



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

1508 Pennsylvania Avenue
Wilmington, Delaware 19806
PHONE: 302-656-7311

12 November 1973.

Honorable Sherman W. Tribbitt
Honorable Earl McGinnes
Honorable Robert Reed
Honorable John F. Kirk, Jr.
Honorable J. Donald Isaacs
Honorable Eugene D. Bookhammer

Governor of the State of Delaware
Delaware State Auditor
Secretary of the State of Delaware
Speaker of the House of Representatives
President Pro Tem of the Senate
Lieutenant Governor of the State of Delaware

Gentlemen:

House Bill 894 as amended by House Amendment No. 1 and Senate Amendments Nos. 1, 2, and 3 provides for self-regulation of Professional Engineers in the State of Delaware and created the Delaware Association of Professional Engineers.

In accordance with Chapter 2826 of Title 24 of the Delaware Code, the Delaware Association of Professional Engineers herewith submits their first Annual Report certified by a Certified Public Accountant.

Individual copies of this report have been prepared for all Representatives and Senators of the State of Delaware.

The Delaware Association of Professional Engineers requests that distribution of copies of this report to the respective members of the Senate and House be handled by the President Pro Tem of the Senate and the Speaker of the House of Representatives respectively.

Respectfully submitted,

DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
Council

A handwritten signature in cursive script, reading "I. Newton Durboraw, Jr.".

I. Newton Durboraw, Jr., P. E.,
President

IND/r1

encs.

cc: Council Members

Delaware Association of Professional
Engineers

F I R S T
A N N U A L R E P O R T
1972-73

T H E C O U N C I L
o f
T H E D E L A W A R E A S S O C I A T I O N
o f
P R O F E S S I O N A L E N G I N E E R S

1 5 0 8 P E N N S Y L V A N I A A V E N U E
W I L M I N G T O N , D E L A W A R E

FIRST ANNUAL REPORT

1972-73

DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS ESTABLISHED BY THE GENERAL ASSEMBLY

The Council and the Delaware Association of Professional Engineers was established when the General Assembly passed and the Governor signed, on July 7, 1972, the Delaware Professional Engineers Act. This Act was originally known as House Bill 894 with amendments sponsored by Rep. John G. S. Billingsley, P.E. and Rep. Andrew G. Knox.

House Bill 894 was the product of a Committee called together by Rep. John G. S. Billingsley, P.E. and Edward H. Richardson, P.E. This Committee eventually had representatives of most of the Delaware Engineering Societies and the final draft of the proposed Law was the result of weekly meetings over a period of nearly a year and of much feed-back from the various Societies and of discussion at Society meetings.

When the Bill was introduced in the House it had the support of the Delaware Engineering Societies which was evidenced by many letters to the members of the House and Senate and by a substantial delegation when the House voted on the Bill, at a Senate hearing on the Bill and at the Senate vote. As a result the Bill was finally passed in both the House and Senate with only a few votes against, and was approved by the Governor a few days later.

This Law provided for the division of the duties of the former State Board of Registration for Professional Engineers and Land Surveyors, with the registration duties for Professional Engineers assigned to the new Council of the Delaware Association of Professional Engineers and the registration duties for Land Surveyors assigned to the new State Board of Registration for Professional Land Surveyors.

The new Council was to consist of the 6 P.E. members of the former Board of Registration: namely

John I. Cahalan, Jr. (N.C) 6/75

Richard B. Hoots (N.C) 6/73

John B. Carson (K) 6/73

Earl C. Radding (S) 6/75

I. Newton Durboraw, Jr. (N.C) 6/74

Chauncey O. Simpson (K) 6/76

plus eight Members elected by the Association Members

Chemical Engineering 8/73

Electrical Engineering 8/75

Government Employment 8/73

Private Consulting Employment 8/75

Civil Engineering 8/74

Mechanical Engineering 8/76

Industrial Employment 8/74

Engineering Education or Other 8/76

The dates indicate the expiration of the first term.

The Council will eventually consist of three members appointed by the Governor for overlapping three year terms, one each to be resident of each County and of eight elected members in the categories noted for overlapping four year terms.

ELECTION OF COUNCIL MEMBERS

While the new Law abolished the Delaware State Board of Registration and the functions of the State Department of Administrative Service in Engineering Registration, it also provided that the Board and Department - "take the necessary action to implement the formation of the initial Council within six months"....

In accordance with this instruction and further sections of the Law, a list of the registrants with fully renewed registration was prepared and separated into the full Members (residents of or employed in Delaware or having a place of business in Delaware) and Associate Members (all others). Notices were sent to all registrants, notifying them of the new Law, that Members would elect eight Council Members and that nominating petitions signed by 10 Members were required to nominate candidates, and must be received on or before September 25, 1972. It also stated that ballots would be mailed on or before October 16 and must be returned on or before November 13, 1972. The ballot would also provide for a vote on temporary By Laws.

Petitions were received for 17 nominees as follows:

3 for Chemical Engineer Seat	2 for Electrical Engineer Seat
3 for Government Employment Seat	1 for Private Consulting Practice Seat
3 for Civil Engineer Seat	2 for Mechanical Engineer Seat
1 for Industry Employment Seat	2 for Engineering Education or Other Seat

For the election there were 1353 eligible voters. The following Members were elected

Chemical Engineer - H. A. L. Fritze	435 out of 733 votes
Government Employment - R. Tomasetti	447 out of 735 votes
Civil Engineer - H. L. Lefferts	358 out of 734 votes
Industry Employment - H. E. Stouffer	693 votes
Electrical Engineer - B. R. Johnson	467 out of 726 votes
Private Consulting Practice - W. D. Wilson	692 votes
Mechanical Engineer - E. S. Preisendanz	395 out of 735 votes
Engineering Education - E. Chesson, Jr.	408 out of 737 votes

The By Laws were approved by a vote of 676 yes to 16 no.

ORGANIZATION OF COUNCIL

The first meeting of the Council was called by the State Board for December 9, 1972 at 2:00 P. M. at 1228 North Scott Street, Wilmington, Delaware. All of the appointed and elected Members of Council were present.

The following officers were elected

President -	John I. Cahalan, Jr.
Vice President -	Earl C. Radding
Secretary -	Ben R. Johnson
Treasurer -	Herbert E. Stouffer

The following Committees were appointed - Executive, Finance, Rules and By Laws, Examining, Public Information and Liaison.

TRANSFER OF FUNDS

The new law provides that "Initial and Renewal Fees--paid or prepaid to the State Board for the current or forthcoming years shall be transferred on a prorated basis to the Association at the time this Act becomes effective." Attempts to have audits made and agreements as to the amount to be transferred were started when it appeared that the Bill would become Law. In spite of continual efforts the actual transfer did not occur until about February 1, 1973. This delayed efforts to enter into a lease for office space and obtain office furniture and supplies, and to approve a budget for the balance of the fiscal year 1972-73. The first transfer was based upon collection as of approximately December 1, 1972 as follows

Fees for Registration renewals for Fiscal 1972-73 (3011)	\$ 18,066.00
Fees for Registration renewals for Fiscal 1973-74 (3012)	18,072.00
New Applications after July 7, 1972 79@ \$30.	2,370.00
Miscellaneous fees	511.50
	<hr/>
	39,019.50
Less apportionment of Renewals from July 1-7 and miscellaneous expenses	4,890.30
	<hr/>
Total Check #1	34,129.20
After December 1 further fees were collected by the old office	
Certificates of Authorization 11 @ \$100.	1,100.00
Miscellaneous Fees	41.00
	<hr/>
Second Check (June 1973)	1,141.00
	<hr/>
Total Transferred Funds	\$ 35,270.20

BUDGET FISCAL 1972-73

Note that this budget is based upon fees collected for period July 7, 1972 to June 30, 1973, upon some shared expenses for period from July 7 to December 31, 1972 and expenditures for expenses and capital items for the Council Office from approximately February 1, 1973 to June 30, 1973.

BUDGET

<u>Expenses</u>	<u>Estimated</u>	<u>Actual</u>
Office Operation	\$ 8,400.00	\$ 7,687.00
Office Management Services and Data Processing		4,634.00
Council Operations	3,030.00	1,110.00
Capital Investment (Furniture, etc.)	4,100.00	2,991.91
	<hr/>	<hr/>
	\$ 15,530.00	\$ 16,422.91

Income

Fees - Renewals 1972-73 from State	18,066.00
Applications " "	2,370.00
Certificates " "	1,100.00
Miscellaneous " "	552.50
	<hr/>
	\$ 22,088.50
Less Apportionment of Costs and Fees	4,890.30
	<hr/>
	\$ 17,198.20
Applications received by Council	2,694.00
Permits received by Council	250.00
Certificates of Authorization	3,100.00
Engineer-in-Training Applications	350.00
Miscellaneous	215.00
	<hr/>
	\$ 23,807.20

For partial year 1972-73

Income	\$ 23,807.20
Expenditures	16,422.91 *
Excess	<hr/> 7,384.29
Funds transferred for Fiscal 1973-74	18,072.00
Cash available	<hr/> \$ 25,456.29

*Includes 2991.91 properly classified
as Capital Investment in Audit.

OFFICE PROCEDURES

A firm of Certified Public Accountants was retained by the Council for three purposes -

1. To perform the audit required by law.
2. To establish a book-keeping system that would make an audit possible and provide budgetary control.
3. To establish a data processing system that would provide:
 - A. Maintenance of a Roster.
 - B. A system for rapid Association voting.
 - C. A system for rapid processing of bills.

The Roster in the form of a computer print-out was delivered before the end of the fiscal year and the data developed was used for notices and ballots in the 1973-74 election in August 1973 to fill the two Council vacancies which occurred on August 31, 1973.

The audit for Fiscal 1972-73 is included as an appendix to this Report.

APPLICATIONS AND EXAMINATIONS

Applications for Professional Engineer Registrations and renewals, for Engineer-in-Training (EIT) certificates, for Certificates of Authorization and Permits have been processed under the new law since July 7, 1972. In this processing the P. E. members of the old Board acted from July 7 until the new Council was formed on December 9, 1972 when the Council assumed this responsibility.

Professional Engineer and EIT examinations were held on December 8 and 9, 1972 and on April 13 and 14, 1973 at which 57 EIT passed out of 69 and
24 PE passed out of 28.

During 1972-73

150 Applications for registration as Professional Engineers were received.

74 Applications were approved by Comity.

24 Applications were approved by passage of examination.

8 Applications were denied by reason of failure to pass an examination or for lack of education and experience.

As of June 30, 1973

3180 registrants have been approved as Professional Engineers.

During 1972-73

69 Applications for EIT Certification were received.

57 Applications were approved by passage of the EIT examination.

40 Certificates of Authorization have been issued.

1 Permit has been issued.

OTHER COUNCIL ACTIONS

The following meetings were held: -

Old Board

July 29, 1972
September 7, 1972
September 30, 1972
November 18, 1972
December 9, 1972 Joint meeting with
Council

New Council

December 9, 1972 Joint meeting with Board
January 13, 1973
February 10, 1973
March 3, 1973
April 12, 1973
May 16, 1973
June 16, 1973

These eleven meetings were supplemented by numerous Council Committee meetings.

The Committee on Rules and By Laws has held several meetings to prepare revised By Laws. It was the instruction of the Council that such revised By Laws should be ready so that the Association could vote on them in January 1974 and they could then be effective for the 1974 billings and elections.

The Ethics Committee is working on a revision to the Code of Ethics.

RECOMMENDATIONS

1. Establishment of an Enforcement Committee.
2. Revision of some of the fees, especially those for taking examinations due to increase in the cost of and number of examinations.
3. Changing the fiscal year to begin on June 1 and end on May 31. This will avoid the awkward carry-over of fees since the billing starts on June 1.

This Report is respectfully submitted to Council by


John I. Cahalan, Jr.,
President 1972-73

Note: Attached Appendices

- I Report of Certified Public Accountant
- II Copy of Report to the Governor on behalf of the State Board of Registration for Professional Engineers and Land Surveyors - 1972-73.

DELAWARE ASSOCIATION OF PROFESSIONAL
ENGINEERS

AUDITED FINANCIAL STATEMENTS

JUNE 30, 1973

CONTENTS

ACCOUNTANTS' OPINION	1
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STATEMENT OF REVENUE AND EXPENDITURES AND CHANGES IN FUND BALANCE	3
NOTES TO FINANCIAL STATEMENTS	4

FRANK A. GUNNIP & COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

2625 CONCORD PIKE

WILMINGTON, DELAWARE 19803

TELEPHONE: (302) 478-3310

FRANK A. GUNNIP, C.P.A.
EDWARD J. JONES, C.P.A.
CHARLES L. ROBERTSON, C.P.A.
JOHN J. MORTIMER, C.P.A.
WILLIAM A. BALDWIN, C.P.A.
WALTER S. WALLACE, C.P.A.
EDWIN L. KANTOR, C.P.A.
ROBERT J. PERRONE, C.P.A.

MEMBERS
AMERICAN INSTITUTE
OF
CERTIFIED PUBLIC ACCOUNTANTS

ACCOUNTANTS' OPINION

To the Council
Delaware Association of
Professional Engineers

We have examined the balance sheet of Delaware Association of Professional Engineers as of June 30, 1973, and the related statement of revenue and expenditures and changes in fund balance for the period February 7, 1973 to June 30, 1973. Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the aforementioned financial statements present fairly the financial position of Delaware Association of Professional Engineers at June 30, 1973, and the results of its operations for the period February 7, 1973 to June 30, 1973, in conformity with generally accepted accounting principles.

August 30, 1973

Frank A. Gunnip & Company

BALANCE SHEET

JUNE 30, 1973

DELAWARE ASSOCIATION OF
PROFESSIONAL ENGINEERS

ASSETS

CURRENT ASSETS

Cash

Savings accounts

Checking account

Prepaid expenses

\$ 25,000

5,111

796

Total current assets

\$ 30,907

OFFICE FURNITURE AND EQUIPMENT, AT COST

2,992\$ 33,899

LIABILITIES AND FUND BALANCE

CURRENT LIABILITIES

Accounts payable

Accrued and withheld payroll taxes

Deferred income - membership fees

1973-74

\$ 4,662

730

1,200

Total current liabilities

\$ 6,592

FUND BALANCE

27,307\$ 33,899

See accompanying notes to financial statements.

STATEMENT OF REVENUE AND EXPENDITURES
AND CHANGES IN FUND BALANCE

DELAWARE ASSOCIATION OF
PROFESSIONAL ENGINEERS

FOR THE PERIOD FEBRUARY 7, 1973
TO JUNE 30, 1973

REVENUE

Transfer from State of Delaware	\$	34,129	
Professional engineer applications			
and fees		2,694	
Permits		250	
Certificates of authorization		3,100	
Engineer-in-training applications		350	
Other		<u>215</u>	
			\$ <u>40,738</u>

EXPENDITURES

Office			
Rent		1,812	
Salaries and related taxes		2,501	
Telephone		77	
Postage		139	
Printing and duplication		1,633	
Office supplies and miscellaneous		<u>1,525</u>	
			7,687
Office management services			
Management study, general ledger			
and accounting supplies		2,521	
Data processing		<u>2,113</u>	
			4,634
Council operations			
Security bond and insurance		85	
Travel reimbursement		506	
National council expense		<u>519</u>	
			<u>1,110</u>
			<u>13,431</u>

EXCESS OF REVENUE OVER EXPENDITURES AND
FUND BALANCE - JUNE 30, 1973

\$ 27,307

See accompanying notes to financial statements.

NOTES TO FINANCIAL STATEMENTS

DELAWARE ASSOCIATION OF
PROFESSIONAL ENGINEERS

JUNE 30, 1973

Note 1 Summary of significant accounting policies

Depreciation

The entity is a nonprofit organization and does not record depreciation for items in office furniture and equipment.

Note 2 Delaware Association of Professional Engineers was created by House Bill No. 894, known as the "Delaware Professional Engineers' Act," in the General Assembly of the State of Delaware on July 7, 1972. Formerly operating as a state agency known as "State Board of Registration for Professional Engineers and Land Surveyors," the association began operations on February 7, 1973.

State Of Delaware



State Board of Registration for Professional Land Surveyors

Division of Business and Occupational Regulation
Wilmington, Delaware 19806

1228 North Scott Street

Telephone 658-9251
Ext. 475

September 11, 1973

The Honorable Sherman W. Tribbitt
Governor, State of Delaware
Dover, Delaware 19901

Dear Governor Tribbitt:

We are pleased to submit the following report and statement as required in the Delaware Code, Title 24, Chapter 27, Section 2708, for the part of the fiscal year beginning July 1, 1972 and ending July 7, 1972 and for the balance of the fiscal year July 7, 1972 through June 30, 1973 as required in the Delaware Code, Title 24, Chapter 27 and Chapter 28.

As of July 7, 1972 House Bill #894 as amended was signed by the Governor and became law. This Bill discontinued the State Board of Registration for Professional Engineers and Land Surveyors and essentially transferred its powers and duties with respect to Land Surveying and Land Surveyors to a new State Board of Registration for Professional Land Surveyors, under the general control of the Department of Administrative Services, Division of Business and Occupational Regulation, and established a Delaware Association of Professional Engineers, not under the general control of the Department of Administrative Services. The Bill, however, essentially continued the old combined Board and the Administrative services Department in operation during a transition period which was to end within six months of the approval of the Bill to perform the necessary actions to form the Council and Association. It likewise provided that all fees collected by the old Board for Professional Engineers functions for such time periods after the passage of the new Bill should be transferred to the new Association.

Theoretically, as of July 7, 1972, there was an independent Council and a Surveying Board, but practically the Surveying Board performed its functions with members formerly on the combined Board and the Engineering functions were exercised by the Professional Engineer members of the old combined Board until the organization of the new Engineer Council (which included all the Professional Engineer members of the old combined Board.) This sounds very complicated but was managed without any serious problems. In all of this operation the staff consisted of the same Secretary operating from one office.

September 11, 1973

Therefore, a strictly separate report cannot be made for the combined Board from July 1, 1972 to July 7, 1972, for the combined Board in its interim function to June 7, 1973, for the separate Surveying Board from July 7, 1972 to June 30, 1973 nor for the Council from December 9, 1972 to June 30, 1973. This report is intended to cover all but the operation of the Council from December 9, 1972 to June 30, 1973.

The writer was Chairman of the old combined Board, is now Acting Chairman of the new Surveying Board, and is President of the Council of the Professional Engineers and hopes thereby to provide continuity in these reports.

During Fiscal 1972-73 a total of 22 applications were received for Professional Land Surveying Registration.

7 applications were approved on the basis of education and experience.

4 applications were approved on the basis of experience and the passage of an 8 hour written examination.

5 applications were denied by reason of lack of education and experience or failure to pass an examination.

6 applications were deferred for future action.

The billing for renewal of registration for the period July 1, 1972 to June 30, 1974 was made as of June 1, 1972 and much of the collections of the fees for this two-year period was made in the fiscal year 1971-72. It is almost meaningless not to include such collections in the present report and most important to make note that in fiscal 1973-74 almost no renewal fees will be collected except for registrants newly registered in 1972-1973 and fees collected in advance in June 1974 for fiscal 1974-76. We, therefore, propose that the following report is most useful with respect to fees:

1. Fees collected for registration renewal for Fiscal 1972-73 (41 renewals @ \$3.00)	\$ 123.00
2. New applications received in Fiscal 1972-73 (21 fees @ \$10.00)	210.00
3. Miscellaneous fees received in Fiscal 1972-73 (Penalties, rosters, exams, etc.)	74.00
TOTAL FEES RECEIVED FOR FISCAL 1972-73	\$ 408.50
4. Fees collected for renewal for Fiscal 1973-74 (51 renewals @ \$3.00)	\$ 153.00

The Board held five (5) meetings during Fiscal 1972-73

In the administration of the law a number of problems of handling actions on the boundary line of unregistered practice have arisen. It is possible that some amendment of the law may be needed to have effective action in this field. This has been discussed with the Deputy Attorney General who serves our Board.

Since these Boards no longer have separate budgets and share the staff facilities with other agencies, it is no longer possible to report separate expenses.

September 11, 1973

With respect to the Professional Engineer Registration during Fiscal 1972-73;

79 applications were received. (79 @ \$30.00) \$2,370.00

0 applications were approved on the basis of education and experience.

43 applications were approved on the basis of reciprocity.

13 applications were approved on the basis of passage of an examination.

21 applications were denied for reasons of lack of education and experience, or failure to pass an examination.

2 applications deferred for future action prior to the transfer of this function to the Council on January 6, 1973.

Reporting the fees in the same manner as for the Surveyors:

1. Fees collected for registration renewal for Fiscal 1972-73 (3011 renewals @ \$6.00)	\$ 18,066.00
2. New applications received in Fiscal 1972-73 (79 fees @ \$30.00)	2,370.00
3. Miscellaneous fees received in Fiscal 1972-73 Application fees - Certificates of Authorization	552.50 1,100.00
4. Fees collected for Fiscal 1973-74 (3012 renewals @ \$6.00)	18,072.00
TOTAL COLLECTIONS	\$ 40,160.50

Of these fees collected in Fiscal 1971-72 and 1972-73 for Fiscal 1972-73 and Fiscal 1973-74 amounting to \$ 40,160.50

Less agreed to expenses by the old combined Board on behalf of the Council amounting to 4,890.30
BALANCE \$ 35,270.20

The balance was transferred to the Council in two payments for the Delaware Association of Professional Engineers in the amounts of

	#1 34,129.20
	#2 1,141.00
TOTAL TRANSFERRED	\$ 35,270.20

September 11, 1973

We hope that this rather long report will explain and document a very complicated transition which has been satisfactorily accomplished. Due to its length we did not repeat statistics of the prior year.

The various Boards and the Council appreciate the interest and cooperation which you and your administration have shown in our work.

Sincerely yours,

Delaware State Board of Professional
Engineers and Land Surveyors

Delaware State Board of Registration
for Professional Land Surveyors

BY: John I. Cahalan, Jr.
Chairman

JIC/cr

cc: Mr. John E. Babiarz, Secretary, Department of Administrative Services
Mr. Robert I. Marshall, Director, Division of Business & Occupational Regulation
Delaware Association of Professional Engineers

State Of Delaware

SEP 12 1973



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JIC/cr

cc: Mr. John E. Babiarez, Secretary, Department of Administrative Services
Mr. Robert I. Marshall, Director, Division of Business & Occupational Regulation
L Delaware Association of Professional Engineers