

THE FIRST WORD

November, 2008

State Board of Licensure Proposed Rule Changes Public Hearing Set for Friday, November 14th

The State Board of Licensure for Professional Engineers and Land Surveyors has finalized the Proposed Rules to implement the revised Statutes which were approved in the 2008 Legislative Session.

The proposed Rules deal with a variety of changes and updates to the current Rules. Of significance in the proposed changes are rules to allow for the implementation of the use of Digital Signatures on plans by engineers and surveyors.

Other issues addressed in the Proposed Rules included, but not limited to, "Direct Control & Supervision" issues; Education requirements for licensure as a Professional Land Surveyor; declaration of specific engineering discipline(s) in which a Professional Engineer is competent to practice; and, changes to the Minimum Standards for Legal Descriptions by land surveyors.

In accordance with the Oklahoma Administrative Procedures Act, the State Board of Licensure will hold a Public Hearing regarding the Proposed Rules.

The PUBLIC HEARING will be held on Friday, November 14, 2008 at the Oklahoma Engineering Center in Oklahoma City. Public comments on the Proposed Rules will be accepted at that time. Written comments will be accepted as well - you may e-mail comments to kathy@pels.state.ok.us or mail them to the board office.

A copy of the Proposed Rules can be found on the ACEC OKLAHOMA website at www.acecok.org.

ACEC OKLAHOMA urges all members to carefully read the Proposed Rules, and to attend the Public Hearing on Friday, November 14th.

Welcome New Members

ACEC OKLAHOMA is excited to welcome to new member firms to the Council.

KONERU CONSULTING SERVICES, PLLC is a one-person Civil Engineering firm providing Transportation, Site Development and Military Design. Sri Koneru is President of the Oklahoma City firm.

MESHEK & ASSOCIATES, P.L.C., of Tulsa is a 21-person Civil & Water Resources engineering firm which also provides Geographic Information Systems. Principals of the firm include Janet Meshek, Tom Meshek, Brandon Claborn, Chris Duncan, and Ana Stagg.

We welcome Koneru Consulting and Meshek & Associates to ACEC OKLAHOMA, and look forward to having these firms as active members of the Council.

In Memory

ACEC OKLAHOMA is saddened to report the passing of a long-time member, and the father of two ACEC OKLAHOMA members.

Robert B. Hendrick passed away on October 4, 2008. Hendrick graduated from OU with a BSCE in 1950. After working for the Oklahoma Highway Department, he joined Wyatt Hendrick & Associates. In 1957 he formed Hendrick & Hendrick with his brother Finis and in 1975 formed Robert B. Hendrick and Sons of Norman and Lawton.

Robert is survived by his wife, a daughter, and five sons including ACEC OKLAHOMA Chairman-Elect Tom Hendrick & Alan Hendrick who is principal of Robert's firm.

ACEC OKLAHOMA extends our deepest sympathies to Tom, Alan, and the entire family.

ACEC OKLAHOMA Meets with Congressman Dan Boren

ACEC OKLAHOMA leaders met with Congressman Dan Boren (D-2nd) on Thursday, October 16th at the Wallace Engineering offices in Tulsa. ACEC OKLAHOMA Chairman-Elect Tom Hendrick, Vice Chairman Chuck Mitchell, and President Jim Sullins presented the Congressman with a \$2,000 contribution from ACECPAC, the national ACEC Political Action Committee.

Congressman Boren has been a strong supporter of ACEC-back issues during his tenure, including being a co-sponsor of legislation to repeal the 3% withholding slated to go into effect in 2011.

During the meeting a variety of issues were discussed with the Congressman. Congressman Boren expressed his deep concern regarding the proposed "Card Check" legislation which is being supported by the major national unions and would do away with the "secret ballot" for union representation.



(Left to Right) Chuck Mitchell, Congressman Boren, Jim Sullins, & Tom Hendrick

Congressman Boren urged ACEC OKLAHOMA and ACEC to look closely at this legislation which would make it easier for labor unions to organize any workplace, including professional service firms like engineering, architecture and land surveying firms.

It was a very productive and cordial meeting, and Congressman Boren expressed his sincere thanks to the engineering community for our support while offering his assistance on issues of concern and importance to Oklahoma's consulting engineers.

ACEC OKLAHOMA General Membership Meeting Set for Thursday, November 20th in Tulsa State Senator Mike Mazzei to Speak

The November ACEC OKLAHOMA Board and General Membership Meeting will be held on Thursday, November 20th in Tulsa.

The General Membership Meeting will be held at the Doubletree Hotel Downtown beginning at 11:45am. The Board of Directors will meet prior to that, beginning at 9:00am at Wallace Engineering.

The speaker for the General Membership Meeting will be Oklahoma State Senator Mike Mazzei.

He was first elected to the State Senate in 2004, and recently won a second four-year term, running unopposed in this weeks' General Election.

Mazzei was appointed by Senate Co-President Pro Tem Glen Coffee to serve as Co-Assistant Floor Leader. Mazzei also serves as the Co-Chairman of the Senate Finance Committee

and also serves on Senate Appropriations Committee, Criminal Jurisprudence Committee, and the Senate Education Committee.

This past session, Mazzei was the author of the bill which created special tax credits for engineering students who embarked on a career in the aeronautical industry in Oklahoma following graduation.

Senator Mazzei will provide an overview of his expectations for the 2009 Legislative Session; his insight into the state's financial condition and how the recent economic turmoil will impact the Oklahoma state budget process; and, the opportunities and challenges which the new Republican majority in the Oklahoma State Sente will face this coming session.

This will be an interesting and timely program, and we look forward to seeing everyone on Thursday, November 20th!

Oklahoma Senate Republicans Make History; House Republicans Expand Majority

For the first time in the history of the state, Republicans will control the Oklahoma State Senate as Republicans picked up two formerly Democratic seats to take a 26-22 advantage into the 2009 Legislative Session.

Many precincts across the state had yet to submit their results to the State Election Board, but Senate Republicans had been receiving vote tallies throughout the night from county election boards and were able to make the declaration.

Senate President Pro Tempore-designate Glenn Coffee, R-Oklahoma City, was joined on stage at the Republican watch-party by a number of incumbent senators.

“The way you win a majority,” Coffee said, “is by recruiting a group of great candidates.” Coffee added, “We’re going to change Oklahoma. We’ve got to make Oklahoma different. We’ve got to change this place.”

Republicans picked up two seats, giving them a 26-to-22 advantage. The Republicans now have one vote more than the 25 votes necessary to pass a bill in the Senate but are far short of the two-thirds necessary to override a gubernatorial veto.

Former Oklahoma State University President Jim Halligan, R-Stillwater, defeated his Democrat opponent Bob Murphy to claim the open Senate District 21 seat formerly held by Senate President Pro Tempore Mike Morgan, D-Stillwater.

In Senate District 37, Dan Newberry, R-Tulsa, defeated Sen. Nancy Riley, D-Tulsa. Newberry captured 63.4 percent of the vote, while Riley received 36.6 percent. Riley drew the ire of Republicans following the 2006 election when she left the Republican Party and joined the Democrat Party and was the only incumbent who did not win re-election Tuesday.

Jerry Ellis, D-Valliant, and Bryce Marlatt, R-Woodward, won the two remaining open seats in the general election. Both Ellis and Marlatt held seats for their respective party which were vacant due to term-limits.

While it looks likely that the 26-22 majority will hold, there is one race that is very close and will probably go to a recount. In Senate District 43, incumbent Republican Jim Reynolds holds a slim 159 vote lead over challenger David L. Boren (no relation to OU President & former U.S. Senator David Boren or his son, Congressman Dan Boren). This race was back-and-forth all night long, with the last precinct to report giving Reynolds the victory to retain his seat.

Coffee later joined House Speaker Chris Benge, R-Tulsa, to celebrate Tuesday’s Republican legislative gains. Benge said he looked forward to working with Coffee on their common agenda and to challenging Gov. Brad Henry.

In a statement, Henry congratulated Coffee for his “historic victory in the Oklahoma state Senate.”

He added, “I look forward to working with him in his new leadership role and am certain that we can accomplish great things for the state of Oklahoma.”

Not only did Republicans maintain their majority in the Oklahoma House of Representatives, but they gained five seats in Tuesday’s election. Many had expected that, at most, the Republicans would gain one seat.

Prior to Tuesday’s election, Republicans held a 56-to-45 majority over the Democrats in the House. Going into the general election, 43 seats had already been decided. Democrats held a slight lead with 24 seats while Republicans held 19. Fifty-eight races were decided Tuesday. Republican incumbents held their ground in 32 of those races while newcomer Republicans retained five seats and made gains in another five seats to add to the party’s stronghold. With the completion of Tuesday night’s election, the majority in the House stands at 61 Republicans to 40 Democrats. Democrat incumbents also held on to 12 seats while Democrat newcomers retained four seats.

Speaking to the state Republican Party’s watch party in Oklahoma City Tuesday night, current House Speaker Chris Benge, of Tulsa, said the party’s victory was the result of Republicans doing what they told voters they were going to do. “The people of Oklahoma recognized we did what we said we were going to do,” Benge said. “When you remember the taxpayers, you will be rewarded.”

Benge noted that when he joined the House there were 61 Democrats. Now there will be 61 Republicans. “Now, we can join with our Senate colleagues and pursue a pro-growth agenda and take on the governor,” Benge told Republicans.

“Oklahoma will be a beacon of hope over the next few years as we fulfill the promises we made the people of Oklahoma,” he added. “I look forward to taking the Capitol by storm next session.”

ACEC PRESIDENT'S MONTHLY UPDATE

November 1, 2008

David Raymond, ACEC President & CEO

I hope that in all the hoopla of our successful Fall Conference in Montreal you caught the news that we crossed the \$1 million threshold in ACEC/PAC contributions for current election cycle – not a small feat considering we were raising only 1/10th that sum not so long ago! It reflects a greatly enhanced ACEC political program with participation by members throughout the country who are looking after their business interests through political action. The objective of our PAC is to secure an “ACEC majority” in Congress that will give us much needed infrastructure spending (including as part of any new stimulus package) and make sure that the business environment for engineering is enhanced and not eroded by activist unions who seek to control the new Congress.

General

- ACEC's Fall conference in Montreal – the first outside the U.S. — was a big success with more than 800 attendees and outstanding speakers including Titanic discoverer Bob Ballard, Fox News' Morton Kondracke and PBSJ Chairman John Zumwalt (See Last Word, Oct. 30).
- Board of Directors approved bylaws revision allowing “key” personnel of member firms to be regarded as principals for purposes of engagement in ACEC activities; discussed (a) impact of M&A and equity considerations on dues cap, (b) proposal to allow surveyors to join the national organization if they are not allowed to join their state, and (c) proposal to allow vendors to join the national organization as non-regular affiliates on the same basis allowed by states.
- Professor of Engineering David Billington received ACEC's Distinguished Award of Merit (See Last Word, Oct. 30).
- Attended ACEC/Tennessee's 40th anniversary celebration in Nashville on October 10.

Government Affairs

- For the first time ever, ACEC/PAC crossed the \$1 million threshold for the 2007-2008 election cycle, surpassing the previous record set during the 2005-2006 cycle of \$770,000. Successful fundraising events at the Fall Conference in Montreal raised over \$100,000 for ACEC/PAC.

- ACEC/Alaska, ACEC/Arizona, ACEC/Oregon, ACEC/South Dakota, and ACEC/Hawaii achieved their 2008 ACEC/PAC fundraising goals.
- The AASHTO-ACEC Joint Committee meeting in Hartford featured discussions on SAFETEA LU reauthorization, updates on the pending OIG Audit report, the AASHTO Audit Guide, and cooperation on an errors and omissions study.
- ACEC submitted comments to the Department of Education regarding implementation of the new student loan forgiveness program for engineers.
- Two ACEC nominees were appointed to the Corps of Engineers' National Committee on Levee Safety.
- ACEC/PAC hosted congressional fundraising events for Senate Republican Leader Mitch McConnell (R-KY), and Senate candidate Mark Warner (D-VA).
- Launched new ACEC Political Action Center on the ACEC/GA website to help members become more informed and engaged in the election process.
- Expressed industry concerns to the Secretary of State on the need for due process legal protections for U.S. contractors working in Iraq under the pending Status of Forces Agreement (SOFA).

Institute for Business Management

- Released 2008-2009 Industry Trends Survey, available at from the ACEC Bookstore at www.acec.org/publications.
- Conducted the IT Forum in Chicago, Oct. 6-7; The Sales and Marketing Forum and inaugural Education/Professional Development Forum in Montreal, Oct. 19; and the HR Forum in Kansas City, MO, Oct. 27-28.
- Finalized the faculty and course outline for the Expert Witness Designation Program and received final approval from the IBM and Management Practices committees on the course, the first of which will be held March 19-20 in Kansas City, MO.