

House of Delegates

Last year's NSPE convention moved to the West Coast and Portland Oregon during the month of July. Sam Grossman (California) was elected President for 2009 – 2010 and the House of Delegates (HOD) elected the other officers and the Board of Directors.

Executive Director Larry Jacobson presented a newly created brochure that highlights our partnerships with other programs and groups, the "NSPE Family" (EWeek, MATHCOUNTS, JETS, NICET, and the NSPE Education Foundation). Jacobson estimates that the consolidated annual budget for these groups exceeds \$70M. The brochure will be available to all members and partners and is intended to highlight the breadth of our influence.

The most interesting presentation taking place that effects the State and Local Chapters the most was a discussion with question and answers by Art Herold. Art is a senior partner in the law firm Webster, Chamberlain & Bean and is considered one of the top association lawyers in the USA. Herold provided a summary of his review of the NSPE Articles of Incorporation, bylaws, and other legal matters concerning the operation of NSPE, the state societies, and chapters. Herold recommends an affiliation agreement between NSPE and each of the state societies to establish some basic rights and responsibilities. An affiliation agreement would likely include a royalty-free license to allow states to use NSPE trademarks and intellectual property, guidelines for dues collection and distribution, and other duties and responsibilities of both NSPE and the state society to remain "in good standing." During the question and answer session he also recommended that the states and local chapters should also have an affiliation agreement similar to the one proposed between national and state. Herold discussed how the state societies and their chapters should operate. Jacobson had recently produced a "check list" of basic procedures that each state and chapter should follow to maintain their legal status and meet customary financial responsibilities. Each state society is encouraged to carefully review the check list. Herold assumes that each state society is incorporated and has filed for a tax-exempt status with the IRS. While it may not be necessary for chapters to incorporate and file separately for a tax-exempt status, he encouraged each state society to consider this option as incorporation is relatively easy and it provides an additional layer of protection for state and chapter officers. (As an interesting side note the Greenville News printed an article discussing the new form 990 from the IRS which affects all states and local chapters.)

Herold also recommends that control of the bylaws, policies, and procedures should rest with the BoD. Currently, only the HoD can make changes to the bylaws. This is inconsistent with both South Carolina corporate law (where NSPE is incorporated) and common practice in other similar associations. South Carolina law requires control of the corporation to rest with the BoD. Further consideration of this recommendation will be explored with the House of Delegates. Note; SC is in compliance with this per our bylaws and constitution.

The last discussion of note revolved around the proposal from NSEES in the model law for B+30 for licensure qualifications. Craig Musselman, P.E., F.NSPE, and Tim Austin, P.E., NSPE, presented a point-counterpoint discussion surrounding the initiative to require additional education beyond a bachelor's degree in engineering for licensure. Briefs were prepared by both Musselman and Austin for review by the HoD prior to the meeting. The discussion and debate among the delegates demonstrated that this is a contentious issue that needs to be discussed further to fully understand what the initiative is intended to address, what is at stake, and whether NSPE should continue to support additional education and life-long learning as a key component for licensure. Aldrich and Grossman (NSPE president-elect (NSPE President 2009-2010)) will seek ideas from the HoD and states to determine how best to continue the discussion and advance our understanding of the purported need and what it means to our profession.

The HoD has had several electronic voting sessions this year and one involved a vote on the Professional Policy Screening Task Force. The Task Force recommended changes to the current Professional Policies. Some were recommended to remain as is, some to remain with revisions, delete some and change some from Policies to Position Statements. The HoD voted to pass these as an omnibus vote. The next step is to vote for passage as recommended. If this passes then specific policies can then be pulled out and changes can be proposed as motions to the HoD. The revisions and maintenance of the Position Statements shall reside with the Board of Directors.

The 2009 convention will be held in St. Louis Mo. in July. While the HOD agenda has not been finalized as of this writing, we do know that the HOD will vote on new officers and Board of Directors and there will be discussions on Professional Policies and Position Statements.

As a result of the presentation by Art Herold, NSPE has sent all States a draft of the "NSPE – State Society Agreement". This will be finalized and all States will be required to sign an agreement.

Warren Maddox, P.E., F.NSPE
NSPE House of Delegates
SC Representative