

# ACEC OKLAHOMA

The Voice of Oklahoma's Engineering Industry

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF OKLAHOMA  
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## THE FIRST WORD

November, 2017

### Change Coming to ACEC Business Insurance Trust

Greyling Insurance Brokerage & Risk Consulting—a division of EPIC will replace Marsh as the broker and program administrator for the ACEC Business Insurance Trust (ACEC BIT) Program on January 1, 2018.

Founded in 2005, Greyling/EPIC is a Top 20 insurance broker nationwide and was developed by risk management professionals to exclusively serve design professionals.

The ACEC BIT program provides access to insurance products and risk management services specifically designed by engineers for engineers. Unique benefits include: Deductible assistance program; royalty sharing; coalition program dues; and royalty sharing for ACEC/National and State Organizations.

For more information, contact Greyling/EPIC's ACEC BIT Program Manager Jeff Connelly at 833.ACECBIT 833.223.2248 (toll-free) or ACEC BIT Chair Gary Loesch at 631.756.8000: ext. 1140.

### State Senator Dave Rader to Speak at November 16th ACEC OKLAHOMA Meeting

The next ACEC OKLAHOMA Board and General Membership Meeting will be held Thursday, November 16th at the Terracon office in Tulsa

The General Membership Meeting will begin with lunch at 11:45am, and will be preceded by the Board meeting at 9:00am.

Our guest speaker for the General Membership Meeting will be State Senator Dave Rader of Tulsa.

Senator Rader is completing his first year in the Oklahoma Senate, having been elected to represent District 39 in 2016. The Senator will provide a recap of not only the 2017 Regular Session but the (hopefully, by then, just concluded) Special Session. Additionally, we've asked that he give ACEC OKLAHOMA members his "freshman perspective" of the inner workings of the Legislature and legislative process.

Registration information has been emailed to all members.

We look forward to seeing everyone on November 16<sup>th</sup>!!!!

### The POWER of ACEC

"What has ACEC done for me lately?" We simply can't count the number of time that question has been asked over the years.

To answer that and other questions, ACEC has produced a new video, "The POWER of ACEC"

Click the ACEC logo below, and all of your questions will be answered!



### Consulting Engineers PAC Annual Meeting

The Annual Meeting of Consulting Engineers PAC will be held on Tuesday, November 14th.

All ACEC OKLAHOMA members are welcomed to attend, even if you haven't contributed to the PAC in the past as it would be a great opportunity for you to better understand the PAC and its goals. The meeting will be held as follows:

**Tuesday, November 14, 2017**  
**Consulting Engineer PAC Annual Meeting**  
**11:45am (Lunch Provided)**  
**ACEC OKLAHOMA Office**  
**220 NE 28th Street**  
**Oklahoma City**

In addition to electing a new Trustee for a three-year period beginning January 1st, there will be discussion from our Government Affairs team regarding contributions which the PAC may want to consider prior to the start of the 2018 Legislative Session, review of the current financial statement for the PAC, and, discussion of fundraising efforts for the 2018 Election Cycle.

**As lunch will be provided, we ask that you RSVP no later than Friday, November 10th so that we can assure we have enough food for everyone. Simply email "jsullins@acecok.org" to RSVP.**

## Oklahoma Ethics Commission Considering Rules on “Consultants”

New rules proposed before the Oklahoma Ethics Commission would impose a 2-Year “cooling off” period restricting former state officers and employees from registering as a lobbyist, or, representing another entity before the agency he or she previously served.

While aimed at former legislators and other elected officials, the proposal is very broad and causes a great deal of concern to ACEC OKLAHOMA as well as many businesses and other associations statewide.

Specifically, the proposal states:

- B. No individual who previously served as a state officer or employee shall serve as a lobbyist or consultant on lobbying, until a period of Two (2) Years has passed since the state officer or employee left state service.**
- C. No individual who previously served as a state officer or employee shall represent another entity, or act as a consultant for another entity on any matter involving the agency of which he or she previously served or had oversight until a period of Two (2) Years has passed.**

On Friday, October 27th, the Ethics Commission held an informal hearing on the proposal at which ACEC OKLAHOMA provided comments.

ACEC OKLAHOMA expressed our concerns with the use of the term “consultant.” We noted that our profession has been referred to as “consulting engineers” for over 100 years. With the proposals broad language, a state employee who leaves and goes to work for an engineering firm would be prohibited from having any business contact with their former agency for two years. ACEC OKLAHOMA believes this is unfair to both current state employees as well as potential employers and overall restrictive.

ACEC OKLAHOMA also noted that, in our opinion, that during the two-year “cooling off” period, former state employee would not be able to attend any association meetings at which legislation was discussed as that could be considered being a “consultant” on lobbying. We contented that their mere presence at a meeting, and specifically any comments they might make, could be a violation of the proposed rule even though no current state elected officers and/or agency representatives were present at the meeting. Just simply offering an opinion/suggestion could be a violation.

Our comments were well received by the Commission, and following the meeting we were thanked by the Commissioners and Commission Staff for bringing up points that they had not previously considered.

ACEC OKLAHOMA will continue to monitor the proposal and future actions by the Commission. We would expect that there will be revisions to the proposed rule, and we will do everything possible to protect the interest of the consulting engineering profession from any onerous provisions.

## Legislature STILL in Special Session

The Special Session of the Oklahoma Legislature is still plodding along, but to say that progress is being made would be a real stretch.

It’s been over a month since the Special Session began, and while there have been numerous proposals and so-called “agreements,” most action has been failed votes and political posturing from both sides of the aisle and rotunda.

In many cases, there have been negotiations in “good faith” by both parties, but the holdups have been two-fold: House Democrats want an increase in the Gross Production Tax and some Republicans simply take a “No New Taxes, Cut Government Spending” position on any proposal.

Most of the action has been focused in the House, as all “revenue raising” measures, per the Constitution, must begin in the House. Various proposals from raising the Motor Fuel Tax to increasing the Cigarette Tax; Increasing the Income Tax and the Consumption Tax on beer have been proposed, debated, and all failed to receive the necessary number of votes in either Committee or on the Floor.

At this writing, the latest news is that some “stop-gap” measures are being considered which would patch the budget hole until April. One-time money and transfers from the Rainy Day Fund would be used to keep three agencies from some \$200 million in immediate cuts.

This is a very “fluid” situation, and changes almost by the minute. By the time you read this, something will have changed.

Last week we were at a meeting and talking with a current member of the Legislature during which he made a comment about a particular proposal under consideration. Another person overheard the comments, and said, “Oh, you didn’t hear what happened; that bill died in Committee about an hour ago.” The Legislator had no idea that had happened! So, not even those “inside the ropes” know what’s going on!

What’s going to happen is anyone’s guess, but be assured that ACEC OKLAHOMA will watch closely, and will keep you up to date on anything that impacts your business.

# Happy Thanksgiving!!!

Best Wishes to you and your  
family for a Joyous and Safe  
Thanksgiving Holiday  
Weekend.

# President's Monthly Update

November, 2017

David Raymond, President & CEO

It was great to see you at our recent Fall Conference in Orlando – one of our largest with 846 attendees, and most successful with 94% of survey respondents rating it as "good to excellent." Our overarching themes of technology and contracting challenges resonated well with participants and our big-name speakers were home-runs. Today we are engaged a major lobbying effort on the anticipated tax reform proposal to ensure that our firms which are organized as pass-through entities are not penalized. In support of this effort, we have asked MOs with legislators on the House Ways and Means Committee to bring this issue to their attention; and yesterday I emailed every member firm requesting information on how their firm is organized so that we can better appreciate how many are organized as passthrough entities. On a separate note, the Nominating Committee has put forward a slate of new candidates for Council leadership positions that has now gone to the Board for approval (See line-up below). And next week we begin our annual state leadership orientations in Washington D.C., where I look forward to seeing many of you again.

## General

- ACEC launched a lobbying and grassroots campaign urging House tax writers to ensure that engineering passthrough firms receive equitable treatment under tax reform legislation expected to be released this week.
- Participated in meetings with senior White House staff on the President's infrastructure initiative, and with Energy Secretary Rick Perry on the Administration's energy agenda (and followed up with Perry by submitting ACEC proposals for shortening review and permitting timelines for energy projects, as well as for meeting cybersecurity challenges).
- ACEC's Nominating Committee tapped Mitch Simpler (ACEC/New York) for Chair-elect commencing April, 2018 and Chair the following year; and Art Barrett (ACEC/Maryland), Stephanie Hachem (ACEC/North Carolina), Keith Jackson (ACEC/Texas) and Jay Wolverton (ACEC/Georgia) for Vice Chairs commencing in April 2018.
- The ACEC Fall Conference, October 15-18 – with more than 800 attendees – focused on critical business issues and included prominent speakers such as Robert O'Neill, the SEAL Team 6 leader who killed Osama bin Laden; Michael Hayden, former director of the CIA and NSA; Martin Ford, futurist on the impact of AI and robotics on society; Neil Howe, expert on generational and social change in America; and expert CEO panels on technological and contracting trends.
- Won critical changes in the new North American Electric Reliability Corporation (NERC) supply chain cybersecurity standard: NERC drops proposed contract language that would have created unreasonable liability for engineering firms in the event of a breach of utility cybersecurity.
- Submitted letter of support for Paul Trombino, President of McClure Engineering in Iowa, who is nominated to be Administrator of the Federal Highway Administration.
- ACEC's Superfund Working Group met with EPA's Superfund program director and other agency officials to discuss program changes on task orders, early action and innovation.
- ACEC Environment and Energy Committee hosted the Senior Advisor to the U.S. Conference of Mayors' Water Council on the development of their water infrastructure initiative.
- ACEC-backed nominee to head the General Services Administration (GSA), Emily W. Murphy, was approved by a Senate committee.
- Launched grassroots effort to restore the U.S. Export-Import Bank to full lending authority with support of four nominees for the Board of Directors; and opposed the nominee for chairman, former U.S. Representative Scott Garrett, due to his outspoken opposition to the Bank during his House term.

## Government Advocacy

- Hosted Congressman Gerry Connolly at ACEC headquarters for in-depth discussion of the politics of passing tax, infrastructure and other important legislation in a highly partisan Congress.
- Provided testimony for a House Highway & Transit Subcommittee hearing on infrastructure investment, highlighting current system needs, funding shortfalls, economic benefits of infrastructure enhancements, and value of using private sector engineering and design services for effective project delivery.
- ACEC/Alaska, ACEC/Florida, ACEC/Kentucky, ACEC/Maryland, ACEC/North Dakota, and ACEC/New York all made their ACEC/PAC state goals in October, keeping the PAC on its record fundraising pace with over \$900,000 collected year-to-date.
- ACEC/PAC hosted congressional fundraising events for U.S. Representatives Gerry Connolly (D-VA), Bradley Byrne (R-AL), Thomas Massie (R-KY), Marcy Kaptur (D-OH), Lamar Smith (R-TX), and Rob Woodall (R-GA).