



ASCE *American Society of Civil Engineers*

WISCONSIN SECTION NEWSLETTER

November 2008

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PRESIDENT'S MESSAGE

Greetings. I've just started my term as your Section President, and I've already found the enthusiasm, energy, and professionalism of our members very exciting. You may not be familiar with the many things going on within ASCE. Following are a few examples.



If you were unable to attend the Annual Meeting in September, you missed an excellent event. Congratulations to the co-chairpersons, Shelly Cornelius and Kelly Olson, and the members of their Annual Meeting Committee, for planning and executing a great meeting. The wide variety of subjects covered in the technical sessions meant there was something to match everyone's interest. It's a great, and inexpensive, way to maintain an understanding of current trends in Civil Engineering, and a great way of meeting continuing education requirements for Professional Engineers. The Annual Meeting is also an excellent opportunity for you to network with other engineers, and discuss common concerns. The next major event sponsored by the Wisconsin Section is the Spring Technical Conference, hosted by the Southwest Branch, scheduled for Thursday, March 26, 2009, at Monona Terrace in Madison. I recommend that all members make a strong effort to attend; I don't think you'll be disappointed.

Speaking of continuing education requirements for Professional Engineers, members of ASCE are working with others to establish Continuing Professional Competency Guidelines that are expected to become mandatory in Wisconsin within a few years.

The Wisconsin Section is working with the Wisconsin Supreme Court on issues related to the interaction of our profession with the legal profession. An article giving further information about this activity can be found in this newsletter.

The Younger Member Group (YMG) has generated several newsworthy items. The YMG received the National ASCE Public Service award at the ASCE Annual Meeting in Pittsburgh in early November, which is quite an honor. The YMG is also in the process of reorganizing so that each branch may sponsor a YMG, rather than having a single YMG sponsored by the Wisconsin Section. There is currently an active YMG in the Southeast and Fox River Valley Branches.

(Continued on page 5)

Engineers Without Borders UW-Madison Group Needs Urgent Help!

The following is from Zach Schuster, a civil engineering graduate student at UW-Madison. Zach writes:

This is probably a shot in the dark, but I figured I'd at least try asking. I've joined the Engineers Without Borders group here at UW and was planning on traveling to Kenya over Christmas Break as part of our project. Unfortunately, our professional advisor informed us this past weekend that he will be unable to go. If we do not find another advisor before trip, we won't be able to go. Do you know of any professionals who are active in groups such as EWB who might be a good contact, or of anyone who might be interested in taking a trip to Kenya this January? I understand it's very last minute and there are obviously logistical issues with the whole having enough vacation time/money/etc., but we didn't exactly plan for things to happen like this.

The trip is to a village in Kenya called Orongo, and it is scheduled for January 1 to January 19. Our Kenya team has several groups that have been focusing on irrigation, potable water supply, agroforestry and microfinance. I feel like we've put a decent amount of work into this project this semester, so it would be a pretty big bummer if we couldn't go.

This trip to Kenya is primarily focused on assessing the feasibility of different plans we've developed during the past semester. However, we are planning on building a slow-sand filter and a compostable latrine, as well as potentially travelling to another village that has had success developing effective irrigation.

The project managers for our project are Mark Liu (mliu@cs.wisc.edu) and Nate Werbeckes (werbeckes@wisc.edu).

My understanding is that the only real requirement is that the advisor be a current or former professional or educator in engineering or a related field. I have 2.5 years of working experience and we decided that EWB probably wouldn't go for that, so for a civil engineer I'd say anyone with a P.E. or an equal amount of experience would probably be good to go. And a passport is a definite must as well.

So, if anyone out there among our readers is feeling a sense of Christmas giving and adventure, here is your opportunity to go for it! You will be helping to develop infrastructure in a place where the existing conditions would seriously skew the curve of grading if they were included in ASCE's Infrastructure Report Card assessment.

We hope that Zach's request is no "shot in the dark." As Zach says: *It's never too late.*"

Contact Zach Schuster at schuster3024@hotmail.com

2008 DANIEL W. MEAD CONTEST FOR YOUNGER MEMBERS

Younger members are encouraged to submit papers for the 2009 **Daniel W. Mead Prize** for Younger Members, focusing on professional ethics. The contest was established in 1939 to honor the memory and accomplishments of the 67th President of the American Society of Civil Engineers. The talents of many current leaders of the profession were first recognized in previous contests for this significant professional honor. This contest provides an opportunity for ethically conscious young civil engineers to further develop their thinking in this essential aspect of their personal and professional lives, as well as to advance their career and gain national recognition.

This year, submitted papers must address the relevant and open-ended question:

“Is it ethical for a Civil Engineer to relax design standards to achieve a sustainable design?”

Submit two copies of your paper by **January 2, 2009** to: Peter Nilles, ASCE Wisconsin Section Secretary, c/o Mead & Hunt Inc., 17100 W. Capitol Dr., Brookfield, WI 53005. Questions should be directed to Peter Nilles at (262) 790-0232 or email peter.nilles@meadhunt.com.

Four Wisconsin Section members have been awarded the national Mead Prize: Donald Buettner (1967), Glenn Koepp (1976), D. Michael Mucha (1993) and Julie Hoppe (2001).

CONTEST RULES:

- The author must be an Associate Member, Member, or Affiliate Member of the Society 35 years of age or less on February 1, 2009.
- Only one person can write each paper.
- Active members of the Committee on Younger Members (CYM) are not eligible.
- The paper may not have been previously published in Society publications.
- Paper must contain no more than 2,000 words and must address professional ethics.
- The winner will receive a wall plaque and a certificate at the 2009 ASCE Annual Conference in Kansas City, Missouri.
- The national winner will be invited to present his/her paper at the 2009 ASCE Annual Conference (Younger Member Leadership Symposium).
- The paper by the national winner will be submitted for publication in a Society publication.

An application form with additional information is available from ASCE's website at: http://www.asce.org/files/doc/2009_ASCE_Mead_Application.doc. Papers submitted to Peter Nilles will be evaluated and, based upon the evaluation, be returned or nominated for consideration in the National contest.

VISIT OUR WEBSITE

The ASCE Wisconsin Section website offers a wealth of information about our section. We are beginning the process of updating this resource to provide more current information on events, newsletters, contacts, email addresses, and board meeting minutes.

Check us out at:

http://sections.asce.org/wisconsin/wi_asce.html

Proposed 2008-2009 ASCE Wisconsin Section Board Meeting Schedule

<u>Date</u>	<u>Location</u>	<u>Notes</u>
September 26, 2008 (Thursday)	FRV Branch	Annual Meeting
October, 2008	No meeting	
November 12, 2008 (Wednesday)	SE Branch	
December, 2008	No meeting	
January 20, 2009 (Tuesday)	FRV Branch	
February, 2009	No meeting	
March 26, 2009 (Thursday)	SW Branch	Spring Technical Conference
April, 2009	No meeting	
May 20, 2009 (Wednesday)	NW Branch	
June, 2009	No meeting	
July 21, 2009 (Tuesday)	SW Branch	
August, 2009	No meeting	
September, 2009	SE Branch	Annual Meeting

All meetings will be held from 3:00 PM to 5:00 PM

***Mark your calendars for the
2009 Spring Technical Conference
Thursday afternoon, March 26, 2009
at
Monona Terrace, Madison***

CIVIL ENGINEERS WITH OPINIONS, THIS BOX IS FOR YOU

Civil engineers with opinions? What a concept! Civil engineers with well articulated, published opinions is more rare, not for lack of ability to articulate but for lack of opportunity to be published. Well, here comes your opportunity. We will publish brief, member editorial or informational articles each newsletter, provided they are:

- Rational, reasoned, respectful, and relevant to civil engineering in Wisconsin. Good grammar is recommended.
- Comply with Canons 5 and 6 of the ASCE Code of Ethics (<http://www.asce.org/inside/codeofethics.cfm>). No beating up on other professionals (remember, we are civil engineers).
- Written by ASCE Wisconsin Section members.
- Submitted to the editor at Bill.Meyer@aecom.com Photos (author or topical) are optional.

The editor gets to decide if the criteria are met, and assures you that submitted editorials need not agree with his own opinions (even if his are right...). The editor also might return some submittals with suggestions for refinement (of your presentation, not of your conclusions).

See page 7 for the first such article, written by the editor.

PRESIDENT'S MESSAGE (continued from Page 1)

I'm happy to report that, amid these dismal economic times, the Wisconsin Section is in good financial condition. The Section Board is willing and able to fund initiatives that are consistent with the goals of ASCE. Please approach Section or Branch leadership with proposals you may have that are in need of financial support. There are countless opportunities for members to get involved in serving their profession.

Have a happy holiday season.

Gary (GAme1@foth.com)

BRANCH OFFICERS 2008 - 2009

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 President-Elect _____ Justin Arndt
 Secretary _____ Troy Deibert
 Treasurer _____ Bill Wondrachek, Jr.
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 Director _____ Daniel Brady
 Director _____ Mark Mittag
 Director _____ Cari Roper

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Fox River Valley Branch

2008-2009 Officers

President Timothy Wattleworth
 Vice-President Keith Process
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 Director Shelly Cornelius
 Director Scott Kahl
 Director Phil Verville

Northwest Branch Tentative 2009 Meeting Schedule:

Thursday, February 19th – Northwest Branch Meeting in Eau Claire Area
 Thursday, March 19th – Northwest Branch Social in La Crosse Area
 Wednesday, May 20 – Northwest Branch/WI Section Meeting in Wausau Area

Southwest Branch

President _____ Mark Meyers
 President-Elect _____ Bart Nies
 Secretary/Treasurer _____ Brett Oftedahl
 Past President _____ Jon Lindert
 Director _____ Theresa Possley
 Director _____ Cassie Goodwin
 Director _____ Larry Ryan

SECTION TECHNICAL COMMITTEE CHAIRS 2008 - 2009

Construction _____ Robert Schmitt
 (608) 342-1239
schmitro@uwplatt.edu

Management _____ Harry Farchmin
 (414) 291-5100
farchminhj@cdm.com

Environmental _____ VACANT—*Your Name Here*

Structures _____ Bob Schumacher
 (414) 259-1500
bob.schumacher@gasai.com

Geotechnical _____ Mark Meyers
 (608) 348-2874
meyersm@uwplatt.edu

Urban Planning & Transportation
 Julie Hoppe
 (262)790-0232

STANDING COMMITTEE CHAIRS 2008 - 2009

Water Resources & Hydraulics VACANT—Your
Name Here

Annual Meeting ___ VACANT—Your Name Here

Awards _____ Larry Ryan

Budget & Finance _ Carl Sutter

Engineering Education / Professional Development
VACANT—Your Name Here

History & Heritage _ VACANT—Your Name Here

Jury of Judges _____ John Burgan

Membership _____ VACANT—Your Name Here

Newsletter _____ William Meyer
(715) 241-2673
Bill.Meyer@aecom.com

Nominations _____ John Burgan

Past President Council
Mark Mathu

Public Affairs _____ James Jodie

Public Relations ___ VACANT—Your Name Here

Spring Technical Conference
Mark Meyers
Justin Bilskemper

Webmaster _____ Marty Hanson
(715) 834-3161
hansonm@ayresassociates.com

Yearbook _____ Richard Schneider

STUDENT CHAPTERS 2008-2009

Marquette University

Faculty Advisor _____ Dr. James Crovetti
Practitioner Advisor _____ Tony Raub
Practitioner Advisor _____ Brian Udovich

Milwaukee School of Engineering (MSOE)

Faculty Advisor _____ Dr. Frank Mahuta
Practitioner Advisor _____ Lori L. Rosenthal
Practitioner Advisor _____ Matt J. Laufer

University of Wisconsin - Madison

Faculty Advisor _____ Dr. Greg Harrington
Practitioner Advisor _____ Andrew C. Schaeve
Practitioner Advisor _____ James M. Tinjum

University of Wisconsin - Milwaukee

Faculty Advisor _____ Dr. Hani Titi
Practitioner Advisor _____ Eric Feile
Practitioner Advisor _____ Daniel Kilbert

University of Wisconsin - Platteville

Faculty Advisor _____ Dr. Philip Parker

LEGAL ISSUES - DEFINITION OF "PRACTICE OF LAW"

By William Meyer (who is solely responsible for its contents)

Look out! They're back! The State Bar Association has again petitioned the State Supreme Court to revise the definition of the "practice of law" in such a way as to include nearly any activity involving interpretation of statutes and codes. Have any of you tried to make sense of Chapter 30, or maybe NR 216, in the course of providing engineering services? Then you might have been "practicing law" under the proposed definition. And under that definition, only attorneys could legally practice law. I'm guessing that few of you who have applied State Statutes and Codes as part of your job felt you needed an attorney to explain Total Suspended Solids (does that include chandeliers?) or soil bearing pressure. Yet, those are but two examples of the potential ramifications from the proposed change. Similar potential problems arise for surveyors, accountants, and any other profession that applies technical statutes.

This paragraph (and the following two) contain excerpts from a well-written letter dated October 10, 2008, by the ASCE Wisconsin Section to the Wisconsin State Supreme Court. The excerpts have been edited to fit this one-page summary. The State Bar Association proposed a similar change a few years ago, and the State Supreme Court sent them away with directives to: 1) come back with demonstrable evidence that additional regulation is truly needed; 2) ensure that licensed professionals are not subjected to duplicative regulation; and 3) be sure that an acceptable definition of the practice of law does not intrude "upon the routine business practices of other professionals"

In 2008, the State Bar Association tried again, and that is the version ASCE is now following through "the system". As proposed, the revised wording does not address the final two directives established by the Court a few years ago. ASCE opposed the previous proposal and has again gone on record opposing the new version, which is largely unchanged from the earlier version.

ASCE's concern is that the proposed wording still offers no exemption for individuals holding credentials (e.g. PE, RLS, CPA, etc) issued by the Department of Regulation and Licensing. ASCE has recommended adding language to cover professional services by or under the direction of someone holding a current credential that was issued under Wis. Stats. Chapters 440 to 480. In addition, the proposed wording would subject such credential holders to regulation under two agencies: the Department of Regulation and Licensing and potential also the Office of Lawyer Regulation.

On October 28, 2008, the Wisconsin State Supreme Court held an administrative conference to further consider the issue. Of concern to the Court is the question (and cost) of enforcement of the proposed rule. Based on information provided by ACEC (thank you, Carol), the Court apparently agrees that there needs to be a clarification of the definition of "practice of law" to reduce the chance of the public being harmed by unqualified persons representing themselves as being qualified to practice law. However, it also appears that the Court does not favor the Bar's proposed approach. There will likely be another public hearing in Spring of 2009. The Court has identified CPAs, financial planners, realtors, and insurance specialists as key stakeholders. It is amazing that design professionals were not considered stakeholders. Maybe they feel that we've been raising enough objection already, but it is more likely that we have not been raising enough objection.

Until the Court gives the go-ahead, the proposed rules will not become law. However, there is a strong push from the Bar to move it to the next step. There is probably also sympathy from the Court because of how hard so many lawyers have worked on it. (As an aside, that last sentence contains a lesson for engineers regarding public involvement—get involved!) As the "practice of law" issue continues to wind its way through hearings, cheering, and jeering, you can be sure that ASCE (and ACEC) will continue to follow it. It has the potential to substantially affect the way we as civil engineers practice our profession. This writer does not believe the public's health and welfare will be better served by having to get an attorney's sign-off on his storm water management reports. Maybe we do need a clear, legal definition of what is that lawyers do. However, professionals who are credentialed by the Department of Regulation and Licensing should be exempted from the new rules in the normal practice of their professions, and should continue to be regulated solely by the Department of Regulation and Licensing.



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Wisconsin Section—ASCE

Addressed to an Important ASCE Member

c/o: William J. Meyer, P.E.
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