Amends the Pennsylvania Construction Code Act by stating that municipalities may administer and enforce the PA Construction Code Act by designating an employee to serve as the municipal code official as long as the municipality has at least two other third party agencies from whom persons may select

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“Capitol” continued from p. 17

services. The bill increases required construction code officials from one to three for single municipalities and for multiple municipalities that have entered into an inter-municipal agreement for joint administration and enforcement of the Act. The bill states that municipalities may administer and enforce the PA Construction Code Act by entering into an agreement with the department as long as they make at least two other third party agencies accessible from whom persons may select services.

Reported from House State Government Committee with request to re-refer to Labor Relations, 6/8/2005

Rereferred to House Labor Relations Committee, 6/8/2005

HB 1637 RE: Mechanics’ Lien Law (by Rep. George Kenney, et al)

Amends the Mechanics’ Lien Law by stating that only a contractor (not a subcontractor) may waive his right to file a claim by a written instrument signed by him or by any conduct which operates equitably to prevent the contractor from filing a claim. Also, a written contract between the owner and contractor, or a separate written instrument signed by the contractor, which provides that no claim would be filed by the contractor, would be binding.

Reported as submitted from House Labor Relations Committee, read first time, rereferred to House Rules Committee, 6/22/2005

HB 1802 RE: Capital Facilities Debt Enabling Act Debt Ceiling (by Rep. Brett Feese)

Amends the Capital Facilities Debt Enabling Act adding that the capital budget bill does not need to itemize projects if itemization is contained in or approved by prior legislation referred to in the capital budget bill or included in one or more supplemental capital budget bills. Additionally, the maximum amount of redevelopment assistance capital projects undertaken by the Commonwealth for which obligations are outstanding may not exceed, in aggregate, \$2,650,000,000 (increased from \$2,150,000,000), of which \$25,000,000 may be used for the construction of housing units. The bill also adds that “redevelopment

assistance capital projects” may include housing units.

Passed House, 6/30/2005 (178-21)

Reported as amended from Senate Appropriations Committee, and passed Senate, 7/6/2005 (50-0)

Re-reported on concurrence as committed from House Rules Committee, 7/7/2005

H Res. 391 RE: Unsolicited Procurement Proposals (by Rep. John Perzel, et al)

A resolution directing the Joint State Government Commission to study ways in which the Commonwealth’s procurement laws may be changed to allow citizens, businesses and public and private universities and colleges to make unsolicited proposals to Commonwealth agencies, boards and commissions.

Adopted, 7/2/2005 (198-0)

SB 62 RE: Electronic Bidding (by Sen. Jane Earll, et al)

Amends Title 62 (Procurement) adding that the Department of General Services has the power and duty to receive, assess and respond to all commonwealth purchase proposals for the procurement of supplies, services or construction under this part. The Department would provide notification to the person who submitted the commonwealth purchase proposal within 60 days of receiving the proposal and indicate that the department is in receipt of the proposal and that a written assessment of the merits of the proposal will be provided within 90 days. The legislation adds a chapter entitled the Local Government Unit Electronic Bidding Act, which states that a local government unit may permit electronic submission of bids and may receive bids electronically if the local government unit has the electronic capability to maintain confidentiality of the bid until bid opening time.

Passed Senate, 5/9/2005 (47-0)

Passed House, amended, 7/1/2005 (198-0)

Rereferred to Senate Rules and Executive Nominations Committee, 7/1/2005

SB 643 RE: Subcontractor WC Liability (by Sen. John Gordner, et al)

Amends the Workers’ Compensation Act by adding that a contractor who subcontracts all or any part of a contract and

his insurer would be liable for the payment of compensation to the employees of the subcontractor unless the subcontractor has certified that he/she does not employ other individuals, operates as an independent contractor and is not required to carry workers’ compensation insurance. Certification of such would create a non-rebuttable presumption that the filing subcontractor is an independent contractor and that the certifying subcontractor is prohibited from filing any claim for benefits against the contractor or the contractor’s insurer. “Independent contractor” is defined in the legislation.

Reported as amended from Senate Labor and Industry Committee, and read first time, 6/28/2005

Rereferred to Senate Rules and Executive Nominations Committee, 7/7/2005

New Bills Introduced

HB 1873 RE: Construction Sales Tax Exclusion (by Rep. Paul Clymer, et al)

Amends the Tax Reform Code by adding that the sale at retail to or use by a construction contractor, employed by a nonprofit school would be exempt from the sales and use tax. **Referred to House Finance Committee, 7/3/2005**

HB 1878 RE: Retainage (by Rep. John Evans, et al)

Amends the Pennsylvania Construction Code by adding that in cities of the first class (e.g. Philadelphia) a certificate of occupancy for a commercial building or structure may not be issued by a construction code official or a municipal code official until the owner provides certification that all retainage for contractors, subcontractors and materials suppliers, that performed work or supplied materials for the building or structure, has been paid. This does not apply to any of the following: (1) amounts necessary to ensure completion of incomplete work, (2) amounts necessary to insure performance of work which is noted in a written list provided to the owner specifying deficiencies yet to be corrected, and (3) amounts necessary to compensate for undelivered, defective or otherwise inadequate supplies. A construction code official or a municipal code official may

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issue a certificate of occupancy if the owner can demonstrate that disputed amounts are in an escrow account awaiting the determination of a legal proceeding. "Retainage" is defined as a percentage of a contract price that is withheld from a contractor by an owner or withheld from a subcontractor or materials supplier by a contractor for a period of time as a guarantee for work performed or materials supplied, pursuant to a projects contract.

Referred to House Labor Relations Committee, 7/5/2005

SB 725 RE: Dam Management (by Sen. Jim Rhoades, et al)

Amends Title 27 (Environmental Resources) by adding a chapter on dam management. The legislation would authorize indebtedness for \$1 billion for the purposes of financing the costs of dam projects. Of that amount, \$250 million would be allocated to the Department of Environmental Protection to finance the costs of State dam projects and the remainder would be allocated to the department for the purpose of providing assistance to owners of private dams, as co-applicants with local government units or to local government units that own dams to finance the cost of dam projects undertaken by or on behalf of the owners of dams. The proceeds from the sale of bonds used to provide assistance to owners of dams for dam projects or State dam projects would be paid to the State Treasurer and be held

by the State Treasurer in the Dam Project Fund. The proceeds from the sale of bonds used to provide loans to owners of dams, lakes or streams for dam projects would be paid to the State Treasurer and be held by the State Treasurer in the Dam Project Revolving Loan Fund. The question of incurring indebtedness would be submitted to the electors at the next primary, municipal or general election following the effective date of this section.

Referred to Senate Environmental Resources and Energy Committee, 6/17/2005

House & Senate Fall Session Days Schedule

2005 House Fall Session Schedule

September	26, 27, 28
October	3 (non-voting), 17, 18, 19, 20, 24, 25, 26, 27, 31
November	1, 2, 3, 14, 15, 16, 21, 22
December	5, 6, 7, 12, 13, 14, 19 (non-voting)

The Senate has not yet announced its fall session calendar yet, but should follow similar dates

Copies of all bills of interest are available from the PSPE office, or they can be accessed via the Internet at www.legis.state.pa.us/WU01/LI/BI/billroom.htm. ■

PSPE Member Spotlight



HRG Names New Regional Environmental Service Group Manager

Herbert, Rowland & Grubic, Inc. is pleased to announce the addition of **John R. Ackerman, P.E., P.G., DEE**, as the Regional Environmental Service Group Manager for its office located in Monroe County, PA. His responsibilities

include management and direction of the regional office's water/wastewater engineering and environmental science projects throughout Northeastern Pennsylvania.

Mr. Ackerman is an expert in the field of environmental engineering and brings 29 years of diverse experience to the firm. His numerous professional accomplishments include award-winning designs, publication and presentation of numerous papers at national and international conferences, and a U.S. Patent #5,004,484 - "Air Stripping of Liquids Using High Intensity Turbulent Mixer."

Mr. Ackerman was recently named a Fellow by the National Society of Professional Engineers. This prestigious designation honors active NSPE members who have demonstrated exemplary service to the engineering profession, the Society, and the community. He has also achieved certification as a Board Certified Environmental Engineer (DEE) from the American Academy of Environmental Engineers. The DEE designation is internationally known and awarded to professionals that are experts in the industry.

Mr. Ackerman earned his bachelor of science degree in the Earth Sciences (Geology) from the Pennsylvania State University and is an active member of the National Society of Professional Engineers (past national director and fellow), Pennsylvania Society of Professional Engineers (past president), Society for Mining, Metallurgy and Exploration/AIME, and the American Academy of Environmental Engineers (Diplomate).

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PSPE Calendar of Events

2005

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| September 10 | MATHCOUNTS Coordinators
Harrisburg/Hershey Wyndham |
| September 16 | Pennsylvania PEPP Board
Harrisburg |
| September 23
September 24 | PSPE Executive Committee
PSPE Board of Directors
Best Western Inn, Bedford |
| October 27-29 | NSPE Northeast Region Conference
<i>Sheraton Harborside Hotel
and Conference Center
Portsmouth NH</i> |

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