Report of the Board of Directors (BOD)

Mr. Kurt Floren, Chairman
Los Angeles County, California

100 INTRODUCTION

The Board of Directors (BOD/Board) submits its Final Report for consideration of the 97th National Conference on Weights and Measures (NCWM). This report contains the items discussed and actions proposed by the BOD during its Interim Meeting in New Orleans, Louisiana, January 22 - 25, 2012. The Board conducted Open Hearings for the items in Table A during the Annual Meeting held July 22 - 26, 2012, in Portland, Maine. Table A identifies the agenda items by reference key, title of item, page number, and the appendices by appendix designations. The acronyms for organizations and technical terms used throughout the report are identified in Table B. The first three digits of an item's reference key are assigned from the Subject Series List. The status of each item contained in the report is designated as one of the following: **(D) Developing Item:** the board determined the item has merit; however, the item was returned to the submitter or other designated party for further development before any action can be taken at the national level; **(I) Informational Item:** the item is under consideration by the BOD but not proposed for Voting; **(V) Voting Item:** the board is making recommendations requiring a vote by the active members of NCWM; **(W) Withdrawn Item:** the item has been removed from consideration by the BOD. Table C provides the Summary of Voting Results for each Voting Item.

During the Annual Meeting, some Voting Items are considered individually, others may be grouped in a consent calendar. Consent calendar items are Voting Items that the Board has assembled as a single Voting Item during their deliberation after the Open Hearings on the assumption that the items are without opposition and will not require discussion. The Voting Items that have been grouped into consent calendar items will be listed on the addendum sheets. Prior to adoption of the consent calendar, the Board will entertain any requests from the floor to remove specific items from the consent calendar to be discussed and voted upon individually.

The BOD may change the status designation of agenda items (Developing, Informational, Voting, and Withdrawn) up until the report is adopted, except that items which are marked Developing, Informational or Withdrawn cannot be changed to Voting Status. Any change from the Interim Report or from what appears on the addendum sheets will be explained to the attendees prior to a motion and will be acted upon by the active members of NCWM prior to calling for the vote.

An "Item Under Consideration" is a statement of proposal and not necessarily a recommendation of the BOD. Suggested revisions are shown in **bold face print** by ~~**striking out**~~ information to be deleted and **underlining** information to be added. Requirements that are proposed to be nonretroactive are printed in ***bold faced italics***. Additional letters, presentations, and data that may have been part of the Board's consideration will appear as appendix items.

All sessions are open to registered attendees of the conference. If the board must discuss any issue that involves proprietary information or other confidential material; that portion of the session dealing with the special issue may be closed provided that (1) NCWM Chairman or, in his absence, NCWM Chairman-Elect approves; (2) the Executive Director is notified; and (3) an announcement of the closed meeting is posted on or near the door to the meeting session and at the registration desk. If at all possible, the posting will be done at least a day prior to the planned closed session.

Note: It is policy to use metric units of measurement in publications; however, recommendations received by NCWM technical committees and regional weights and measures associations have been printed in this publication as submitted. Therefore, the report may contain references to inch-pound units.

Subject Series List

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Activity Reports ..... 110 Series
Strategic Planning, Policies, and Bylaws ..... 120 Series
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Table B
Glossary of Acronyms and Terms

Acronym	Term	Acronym	Term
CTT	Conformity to Type	OIML	International Organization of Legal Metrology
CWMA	Central Weights and Measures Association	OWM	Office of Weights and Measures
L&R	Laws and Regulations Committee	PDC	Professional Development Committee
NCWM	National Conference on Weights and Measures	VCAP	Verified Conformity Assessment Program
NIST	National Institute of Standards and Technology	WWMA	Western Weights and Measures Association
NTEP	National Type Evaluation Program		

Table C
Summary of Voting Results

Reference Key Number	*House of Senate Representatives*		*House of Delegates*		*Results*
	Yeas	*Nays*	*Yeas*	*Nays*	
120-5	Voice Vote of Business Items				Adopted
To Accept the Report	Voice Vote				Adopted

Details of All Items
(In order by Reference Key)

110 ACTIVITY REPORTS

110-1 I Membership and Meeting Attendance

Membership levels track closely with the economy as shown in the yearly comparison below. The Board is confident that the trend will reverse as it historically does when the economy improves. There was some improvement in state government membership as a result of outreach. Those efforts will continue. As the Professional Certification Program grows, NCWM expects to see an increase in memberships to take advantage of the waived exam fees.

The attendance in January 2012 for the Interim Meeting in New Orleans was exceptional. That meeting had a robust agenda including many new proposals on an array of issues. Attendance also improved for the 97th Annual Meeting, in Portland, Maine, in July. Feedback has been very good for the technical sessions that have been added to the Sunday afternoon sessions. These sessions benefit the standards development process, and add value for stakeholders who attend.
The following is a comparison of NCWM membership levels for the past six years.

Table D NCWM Membership Report						
	June 2012	**June 2011**	**June 2010**	**June 2009**	**June 2008**	**June 2007**
Associate	842	813	814	822	848	863
Foreign Associate	58	62	53	53	56	53
Federal Gov't	11	11	12	10	9	9
NIST	16	11	12	10	9	9
State Gov't	589	567	565	696	831	825
Local Gov't	487	495	524	558	554	565
Foreign Gov't	14	14	12	24	22	31
Retired	195	202	196	196	232	221
Total	**2,212**	**2,180**	**2,188**	**2,373**	**2,567**	**2,581**

110-2 I NCWM Newsletter and Website

The Board continuously considers ways to monitor and improve the content of the newsletter and website. Members are encouraged to bring ideas and articles forward for inclusion in newsletters. Of particular interest are articles that would be pertinent to field inspectors and the service industry.

At the 2012 Annual Meeting, the BOD approved a number of pending enhancements to the website. Some of these new features include:

- Create a mobile-friendly National Type Evaluation Program (NTEP) database search;
- Create a mobile-friendly membership directory;
- Add the option of instant PDF download for NCWM Publication 14 sales; and
- Add the ability to apply online for NTEP certification.

A request was received to populate all of the safety articles from past newsletters into one location on the website for easier access. This request will be implemented. Compliments were offered to NCWM and to NIST for posting links to pertinent news pieces related to weights and measures on the NCWM Facebook, LinkedIn, and Twitter accounts and the NIST Directors e-mail listserv.

Comments and suggestions for improvements to the newsletter and website should be directed to NCWM at (402) 434-4880 or info@ncwm.net.

Online Position Forum:
Activity increased somewhat in the second year for the Online Position Forum, but it remains light. The board believes that participation will increase in time as members become more comfortable with it and as committee agenda items generate interest. Improvements were made following the first experience in 2011 so that comments are more easily viewed.

The Online Position Forum is not a voting system. It is simply a method to present positions, opinions, and supporting documents. All active, associate, and advisory members have the opportunity to login, view committee

agenda items, enter positions and comments, and upload supporting .pdf documents for each agenda item of standing committees or the Board.

The options for each agenda item are:

- Support;
- Support with Comments;
- Oppose with Comments;
- Neutral; or
- Neutral with Comments.

Staff will notify members when the forum is ready for them to enter their comments each spring. The comment period will end on May 31. On June 1 members will be able to view positions, comments, and supporting documents by others. This will help them prepare for the deliberations and voting at the Annual Meeting in July by having a better idea of positions others may have.

Social Networking:
NCWM has accounts with LinkedIn, Facebook, and Twitter to improve our outreach. By opening these accounts, NCWM is now more visible in Internet search engines and will be more identifiable to tech-savvy stakeholders. Users will find links to weights and measures related news stories, and they will be kept informed throughout the Interim and Annual Meetings of special announcements including any changes in schedules. This has been very helpful for meeting attendees who carry hand-held devices. In the past year, staff has posted many news articles of interest to the weights and measures community on the social networks, generating increased interest and following.

Professional Certification Program:
Professional certification exams can be purchased through the online shopping cart at www.ncwm.net/examinations. Exams are free for members and $75 per exam for non-members. By logging in as a member, the price will be adjusted to $0 in the shopping cart. As orders are received, NCWM sends an e-mail to the customer providing the credentials to log into the test site to take the online exam. An applicant who does not pass the exam in the first attempt may log in at a later date and have one retake. After that, it will be necessary to reapply. Certification is now available in three areas, including:

- Retail Motor Fuel Dispensing Systems;
- Package Checking Basic; and
- Small Capacity Weighing Systems Class III.

See the report of the Professional Development Committee for information regarding additional exams under development.

110-3 I Meetings Update

Interim Meetings:

- January 27 - 30, 2013 Francis Marion Hotel, Charleston, South Carolina
- January 19 - 22, 2014 Hotel Albuquerque, Albuquerque, New Mexico
- January 2015 Hotel to be determined in Tampa, Florida

Annual Meetings:

- July 14 - 18, 2013 Seelbach Hilton Louisville, Louisville, Kentucky
- July 2014 The Westin, Detroit, Michigan
- July 2015 TBD

NCWM strives to plan meetings in locations that offer comfortable rooms and a variety of entertainment and dining options close by. The following is a brief description of future planned events.

The 2013 Interim Meeting will be at the Francis Marion Hotel in historic downtown Charleston, South Carolina. It is truly a beautiful hotel situated perfectly for attendees to get the full Charleston experience. The 2013 Annual Meeting will be held at the Seelbach Hilton in Louisville, Kentucky. The hotel was built in 1905 and is listed on the National Register of Historic Places. Attendees can simply walk out the door to experience Fourth Street Live where there are plenty of restaurants and entertainment.

The board has selected Tampa, Florida, for the 2015 Interim Meeting. A final decision will be made on the hotel for that event at the fall 2012 BOD meeting.

100th NCWM Annual Meeting:
The board hopes to make the 2015 Annual Meeting a very special event and one that you won't want to miss. In addition to addressing the business of the organization, NCWM will be celebrating its 100th Annual Meeting 110 years after our first meeting in 1905. A small work group is developing plans for the 100th NCWM Annual Meeting in 2015. The group will consider locations and special events to commemorate and bring excitement to the occasion. Suggestions may be forwarded to Ms. Luanne Groenjes, NCWM Office Manager, at (402) 434-4880 or luanne.groenjes@ncwm.net.

110-4 I Participation in International Standard Setting

Conformity to Type
International Organization of Legal Metrology (OIML) is considering development of a Conformity to Type (CTT) program. An OIML Seminar on CTT was held in June 2011 in Utrecht, The Netherlands. NCWM was invited to share its experience with the NTEP Conformity Assessment Program and in particular, the Verified Conformity Assessment Program (VCAP). The presentation was given by Mr. Don Onwiler, NCWM Executive Director. NCWM is hopeful that the VCAP Audit Reports can also satisfy the needs of the OIML CTT at a significant savings to certificate holders. Mr. Darrell Flocken, Mettler-Toledo, LLC, also presented with perspectives from the manufacturing industry. Dr. Charles Ehrlich, National Institute of Standards Technology (NIST), Office of Weights and Measures (OWM), was in attendance and participated in the discussions. A subcommittee has been formed that will describe the United States and European programs.

Mutual Acceptance Arrangement (MAA)
Mr. Jim Truex, NTEP Administrator, attended the Committee on Participant Review in Germany in 2011. Resolutions were developed at that meeting for the amendment of B10, the certificate system under the MAA. The spirit of the resolutions was to allow utilizing authorities to voluntarily accept manufacturer test data under the MAA. A draft amendment is being developed for vote in early 2012. *See the NTEP Committee Final Meeting Report for more detail.*

Dr. Ehrlich, NIST, OWM, gave a report of OIML activities. An updated report is included in the 2012 NCWM Annual Report as an appendix to the report of the Board of Directors (see Appendix A).

120 STRATEGIC PLANNING, POLICIES, AND BYLAWS

120-1 I Strategic Planning

The Board reviewed the strategic plan at the January 2012 Interim Meeting and identified opportunities to update it. Several strategies have been successfully completed, and several new strategies were introduced new strategies. Members are asked to provide input before the January meeting on the five current goals in the strategic plan and any other goals that they believe should be included.

Five primary goals are contained in the strategic plan.

1. Enhance NCWM as a national and international resource for measurement standards development.
2. Promote uniform training for individuals involved in weights and measures.
3. Continue to improve NTEP.
4. Expand the role of NCWM as a resource for state and local weights and measures programs.
5. Preserve the financial stability of NCWM.

The strategic plan in its entirety may be viewed in the Members Only area at www.ncwm.net/content/strategic-plan.

NCWM as a National and International Resource:
A strategy under this goal was to implement the Online Position Forum. The forum was completed in 2011 and the strategy will now be to make improvements to the program and promote increased use of it by our membership. Several ideas will be implemented to generate interest. Additionally, guidance will be developed to assist committees in how to preview and use comments in a consistent manner.

Promote Uniform Training:
The Professional Certification Program is a top priority under this goal. In 2011, the Board contracted the services of Mr. Ross Andersen to serve as Certification Exam Coordinator working with the PDC. The Board believes this arrangement will greatly assist the PDC in developing a full line of certification exams.

Some states are expressing interest in using the Professional Certification Program as a prerequisite to registering service agents. It is unknown at this time whether the difficulty of the exams will be appropriate to test an individual's expertise without undue delay in becoming state-registered. The delay can be costly for service agencies because they need employees who are recognized by the state to work independently with the privileges of being registered. To address these questions, NCWM has contacted state directors to generate a list of service agents from various states to voluntarily take the Retail Motor Fuel Dispenser Exam.

Continue to Support NTEP:
A strategy of high priority under this goal is to maintain viable support for NTEP laboratories. Mr. Truex, NTEP Administrator, monitors the number of full-time equivalents associated with the authorized laboratories and tracks evaluation time and backlog statistics to ensure that NTEP evaluations can be completed in a timely manner. He reports these statistics quarterly to the NTEP Committee and BOD.

NCWM has a contingency plan in place to ensure evaluation services are maintained for NTEP applicants in the event that insufficient services were available under the current authorized laboratory system. Another strategy toward this goal is the continued development of the Verified Conformity Assessment Program which has already successfully addressed load cells. *See the NTEP Committee Final Report for more details*.

Expand the Role of NCWM as a Resource to Officials:
Of high importance under this goal is NCWM's ability to gather and compile data that will demonstrate the impact of regulatory programs. Efforts in this regard have been difficult or impossible because of differences in how jurisdictions acquire and maintain device, inspection, and compliance data. The board is discussing methods of studying data that would not require massive changes in jurisdictional practices.

Many programs are experiencing severe budget cuts that are diminishing their effectiveness. NCWM plans to develop a "toolkit" with the support of the Associate Membership Committee that can be used by program administrators to generate support for their programs. This toolkit will contain materials including data supporting a regulatory presence, industry contacts that can be called upon to explain the necessity of a regulatory presence to ensure a level playing field for businesses and consumer protection, and a short video production.

Preserve Financial Stability:
This goal was originally to "ensure" financial stability. Financial reports of the past several years indicate that NCWM is financially stable barring any surprises. However, NCWM must recognize that it does not have sufficient reserves at this time to fully implement the NTEP contingency plan that was developed to ensure continued evaluation services if the authorized state laboratories fell victim to budget cuts. The board will study NCWM's needs and establish a target for reserves for NTEP and other potential exposures. When that target is achieved, NCWM will be in a position to identify ways to improve services and/or reduce fees in support of its membership.

120-2 I Regional Support

Shopping Cart Service for Regional Websites:
NCWM hosts all four regional websites. In 2010, the Western Weights and Measures Association (WWMA) asked NCWM to create a shopping cart on their site for online meeting registrations. WWMA reported to NCWM Board of Directors that the online meeting registrations worked very well for them. It provides a means for WWMA members to pay dues and meeting registrations with credit cards. The transaction is processed through the NCWM PayPal™ account, and NCWM transfers the funds to the region's bank account, less credit card fees of about 3.5 %. Two additional regions, the Central Weights and Measures Association (CWMA) and the Southern Weights and Measures Association (SWMA) have requested online membership and meeting registration through their websites. This programming will be completed in time for 2012 meeting registrations. Cost will vary according to the complexity of the project, but ranges from around $1,200 to $1,500.

Meeting Documents on Regional Websites:
In the fall of 2011, NCWM made efforts to be the clearinghouse for all new proposals being submitted to the regional associations. NCWM established a requirement that all proposals shall be submitted electronically to simplify report writing for regional committees. A suggestion from a member prompted NCWM to post all new proposals on the regional websites. This addition was very well received, and NCWM hopes to receive additional suggestions to improve services for members and regional associations.

Beginning in the fall 2012, just one template will be sent to each regional committee containing both the carryover items and the new proposals designated to the respective region. Furthermore, each new item will be identically numbered and titled at each region. This will not only streamline documentation for regions, but will also simplify the process for implementing regional reports into NCWM Publication 15. Staff expects that these improvements will enable them to make NCWM Publication 15 available at an earlier date this fall.

120-3 I Standing Committees

Committee Orientation:
In 2010, NCWM began conducting Committee Orientation for committee chairs and new committee members. It is held at NIST, OWM in Gaithersburg, Maryland, to facilitate participation of all NIST Technical Advisors. The program presented by NCWM Chairman and Executive Director includes a half-day session for committee chairs followed by a full day for the new committee members. The focus is on leadership, administrative processes, roles and responsibilities, and review of *NCWM Committee Member Handbook*. Additionally, the committee chairs and NIST Technical Advisors review agenda items for the new members so that they are prepared in advance for the technical discussions and Open Hearings. Because the response to the first meeting in 2010 was so positive, the orientation is an annual event.

Task Groups and Subcommittees:
Task groups and subcommittees are created via appointment by the NCWM Chairman. A task group is given a specific charge, and it reports to the appropriate NCWM standing committee. A task group will disband at the completion of its assignment. A subcommittee is charged with ongoing responsibilities in support of a standing committee in a specific field of expertise.

NCWM offers resources to these task groups and subcommittees including meeting space at Interim and Annual Meetings, conference calling, web meeting services, dedicated e-mail listservs, a dedicated web page for posting and archiving documents related to their work, and broadcast e-mail services to reach targeted audiences. Additionally, NIST, OWM has provided technical advisors and web meeting forums. All of these tools enable year-round progress of task group and subcommittee work.

The board expresses great appreciation to the volunteers who serve on these important task groups and subcommittees in support of the work of this organization.

- **Task Group on Printer Ink and Toner Cartridges:**

  The group reports to the Laws and Regulations (L&R) Committee and is addressing method of sale and net quantity labeling requirements. For more information, contact:

  Chair
  Ms. Judy Cardin
  Wisconsin Department of Agriculture, Trade and Consumer Protection
  P.O. Box 8911
  Madison, WI 53708-08911
  Phone: (608) 224-4945
  Fax: (608) 224-4939
  E-mail: judy.cardin@datcp.state.wi.us

- **Fuels and Lubricants Subcommittee:**

  This group reports to the L&R Committee. For more information, contact:

  Chair
  Mr. Ronald Hayes
  Missouri Department of Agriculture
  1616 Missouri Blvd
  P.O. Box 630
  Jefferson City, MO 65102
  Phone: (573) 751-4316
  Fax: (573) 751-0281
  E-mail: ron.hayes@mda.mo.gov

- **Packaging and Labeling Subcommittee:**

  The group reports to the L&R Committee. For more information, contact:

  Chair
  Mr. Christopher Guay
  Procter and Gamble, Co.
  One Procter and Gamble Plaza
  Cincinnati, OH 45202
  Phone: (513) 983-0530
  Fax: (513) 983-8984
  E-mail: guay.cb@pg.com

120-4 I NCWM Publications 15 and 16

NCWM Publications 15 and 16 are documents that provide the agendas and reports for NCWM Interim and Annual Meetings. Though they are NCWM publications, NIST, OWM has supported NCWM by preparing and publishing the documents. NIST, OWM has less staff dedicated to publications than in the past. That, combined with the cumbersome process they are subjected to when publishing documents, has prompted NCWM to assume this responsibility. As of the fall of 2011, NCWM assumed responsibility for NCWM Publications 15 and 16. As a result, NIST, OWM staff will be able to devote more resources to training development and other publications such as NCWM Annual Report, NIST Handbooks 44, 130 and 133, National Type Evaluation Technical Committee Sector Reports, etc.

This change in responsibilities does affect flow of information and documents through the fall season in preparation for regional meetings and submitting reports at their completion. The 2012 NCWM Publication 15 represented NCWM's first product under this new initiative. The processes to reach this final product have been examined and refined based on experience and input from regional and national committee members, NIST, OWM staff, and the members.

There were less shifting of responsibilities in the development of NCWM Publication 16. The committees retained responsibility for developing the final reports for NCWM Publication 16. Once completed, they submit those reports to NCWM for inclusion in NCWM Publication 16. The shift of responsibility to NCWM in producing NCWM Publication 16 proved highly successful, resulting in publication and posting of the 2012 NCWM Publication 16 before April 2012 and enabling the access of the On-Line Position Forum for comment/position input by members a full month earlier than that occurring in the prior year.

120-5 V NCWM Bylaws Administrative Updates

(This item was adopted.)

Source:
NCWM Board of Directors (2012)
Purpose:
Update bylaws to reflect new management procedures, shifting responsibilities, and changes to policy.
Item Under Consideration:
Amend various sections throughout NCWM bylaws as follows:

Article IV - Membership Fees and Records
Section 2 - Membership Records
The ~~**Board of Directors shall designate an individual or organization to be responsible for membership, including collection of membership fees and maintenance of membership records.**~~ **corporation shall collect membership fees and maintain membership records.**

Article V - Use of the Insignia
The insignia of the Corporation ~~**may be used or displayed only by members of the Corporation with express written approval from the Board of Directors.**~~ **is trademarked. Use or display of the insignia by members is allowed except that the Corporation may prohibit any use that is deemed by the Corporation to be inappropriate.**

Article VI - Directors

Section 4 - Insurance and Indemnification of Directors
A. Insurance and Indemnification of Directors
The ~~**Board of Directors**~~ **Corporation** is authorized to purchase insurance, including but not limited to, general liability insurance, errors and omissions insurance, and directors and officers liability insurance, together with any other insurance deemed by the Board to be reasonable, in such sums and for such premiums as the ~~**Board**~~ **Corporation** determines are appropriate.

Article VII - Duties of the Directors and Appointive Officials

Section 1 - Chairman
The Corporation Chairman ~~**has the role of Chief Executive Officer of the Corporation and, as such,**~~ has ~~**the**~~ broad authority ~~**customarily associated with that role,**~~ including, but not limited to, the authority to make policy decisions on behalf of the Corporation and take such actions as are necessary to put these decisions into effect. The Chairman is the principal presiding officer at the meetings of the Corporation and of the Board of Directors, makes appointments to the several standing and special purpose committees, and appoints other Corporation officials to serve during his or her term of office.
~~**All contracts or other obligations requiring Corporation funding must be signed by the Chairman or his or her designee.**~~

Section 5 - Treasurer
The Treasurer ensures the integrity of the fiscal affairs of the Corporation and serves on the Board of Directors of the Corporation. The Treasurer performs other duties as assigned by the Chairman.
~~**The Treasurer may appoint, with approval of the Board, an assistant to assist the Treasurer in the discharge of his or her duties.**~~

Article IX - Committees

Section 1 - Special Purpose Committees
The Special Purpose Committees consist of the following:

A. Nominating Committee
The Nominating Committee (referenced in Article VI, Section 3) shall be appointed annually by the Chairman and shall consist of the most recent active Past Chairman of the Corporation as Committee Chairman and six active members, to include at least one member representing each of the four regions. The nominating committee shall make recommendations to the Corporation for nominations for the Board of Directors. The nominating committee shall give due weight and consideration to the recommendation of the Associate Membership Committee regarding the Associate Director nomination.

~~**B. Resolutions Committee**~~
~~**The Resolutions Committee shall be appointed by the Chairman and shall consist of three members appointed for 3-year staggered terms.**~~

~~**C**~~**B. Finance Committee**
The Finance Committee shall be comprised of the **Chairman-Elect, Nominated Chairman-Elect,** Treasurer, ~~**and the two At-Large Directors**~~ **Director representing the Associate Membership Committee, and the Executive Director**. Each member's term on the Finance Committee shall coincide with the member's term ~~**as Director**~~ **of office**.

Section 3 - National Type Evaluation Program (NTEP) Committee
The NTEP Committee is comprised of five members: the Immediate Past Chairman, the Chairman and the Chair-Elect of the Conference and two regional Directors from the Board of Directors. The NTEP Committee must include at least one member from each of the four regions. ~~**(amendment passed July, 2001)**~~ **The NTEP Administrator shall serve in an advisory role to the NTEP Committee.**

The NTEP Committee ~~**fixes**~~ **may develop recommendations to the Board of Directors for NTEP fees including, but not limited to application fees to obtain a NTEP Certificate of Conformance and** the annual maintenance fee for retaining a ~~**National Type Evaluation Program**~~ **NTEP** Certificate of Conformance. The NTEP Committee is responsible for the operation of the NTEP program with respect to its fiscal management, providing guidance related to the activities of the program and establishing policy and procedures.

Through the Chairman of the NTEP Committee, members are appointed from the Advisory, Active, and Associate Members to the Technical Committees of the National Type Evaluation Program. The Associate members represent the interest of manufacturers, retail sales organizations, and users of commercial devices. The Active members represent the interest of government officials and the consumer. These committees make technical, policy, and procedural recommendations to the NTEP Committee for implementation.

Section 5 - Duties and Fields of Operation of Board of Directors and Committees

A. Board of Directors

The Board of Directors is the governing body of the Corporation and is authorized to make all decisions relating thereto, including but not limited to the following:

1. conducts the business of the National Conference on Weights and Measures, Inc., as a Corporation, which at a minimum includes (a) overseeing the preparation and filing of the biennial report and fee with the Nebraska Secretary of State in compliance with Neb. Rev. Stat. Section 21-301.
2. reviews and approves the budget;
3. selects the place and dates, ~~**and also fixes the registration fee**~~ for each meeting of the Corporation;
4. fixes **all fees including but not limited to meeting registrations, fees associated with NTEP administration, publications, and** the annual membership fee; ~~**and**~~
5. advises the responsible individual or organization, as designated by the Chairman, with respect to the programs for the meetings of the Corporation and its committees, and makes recommendations to the Corporation, the Corporation officers, and the committee chairmen**; and**.
6. **reviews an annual audit report prepared by an external auditor whose services are retained by the corporation to assess the accuracy of the financial statements, the accounting principles used, and evaluate overall financial statement presentation.**

The Board of Directors, in the interval between meetings of the Corporation:

1. authorizes meetings of Corporation committees in accordance with the provisions of Article VIII, Section 3;
2. authorizes expenditures that are not in the budget; and
3. acts for the Corporation in all routine or emergency situations that may arise.

Special meetings of the Board may be held at the discretion of the Chairman, and may take place in any manner technologically possible, including, but not limited to, telephone conference calls and electronic mail. A quorum shall consist of seven members of the Board. Voting may be cast in any manner prescribed by the Chairman. All questions before the Board of Directors will be decided whenever practical, by voice vote or by ballot, and will be decided on the basis of the majority of votes cast.

The Board serves as a policy and coordinating body in matters of national and international significance which may include such areas as metrication; the interaction with organizations such as the International Organization of Legal Metrology (OIML), American National Standards Institute (ANSI), International Organization for Standardization (ISO), ~~**American Society for Testing and Materials (ASTM)**~~ **ASTM International**, National Conference of Standards Laboratories (NCSL), and such internal matters as may be required, ~~**including, for example, the Retiree Organization**~~.

The Chairman, on behalf of the Board, annually presents a report on Corporation activities.

~~**F. Resolutions Committee**~~

~~**Each year at the Annual Meeting of the Corporation, the Resolutions Committee presents for Corporation action such resolutions as it has been directed by the Corporation to prepare, and such additional resolutions as are deemed appropriate by the Committee.**~~

~~**G**~~**F. Finance Committee**

The Finance Committee ~~**may appoint an external auditor to audit the books of the Corporation and, if an auditor is appointed, will evaluate the recommendations of the auditor and recommend an action thereon to the Board.**~~ **provides review and preliminary approval of the draft budget before it is presented to the Board of Directors for final approval.**

Background/Discussion:

In 2010, the bylaws were amended after thorough legal review to reflect NCWM as a Nebraska corporation and to provide additional liability protections. In 2011, the bylaws were amended following a parliamentarian review of voting procedures.

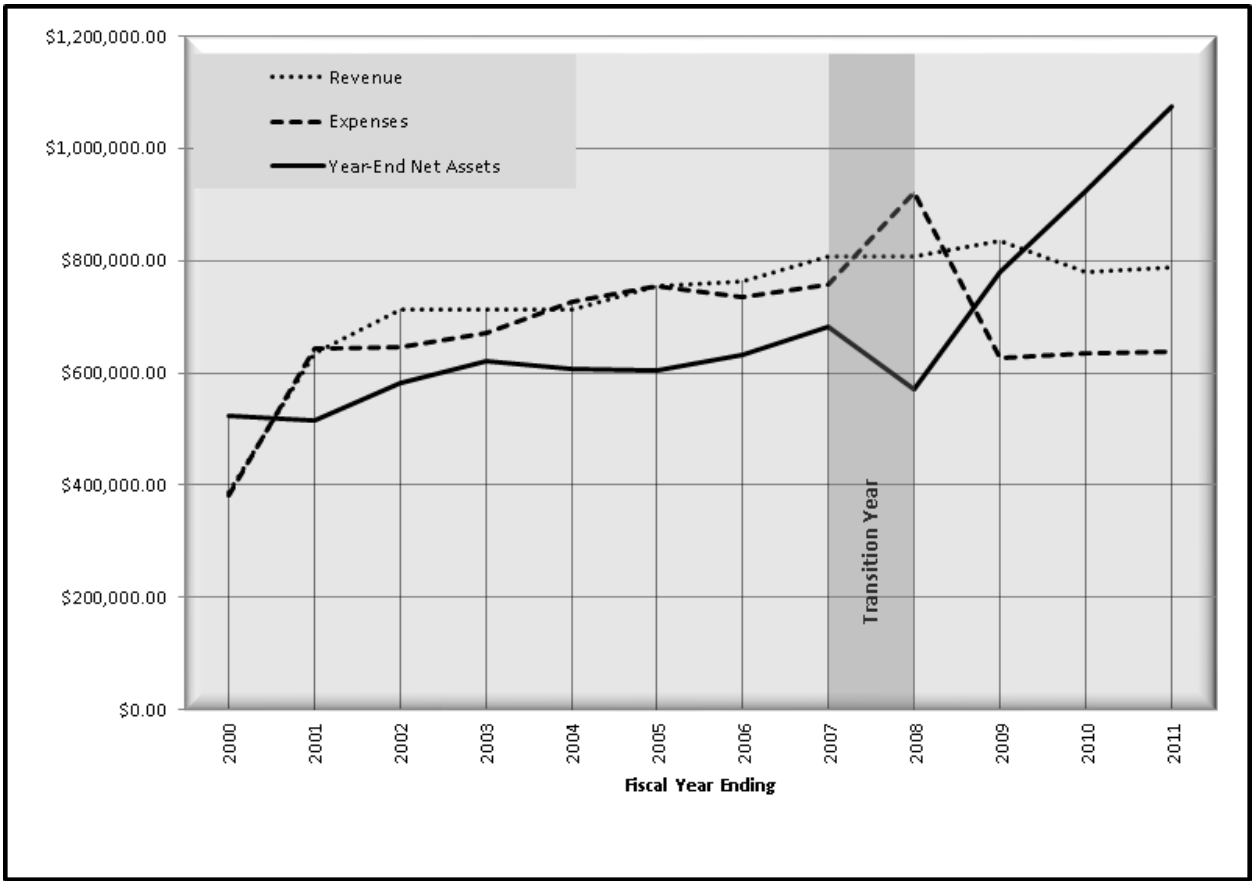
This year, NCWM conducted an administrative review of the bylaws to determine if amendments are needed to reflect new management procedures, shifting of responsibilities, and changes in policy. Based on that review, the board is presenting the above excerpts of NCWM bylaws with proposed amendments.

130 FINANCIALS

130-1 I Financial Report

NCWM operates on a fiscal year of October 1 through September 30. Budgets are set to be conservative on projected revenues and realistic on anticipated expenses.

Below is a graphic view of the past 11 fiscal years based on year-end audit reports. The spike in expenses in 2008 reflects the cost of the management transition. The management company was still under contract that year while NCWM hired employees, procured office space, furniture, computers, etc. The graph shows significant savings in the following years of 2009 - 2011 even though NCWM has invested significantly in new initiatives during that time. Those initiatives include NCWM and regional website development, the Online Position Forum, the Professional Certification Program, and other improvements to services.



The following is the balance sheet as of June 30, 2012 in comparison with the same time the previous year.

ASSETS	**June 30, 2012**	**June 30 2011**
Current Assets	$	$
Checking/Savings		
Associate Member Fund	20,601.39	18,451.85
Certificates of Deposit	1,126,348.07	954,265.98
Checking	34,796.11	−24,857.69
Savings	129,601.52	208,118.33
Total Checking/Savings	$ 1,311,347.09	$ 1,155,978.47
Accounts Receivable	2,905.00	960.00
Other Current Assets	38,808.22	51,589.87
Other Assets	7,352.30	8,617.67
TOTAL ASSETS	**$ 1,360,412.61**	**$ 1,217,146.01**
LIABILITIES & EQUITY		
Liabilities	$	
Current Liabilities	21,499.43	10,891.87
Total Liabilities	$ 21.499.43	10,891.87
Equity		
Unrestricted Net Assets	1,095,648.60	931,421.51
Net Income	243,264.58	274,832.63
Total Equity	$ 1,338,913.18	1,206,254.14
TOTAL LIABILITIES & EQUITY	**$ 1,360,412.61**	**$ 1,217,146.01**

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