

## NCWM Board of Directors Interim Agenda

Mr. Ronald Hayes, NCWM Chair  
Missouri

### 100 INTRODUCTION

The Board of Directors will hold its quarterly meeting on Friday, Saturday and Sunday, January 17-18, 2015, and continue that meeting during work sessions throughout the remainder of the Interim Meeting. The Board will conduct Open Hearings for the items in Table A during the Interim Meeting. Table A identifies the agenda items by reference key, title of item, page number and the appendices by appendix designations. The first three digits of an item’s reference key are assigned from the Subject Series List. The acronyms for organizations and technical terms used throughout the agenda are identified in Table B. In some cases, background information will be provided for an item. The fact that an item appears on the agenda does not mean it will be presented to National Conference on Weights and Measures (NCWM) for a vote. The Board will review its agenda and may withdraw some items, present some items for information meant for additional study, issue interpretations, or make specific recommendations for change to the publications identified which will be presented for a vote at the Annual Meeting. The Board may also take up routine or miscellaneous items brought to its attention after the preparation of this document. The Board has not determined whether the items presented will be Voting or Informational in nature; these determinations will result from their deliberations at the Interim Meeting.

An “Item under Consideration” is a statement of proposal and not necessarily a recommendation of the Board of Directors. 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*.

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.

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### Subject Series List

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**Table B**  
**Glossary of Acronyms and Terms**

Acronym	Term	Acronym	Term
AMC	Associate Membership Committee	NTEP	National Type Evaluation Program
CTT	Conformity to Type	OIML	International Organization of Legal Metrology
ISWM	International Society of Weighing and Measuring	OWM	Office of Weights and Measures
MAA	Mutual Acceptance Arrangement	PDP	Principal Display Panel
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		

**Details of All Items**  
(In order by Reference Key)

## 110 ACTIVITY REPORTS

### 110-1 I Membership and Meeting Attendance

Membership has increased again this fiscal year to the highest since 2008, demonstrating a rebound from the recession that began that year. NCWM continues to conduct outreach to stakeholders and there are very few states or territories that have not maintained membership. The pool of potential members, especially regulatory officials, has become smaller as a result of downsized or eliminated programs from budget cuts. Still, the potential growth in membership is significant and NCWM continues to enhance programs and services that add value to membership. The Professional Certification Program is an example of a program with potential to greatly impact membership levels after it is fully developed. The 100<sup>th</sup> Annual Meeting in July of 2015 may also have a favorable impact on membership as enthusiasm builds through the year for that special event.

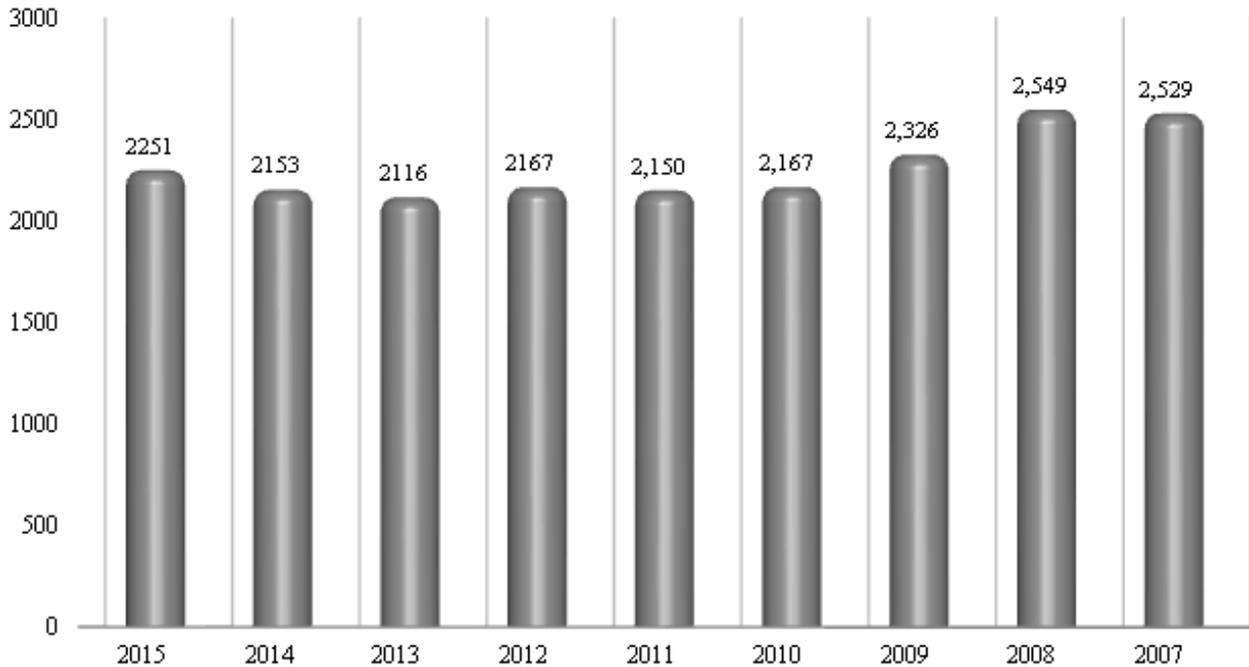
The Board of Directors had considered implementation of an Organizational Membership plan in an attempt to help agencies and companies that have limits on individual memberships. Unfortunately, it presented serious complications in how memberships are invoiced each year and how online renewals occur. These problems proved to be very difficult to overcome and the consideration has been dropped.

The following is a comparison of NCWM membership levels as of March 1 for recent years. October 1 is the lowest level of membership for the fiscal year because it is the day that any memberships that were not renewed become lapsed.

#### Annual Membership Totals

Year Type	March 2015	March 2014	March 2013	March 2012	March 2011	March 2010	March 2009	March 2008	March 2007
Associate	779	779	803	807	796	796	797	828	843
Foreign Associate	74	55	51	57	57	51	51	54	51
<b>Total Associate</b>	<b>853</b>	<b>834</b>	<b>854</b>	<b>864</b>	<b>853</b>	<b>847</b>	<b>848</b>	<b>882</b>	<b>894</b>
State Government	658	598	550	583	569	569	691	817	796
Local Government	484	477	477	486	484	519	543	553	565
<b>Total Active</b>	<b>1142</b>	<b>1075</b>	<b>1027</b>	<b>1069</b>	<b>1053</b>	<b>1088</b>	<b>1234</b>	<b>1370</b>	<b>1361</b>
NIST	16	15	16	16	15	12	13	15	14
Other Federal Government	11	8	10	10	11	12	10	22	9
Foreign Government	12	13	13	14	14	11	22	22	30
Retired	217	208	196	194	204	197	199	238	221
<b>Total Advisory</b>	<b>256</b>	<b>244</b>	<b>235</b>	<b>234</b>	<b>244</b>	<b>232</b>	<b>244</b>	<b>297</b>	<b>274</b>
<b>Grand Total</b>	<b>2251</b>	<b>2153</b>	<b>2116</b>	<b>2167</b>	<b>2150</b>	<b>2,167</b>	<b>2326</b>	<b>2549</b>	<b>2529</b>

### Annual Membership Totals



The attendance for the past five Interim Meetings has been exceptional, with the highest being last year in Albuquerque, New Mexico. NCWM had the pleasure of welcoming back a number of jurisdictions to our Interim and Annual meetings in 2013 and 2014. The overall attendance for the 2014 Annual Meeting was the highest in 12 years and included 42 seats in the House of State Representatives. This is an exciting trend as we plan for the upcoming 100<sup>th</sup> Annual Meeting in 2015 in Philadelphia. See Item 110-3 for information on that and other future meetings.

#### 110-2 I NCWM Newsletter and Website

##### Newsletter:

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.

##### Website Improvements:

The NCWM website continues to evolve as ideas are submitted for content enhancement. Many small improvements are made on a regular basis through better use of the space and tools already in place. This year, a small task group of Board members has been assembled to study the organization of the website and make recommendations on how that organization can be improved to make information easiest to find.

In February 2014, a list of trainers was added under the “Resource” tab. These are trainers who have acquired training skills through participation in Train-the-Trainer courses sponsored by NIST. Along with the trainers’ names, the page provides the technical areas that each is comfortable presenting in a training class. There is also a page that provides information about upcoming training events around the country. Since training is such a hot topic, the Board’s website task group is considering creation of a new tab titled “Training”. All of the training resource information would then be moved under this new tab.

Among other added features on the new website, the most popular are the mobile-friendly version which is very affective for the searching the NTEP Certificate database and downloading Certificates of Conformance and the ability for NTEP applicants to complete their applications online. There are many other added features as well that make the new website a better customer experience.

Because the mobile-friendly version was so well-received, NCWM received a request to implement a similar feature for the regional websites. Each of the 4 regions agreed to the cost of \$550 per site to implement this feature that provides “About”, “Meetings” and “Contact” in the mobile version with a link to view the full site. The “Meetings” portion gives the user easy access to the meeting information including links for hotels, registration, and the meeting documents that download to the mobile device with impressive speed. The feature is fully implemented on all four regional sites.

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

**Online Position Forum:**

The Board has determined that the resources necessary to maintain the Online Position Forum are not justified by the very limited use. Therefore, the forum will no longer be made available. It was created to help members prepare for the deliberations and voting at the Annual Meeting each year by providing a forum where they could post positions, comments, and supporting documents and learn from others who do the same. In an effort to generate more use of the program, the Forum was reconfigured in 2014 so that members could view the comments and positions that others had submitted prior to submitting their own. Unfortunately, usage remained very low. It is possible that it would be brought back at some since the programming is in place.

**NCWM Visibility:**

NCWM shares many news articles and other items of interest to the weights and measures community on the social networks. This has increased interest in the social network accounts with Facebook, Twitter, and LinkedIn. In 2014 NCWM contracted with service provider that offers improved visibility without increased costs. This service provider is optimizing NCWM’s visibility on the internet through the combined use of social media and more frequent press releases on a wide variety of subject matters. The goal here is to elevate NCWM as a recognized resource for a vast array of subject matters.

In that first six months of 2014, NCWM averaged one press release per month compared to 2 or 3 press releases per year in the past. There will be an effort to take advantage of the savings by maintaining that level of press releases as a way of drawing attention to weights and measures issues and setting NCWM up as a resource for information on those issues.

**Professional Certification Program:**

The website that has the exams for the Professional Certification Program is now fully integrated with NCWM’s website so that applicants no longer need to wait for staff assistance before they receive their login credentials. Individuals log in at [www.ncwm.net](http://www.ncwm.net) to “purchase” exams, though the fees are waived for members. The fee for non-members is \$75 per exam. The applicant receives an automated email with credentials and instructions for accessing the exam. An applicant who does not pass the exam in the first attempt may have one retake. After that, it will be necessary to reapply.

Certification is now available in six areas, including:

- Small Capacity Weighing Systems Class III
- Medium Capacity Weighing Systems
- Large Capacity Scales
- Retail Motor Fuel Dispensing Systems
- Vehicle Tank Meters
- Package Checking Basic

Please see item 410-1 for information on the ongoing development of additional exams.

Subject Matter Experts are needed to expedite development of additional exams. Work has begun on exams for LPG Meters and Price Verification. Anyone with expertise in these areas who wishes to volunteer as a Subject Matter Expert can contact Mr. Don Onwiler, NCWM Executive Director, at [don.onwiler@ncwm.net](mailto:don.onwiler@ncwm.net) or (402) 434-4871.

There has been concern that NIST Publication 112, *Examination Procedures Outlines* (EPOs) is no longer available. Applicants for Professional Certification must have access to EPOs when taking exams since some questions are based on them. Ms. Carol Hockert, Chief, and NIST OWM, has provided assurance that the EPOs have been updated and will be available electronically on the NIST website after final review.

### **110-3 I Meetings Update**

#### **Interim Meetings:**

- January 17-20, 2016 Westin San Diego Gaslamp Quarter Hotel, San Diego, California
- January 8-11, 2017 Hyatt Regency San Antonio, San Antonio, Texas

#### **Annual Meetings:**

- July 19-23, 2015 **100<sup>th</sup> Annual Meeting:** Sheraton Society Hill Hotel, Philadelphia, Pennsylvania
- July 24-28, 2016 101<sup>st</sup> Annual Meeting: Grand Hyatt Denver, Denver, Colorado
- July 2017 102<sup>nd</sup> Annual Meeting: Considering locations in the Northeastern region.

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. We are excited to announce the location for the 2016 Interim Meeting has been booked at the Westin San Diego Gaslamp Quarter Hotel. This was the location of a very successful Annual Meeting in 1994 at the Doubletree Hotel and promises to be a great winter venue.

#### **100<sup>th</sup> NCWM Annual Meeting:**

The 100<sup>th</sup> Annual Meeting in 2015 promises to be a very special event. It will be held at the Sheraton Society Hill in Philadelphia with easy access to evening dining and entertainment as well as daytime access to the historic attractions of Philadelphia. NCWM is promoting the event in hopes of filling as many seats as possible in the House of State Representatives. Early indications are that some of our retired members will be attending as well as a number of city and county inspectors from the surrounding area. It promises to be a meeting to remember.

In addition to addressing the business of the organization, NCWM will be celebrating its 100<sup>th</sup> Annual Meeting; 110 years after our first meeting in 1905. A small planning group has been developing special ways to commemorate the occasion. Among those plans are the following:

**Lunch Banquet:** Attendees will be treated to a special luncheon at the hotel. Mr. N. David Smith will provide a keynote address and there will also be a special award presentation to the State of Massachusetts for having regulatory officials in attendance at every NCWM Annual Meeting since 1905.

**Door Prizes:** At the lunch banquet, names will be drawn for winners of door prizes including a restored 1950's gas pump and a restored 1930's Dayton candy scale.

**Commemorative Items:** Registered attendees will receive commemorative gifts of the 100<sup>th</sup> Annual Meeting.

**Special Event:** A special event is scheduled each year on Wednesday evening. The event in Philadelphia will be an amazing experience of fine dining and history at the National Constitution Center. On this festive occasion, the evening will be business attire.

For more information about the 100<sup>th</sup> NCWM Annual Meeting, July 19-23, 2015 in Philadelphia, Pennsylvania, contact Ms. Elisa Stritt, NCWM Office Manager, at (402) 434-4872 or [elisa.stritt@ncwm.net](mailto:elisa.stritt@ncwm.net).

#### **110-4 I Participation in International Standard Setting**

Dr. Ehrlich, NIST-OWM, provided a report during Open Hearings of the 2015 Interim Meeting in Daytona Beach, Florida. An updated report is also included as an appendix to the report of the Board of Directors. (*See Appendix A*).

See the NTEP Committee Agenda for additional reports on NCWM's involvement internationally, including the Mutual Recognition Arrangement (MRA) with Measurement Canada and the Mutual Acceptance Arrangement (MAA) with OIML.

#### **110-5 I Associate Membership Committee Activity**

The Associate Membership Committee is organized in accordance with the Bylaws of the National Conference on Weights and Measures, Inc. In addition, AMC operates by its own Bylaws which are available on the Committee pages of [www.ncwm.net](http://www.ncwm.net). AMC meets at least 2 times per year in conjunction with NCWM Interim and Annual Meeting. It consists of between 5 and 10 members who, amongst themselves, elect officers to serve as Chairman, Vice-Chairman, and Secretary/Treasurer. AMC has established a reputation of promoting and improving NCWM and has demonstrated its desire to improve understanding of weights and measures activities in public and private sectors.

The membership dues for Associate members (\$90) are higher than that for Active or Advisory members (\$75). The extra \$15 is not for NCWM, but rather is placed in a separate account referred to as the AMC Fund. While AMC has discretion to allocate the funds in various ways, the Committee receives applications and awards training scholarships from the fund in accordance with their "Guidelines for Selection and Approval of Training Funds" which are posted on the committee's portion of [www.ncwm.net](http://www.ncwm.net). Downloadable scholarship applications and reimbursement forms are also available there or applications may be made online.

The criteria to receive AMC funds for training are as follows:

1. Funding request forms that are complete, specific and detailed will receive priority attention for approval. Based on the degree of missing or ambiguous information provided, individual requests may not be given any consideration during the AMC review process.
2. Training requests that benefit higher numbers of participants are generally preferred over those for fewer or single-person benefit. Multi-state training that encourages uniformity will also be given priority consideration.
3. In general, attending meetings will not be considered training, especially requests for travel expense or attendance fees for NCWM Annual, Interim or Regional meetings.
4. As a lower priority, requests for the purchase of training materials will be considered, but requests for purchase of assets (such as LCD projectors) will not.
5. Reasonable funding for travel and expenses will be considered if it is necessary to acquire an "expert trainer" that would benefit a high number of weights and measures officials. This will be an option when qualified volunteers are not available.

Members of AMC were concerned that the funds were underutilized in recent years. However the AMC is very pleased to see a dramatic increase in the applications for training funds this past year.

Regulatory agencies are encouraged to make use of these funds to improve training opportunities and the expertise of inspection personnel.

AMC members are also looking for new, perhaps innovative ways to play a more effective role in the NCWM structure in an effort to further improve the organization. Some new initiatives that AMC is discussing include:

- **Promotional Tool-Kit:** AMC has offered funds to assist NCWM in creating a “tool kit” that weights and measures administrators could use to improve awareness and support through adequate funding of their programs. This tool kit could consist of many elements for targeting media, consumers, government administrators, and legislators. AMC has proposed a work group to pursue this project.
- **Tradeshaw Seminars:** AMC is interested in organizing training or awareness seminars at industry type tradeshaws with the idea of reaching out to the smaller industry groups that are impacted by the work of NCWM. This effort would be good for the smaller industries as well as providing possible increase in NCWM membership and participation.

AMC meetings are open to all registered NCWM meeting attendees. All Associate Members are encouraged to attend these meetings, become familiar with the committee and offer ideas for how it can further pursue its objectives. *See Appendix B for the AMC Meeting Minutes.*

## **120 STRATEGIC PLANNING, POLICIES, AND BYLAWS**

### **120-1 I Strategic Planning**

The Executive Director presents a Strategic Plan progress report each year at the fall Board Meeting. The Board conducts a strategic planning session in January at its quarterly meeting just prior to the Interim meeting. The Board made several updates and changes to the Strategic Plan in January 2015. Members are able to review the Strategic Plan online at [www.ncwm.net](http://www.ncwm.net). The Board welcomes member input.

There are five NCWM Strategic Plan Goals:

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

#### **Goal 1: NCWM as a National and International Resource:**

Under this goal, NCWM has recognized the benefit of participating in other organizations where appropriate as a means of drawing on mutual resources toward common goals and heightening awareness of NCWM. This has been very successful in recent years.

Also as part of this goal, NCWM is hoping to increase consumer group participation in NCWM through outreach efforts.

#### **Goal 2: Expand the Role of NCWM as a Resource to Officials:**

NCWM issued many more press releases last year than ever before, but the goal is to issue even more. This will raise the level of recognition for NCWM and its membership as a resource for expert information in a vast array of topics.

Another part of this goal is to conduct surveys on occasion that benefit our members. Past surveys have been budgets, staffing levels, salary grades, fuel quality programs, and more. These surveys provide good benchmarks and will be repeated on occasion to identify trends.

The Associate Membership Committee has expressed interest in assisting with the development of a “tool kit” that can be used by program administrators to generate awareness and 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.

New in 2015, NCWM will post a “Tip of the Month” on its website. This may be posted to regional websites as well. All ideas are welcome and should be addressed to Mr. Onwiler at [don.onwiler@ncwm.net](mailto:don.onwiler@ncwm.net).

Also new in 2015 is a strategy to develop guidance for retaining personnel and succession planning for positions in state and local weights and measures agencies.

**Goal 3: Promote Uniform Training:**

The Professional Certification Program is a top priority under this goal. Three new exams were added in April 2015 and others are in the development stages. Mr. Ross Andersen serves as Certification Exam Coordinator working with the Professional Development Committee and Subject Matter Experts. Volunteer Subject Matter Experts are needed in the areas of LP Gas Meters and Price Verification.

There is fast-growing interest among service agencies and regulatory agencies for referencing NCWM Professional Certification as a prerequisite to registering / licensing service agents. This would potentially provide one set of exams to satisfy the testing requirements of many states. Private companies are also very interested in NCWM Professional Certification as a way of instilling confidence in their customers that they are knowledgeable in regulatory standards. See more discussion on this in the Professional Development Committee report.

NCWM recently worked with Mr. Andersen to ramp up efforts to retain additional Subject Matter Experts so that this program can develop at a faster pace. Anyone interested in assisting the writing and reviewing exam questions should contact NCWM.

There are a number of other strategies under Goal 3. A recent advancement toward those strategies includes a cooperative effort with NIST whereby NCWM uses grant funds from NIST to fund travel for approved trainers from around the country to assist with NIST training events. A list of those trainers and technical areas that each is comfortable presenting training is now available on the NCWM website. Also new to the website is a list of training opportunities that have been scheduled. Anyone planning a training event that would like to open up the class to other individuals should contact NCWM to have their event posted.

**Goal 4: Continue to Improve NTEP:**

NCWM surveyed regulatory officials in 2012 to determine how they access NTEP Certificates of Conformance in the field. This was used as a benchmark. A second survey was conducted in 2014 that demonstrated a significant increase in the number of officials who access NTEP Certificates in the field by using hand held devices to search the Certificate database on the NCWM website. In 2013, NCWM added a mobile friendly version of the website which makes it much easier to access the NTEP database using hand-held devices such as smart phones and this has contributed to the increased electronic access from the field. As technology advances, NCWM will have a better understanding for how it can make Certificates of Conformance more accessible.

Goal 4 includes a strategy to develop training for weights and measures officials to properly apply information on the Certificates of Conformance. There have been several useful newsletter articles in recent years and the NTEP staff is developing additional material that should be useful.

A strategy of high priority under this goal is to maintain viable support for NTEP laboratories. NTEP Administrator Jim Truex 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 Board of Directors.

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. The Board is monitoring its available resources toward that end to ensure that NCWM is in a position to implement the worst-case scenario, should the need arise. Another strategy toward this goal is the continued development of the Verified Conformity Assessment Program (VCAP) which has already successfully addressed load cells and has moved on to the next device-type category. *See the NTEP Committee Interim Report for more details.*

In 2013, NTEP operated without a field lab for scale evaluations. That, combined with the increasing workload for NTEP staff as a result of VCAP led to the hiring of a new NTEP Specialist to assist in both areas. In January 2014, Mr. Darrell Flocken, formerly of Mettler Toledo, LLC was hired in this capacity. This addition to the NCWM family will greatly enhance NTEP's ability to serve its stakeholders.

As part of Goal 4, NCWM will continue to evaluate its participation in the OIML Mutual Acceptance Arrangement as it expands to include additional device types.

**Goal 5: 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 unexpected circumstances. However, NCWM recognizes 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 has studied NCWM's needs for reserves for NTEP and other potential exposures. This is being balanced with continued efforts to improve services in support of customers and membership. The Board closely monitors the financial health of the organization through monthly reports and formal reviews at each of the board meetings. NCWM finances are formally audited by an accounting firm annually.

**120-2 I Regional Support**

**Meeting Documents on Regional Websites:**

NCWM serves as the clearinghouse for all new proposals being submitted to the regional associations. Efforts continue for streamlining the process while improving documents, reports, and communication. NCWM provides the regional committees with a report template that contains all of the regions' carryover items and new proposals. The templates are improved each year based on feedback and efforts to streamline the reporting process for everyone. Anyone wishing to recommend improvements should contact Don Onwiler, NCWM Executive Director at [don.onwiler@ncwm.net](mailto:don.onwiler@ncwm.net) or (402) 434-4871.

All of the regional websites are hosted through NCWM. As of 2013, all four regions have now added the e-commerce option for online meeting registrations and membership dues (where applicable) using NCWM's merchant services to process the payments. NCWM provides the administrative services of transferring those funds to the appropriate regional bank accounts and communicating with regional Treasurers regarding the details of those transfers. There is no additional cost to the regions for this added support. The annual fee to NCWM from each region remains at \$200 for unlimited support unless programming is required. In 2014, each of the regions invested \$550 as a one-time cost to program the websites with a mobile version.

Chairman John Gaccione reported at the 99<sup>th</sup> NCWM Annual Meeting that the regional websites are being used more frequently as a tool for meeting information and meeting registrations. To suggest improvements or corrections to the content of the website, contact Tyler Reeder, Project Coordinator at [tyler.reeder@ncwm.net](mailto:tyler.reeder@ncwm.net) or (402) 434-4880.

**120-3 I Standing Committees Support**

**Committee Orientation:**

NCWM conducts Committee Orientation for committee chairs and new committee members every fall at NIST, OWM in Gaithersburg, Maryland. The location enables full participation by all NIST Technical Advisors. The

focus is on leadership, administrative processes, roles and responsibilities, and review of the *NCWM Committee Member Handbook*. The discussions at Committee Orientation have led to improvements each year to the *NCWM Committee Handbook* and to the report templates that regional committees use to submit their reports for inclusion in *NCWM Publication 15*.

**Task Groups, Subcommittees, Steering Committees:**

Task groups, subcommittees and steering committees are created by 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. A steering committee is charged with unbiased fact-finding that will assist NCWM membership in decision processes for difficult issues. A steering committee will disband upon completion of its specific charge.

NCWM offers resources to these task groups and subcommittees including meeting space at Interim and Annual Meetings, conference calling and web meeting services, group email services, 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-around progress of task group and subcommittee work.

Because NCWM task groups and subcommittees report directly to NCWM Standing Committees or Board of Directors, any new proposals may appear in *NCWM Publication 15* without first being vetted through a regional association. Any such proposals are properly vetted through the open hearings of NCWM.

The Board expresses great appreciation to the volunteers who serve in support of the work of this organization.

**Natural Gas Steering Committee:**

The Laws and Regulations Committee heard spirited debate at the 2013 Interim Meeting Open hearings on a proposal to recognize the Diesel Gallon Equivalent and Diesel Liter Equivalent as the method of sale for compressed and liquefied natural gas; similar to the Gasoline Gallon and Liter Equivalents that were recognized in 1994. Opponents argue that a method of sale by mass is preferred.

NCWM Chairman Stephen Benjamin formed a new Natural Gas Steering Committee in 2013 to address rising issues as the compressed and liquefied natural gas markets rapidly expand. The Steering Committee will report to the Laws and Regulations Committee. Its charge is to gather information that will assist NCWM Membership in the decision process as model standards are developed for the sale of liquefied and compressed natural gas.

**Chair**

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**Fuels and Lubricants Subcommittee:**

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

**Chair**

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E-Mail: [Matthew.Curran@FreshFromFlorida.com](mailto:Matthew.Curran@FreshFromFlorida.com)

**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](mailto:guay.cb@pg.com)

**Moisture Loss Task Group:**

The group reports to the Laws and Regulations Committee. For more information, contact:

**Chair**

Mr. Kurt Floren  
LA County Agricultural Commissioner / Weights and Measures  
12300 Lower Azusa Road  
Arcadia, CA 91006  
Phone: (626) 575-5451  
Fax: (626) 350-3243  
E-mail: [kfloren@acwm.lacounty.gov](mailto:kfloren@acwm.lacounty.gov)

**Multi-Point Calibration Task Group:**

The group reports to the Specifications and Tolerances Committee. For more information, contact:

**Chair**

Ms. Julie Quinn  
Minnesota Department of Commerce  
14305 South Cross Drive, Suite 150  
Burnsville, MN 55306  
Phone: (651) 539-1555  
Fax: (952) 435-4040  
E-mail: [julie.quinn@state.mn.us](mailto:julie.quinn@state.mn.us)

**Promotional Tool Kit Task Group:**

This group will develop tools that may be used by weights and measures agencies to promote awareness and support and adequate funding for their programs. The tools will target three separate audiences;

- Consumers
- Regulated Industries
- Legislators, Governors, and Agency Administrators

Tools may include case studies, data, short-segment video productions, public service announcements, etc.

**Chair**

Mr. Stephen Benjamin  
North Carolina Department of Agriculture  
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E-mail: [steve.benjamin@ncagr.gov](mailto:steve.benjamin@ncagr.gov)

**Organometallics Task Group:**

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

**Chair**

Mr. Randy Jennings  
Tennessee Department of Agriculture  
PO Box 40627  
Nashville, TN 37204  
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**120-4 I Publication and Distribution of NCWM Work Products**

**Source:**

NCWM Packaging and Labeling Subcommittee (2015)

**Purpose:**

Develop a plan for publication and distribution of new NCWM work products.

**Background / Discussion:**

The NCWM Package and Labeling Subcommittee (PALS) is developing a document that provides principles and recommendations to capture best practices for the many different kinds of existing quantity related statements which appear on package Principal Display Panels (PDPs). These are statements which are present in addition to the required declaration of net quantity. The practice of adding these expressions has increased significantly over the past decade and it is recognized that some statements can help consumers make fair value comparisons while others arguably may confuse or actually mislead consumers.

The principles and recommendations under development by PALS are intended to provide both manufacturers and regulators with a standard and guidance regarding best practices for these kinds of statements in order to provide increased uniformity and statement integrity. Rather than attempt to create regulations covering these topics, which would require involvement of multiple federal agencies, PALS believes that the development of principles and recommendations provides an actionable and reasonable approach for bringing standardization and consistency to this topic.

The NCWM Board of Directors was asked to consider how to manage a NCWM standard like this which may not be a new regulation intended for inclusion in one of the NIST Handbooks. Options that were suggested include:

- a new section in a NIST Handbook,
- a stand-alone document,
- a new publication,
- a standards archive, or
- other

At the January 2015 Board of Directors Meeting, a suggestion was made to publish guidance documents electronically and make them available to the general public on the NCWM website. The Board will consider a system of naming and organizing these types of publications.

While PALS expects to utilize the normal NCWM item review and adoption process through the L&R Committee for these principles and recommendations, the question for the Board of Directors is where the principles and recommendations will “live” once they are adopted.

PALS believes this is a strategic decision requiring Board deliberation since other NCWM work products are likely to be developed in response to emerging issues. PALS anticipates that this item could be ready for submission to the L&R Committee as early as the 2016 NCWM Interim Meeting.

**120-5 V NCWM Bylaws, Article XII and Article IX**

**Source:**

NCWM Board of Directors (2015)

**Purpose:**

Provide better organization of information.

**Item under Consideration:**

Amend NCWM Bylaws as follows:

**Article VII - Duties of the Directors and Appointive Officials**

**Section 1 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 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;**

**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;**

**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; and**

**7. establishes and periodically reviews the policies and procedures for the corporation.**

**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 7 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), ASTM International, National Conference of Standards Laboratories (NCSL), and such internal matters as may be required.**

## **Section 21 - Chairman**

The Corporation Chairman has broad authority 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. **The Chairman, on behalf of the Board, annually presents a report on Corporation activities.**

[Remaining sections will be editorially renumbered as needed.]

## **Article IX - Committees**

### **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. The NTEP Administrator shall serve in an advisory role to the NTEP Committee.

The NTEP Committee may develop recommendations to the Board of Directors for the NTEP fees including, but not limited to application fees to obtain a NTEP Certificate of Conformance and the annual maintenance fee for retaining a 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 **Publication 14 NTEP technical policy and procedures and recommending Publication 14 administrative policies to the board for approval. 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 4 - Ad Hoc Committees, Subcommittees, Task Forces, and Study Groups**

Ad Hoc committees, subcommittees, task forces, and study groups are appointed by the Corporation Chairman from the active, advisory, or associate membership, in any combination, as the need arises or the Corporation requests. All **such groups-committees** are subject to an annual review by the Board.

## **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 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;~~

~~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 7 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), ASTM International, National Conference of Standards Laboratories (NCSL), and such internal matters as may be required.~~

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

[Remaining sections will be editorially renumbered as needed.]

**Background / Discussion:**

As part of the effort to improve clarity of NCWM operations the task force recommended several changes to NCWM Bylaws. At the fall 2014 Board of Directors meeting the Board agreed to propose these modifications to the Conference.

One change is to move the duties of the Board of Directors from Article IX to Article VII. A new sub section is proposed to clarify the role of the Board of Directors in establishing and reviewing NCWM policies and procedures. A clarification is proposed to Article IX, Section 3, National Type Evaluation Program (NTEP) Committee to clarify that the NTEP Committee establishes NTEP technical policy and recommends NTEP administrative policy to the Board of Directors for approval. A modification is also proposed for Article IX, Section 4 to clarify that all groups described there are subject to annual review by the Board.

All amendments to Bylaws must be approved by a vote of the general membership at the Annual Meeting.

**120-6 V NCWM Bylaws, Article X, Section 4 – Minimum Votes and Section 9A – Voting – Technical Issues**

**Source:**

NCWM Board of Directors (2015)

**Purpose:**

Remove confusion among membership in the proper application of the Bylaws based on voting results for technical items in the two-house system.

**Item under Consideration:**

Amend NCWM Bylaws. Article X as follows:

**Section 4 - Minimum Votes Needed for an Official Vote of a House**

**A. House of State Representatives**

A minimum of 27 votes in favor of, or 27 votes in opposition to, an issue must be cast for the vote to be considered official. If 54 or more votes are cast in the House of State Representatives, a simple majority of the total votes is required to pass (or defeat) the issue.

**B. House of Delegates**

A minimum of 27 votes in favor of, or 27 votes in opposition to, an issue must be cast for the vote to be considered official. If more than 54 total votes are cast, a simple majority rules. Should a tie vote occur, or if the minimum votes in support or opposition are not cast, the issue is decided by the vote of the House of State Representatives.

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. .  
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**Section 9A -Voting - Technical Issues**

At the conclusion of debate (if authorized) on a motion, there shall be a call for the vote by voice vote, a show of hands, standing, or electronic count. **The requirements for an official vote in a house are found in Article X Section 4.**

**A. Motion Accepted If:**

1. ~~a minimum of 27 members of the House of State Representatives votes Yea.~~ the House of State Representatives casts an official vote in favor of the item  
And
2. ~~a majority of the members of the House of Delegates votes Yea~~ the House of Delegates casts an official vote in favor of the item or the House of Delegates fails to cast an official vote (a minimum of 27 Yea votes required).<sup>1</sup>

**B. Motion Rejected If:**

1. ~~a minimum of 27 members of the House of State Representatives votes Nay~~ the House of State Representatives casts an official vote in opposition of the item  
And
2. ~~a majority of the members of the House of Delegates votes Nay~~ the House of Delegates casts an official vote in opposition of the item or the House of Delegates fails to cast an official vote (a minimum of 27 Nay votes required).<sup>1</sup>

**C. Split Vote: Issue Returned to Committee for Future Consideration If:**

- a. The House of Representatives fails to cast an official vote  
Or
- b. An official vote is cast in each house but one house votes yea and the other house votes nay  
~~When a split vote is recorded or the minimum number of votes supporting or opposing an issue is not obtained in the House of State Representatives, the issue is returned to the Standing Committee for further consideration.~~

~~The Committee may drop the issue or reconsider it for submission the following year.~~ The issue cannot be recalled for another vote at the same Annual Meeting

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<sup>1</sup>~~If the minimum number of votes required to pass or fail an issue is not cast in the House of Delegates, the issue will be determined by the vote of the House of State Representatives.~~

## Voting on Technical Issues: The 2-House System

**The vote by a house is “Official” if:** The number of Yea votes is 27 or more

**OR**

The number of Nay votes is 27 or more

			House of Delegates				
			Majority Vote Yea		Majority Vote Nay		Tie Vote
			Official Vote ( ≥ 27 )	Unofficial Vote ( < 27 )	Official Vote ( ≥ 27 )	Unofficial Vote ( < 27 )	
House of State Representatives	Majority Vote Yea	Official Vote ( ≥ 27 )	<b>Motion Accepted</b>	<b>Motion Accepted</b>	Returned to Committee	<b>Motion Accepted</b>	<b>Motion Accepted</b>
		Unofficial Vote ( < 27 )	Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee
	Majority Vote Nay	Official Vote ( ≥ 27 )	Returned to Committee	<b>Motion Rejected</b>	<b>Motion Rejected</b>	<b>Motion Rejected</b>	<b>Motion Rejected</b>
		Unofficial Vote ( < 27 )	Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee
	Tie Vote		Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee	Returned to Committee

**Background / Discussion:**

In 1977, NCWM was presented with a proposal to implement the two-house system for voting on national standards. The new system was adopted and implemented in 1978 and has remained unchanged since that time.

The Board of Directors brought this proposal forward upon learning that the membership was conflicted in how the bylaws for the two-house voting system are interpreted and applied. The proposal does not change how the bylaws are applied. It provides clarity.

Prior to 1978, NCWM had very simple voting procedures whereby every official in attendance had an equal vote and the majority ruled. This voting system had been criticized for many years, leading to the changes in 1978. The 1977 report provided 6 main concerns that the new two-house system was intended to address.

1. New procedures should prohibit “packing the Conference” by any one jurisdiction.

2. Participation of all State and local weights and measures officials should be encouraged and perpetuated. All weights and measures officials should be allowed floor and voting privileges.
3. Economic and geographic bias due to travel restrictions and Conference location should be eliminated.
4. Conference actions should represent national consensus since the Handbook 44 specifications and tolerances, model laws and model regulations are to be national standards promoting national uniformity.
5. The voting procedure should reflect the basic structure of authority in the diverse weights and measures organizational structures existing in the United States.
6. The votes of each State should be recorded.

One of the goals mentioned was to eliminate economic or geographic bias resulting from travel restrictions and meeting locations. Another was to prohibit “packing of the Conference” by any one jurisdiction. These concerns were addressed by creating a House of State Representatives where there is just one vote per state and a minimum of 27 votes is required in favor or opposition before any action can be taken.

Another goal was to encourage and perpetuate the participation of all state and local officials, so a second house was established called the House of Delegates. This house is made up of all other state and local regulatory officials in attendance. This house also has a 27-vote minimum yea or nay to qualify as an official vote. The following passage from the 1977 report has been used to clarify why this minimum vote count was established in the House of Delegates.

The intent of the House of Delegates procedure is to assure a consensus opinion of weights and measures officials on an issue. An additional consideration is to provide representation while preventing a relatively small group from controlling a vote by “packing” the vote in the House of Delegates. This could occur when the number of delegates in the House of Delegates is much smaller than the number in the House of State Representatives. While this occurrence may not be likely, this problem can be circumvented by requiring the minimum number of votes cast in favor of or in opposition to an issue also be 27 in the House of Delegates to pass or fail an issue.

The table that is part of this new proposal illustrates how the bylaws are applied when the vote count in the House of Delegates results in a tie, or the minimum of 27 votes is not cast in favor of, or in opposition to the item. In those instances, the issue is decided by the vote in the House of State Representatives as long as it does achieve an official vote. This table, along with improved wording in the proposal, was added after the 2015 NCWM Interim Meeting where the Board heard some comments that demonstrated ongoing confusion.

An attendee at the 2015 Interim Meeting commented that the bylaws weaken the vote of the city and county officials who reside in the House of Delegates by allowing a decision to be made by the vote of the states when attendance is too low in the House of Delegates to achieve an official vote. He suggested that the 27-vote minimum in that house is unfair. Based on these concerns, the Board reviewed the actual vote counts on all technical items since 1978. There are three instances over the 37-year span where an action was taken based on a vote of the House of State Representatives because the House of Delegates either did not achieve the minimum 27 votes for or against the item or there was a tie vote.

Year	Item	State Representatives		Delegates		Outcome
		Yea	Nay	Yea	Nay	
1980	204-4A	31	6	24	10	The item passed
1995	101-1C	28	14	29	29	The item passed
2005	221-1	33	5	23	7	The item passed

In a similar review of the voting records, the Board found that there were 9 instances where both houses achieved the official vote, but one house voted in favor and the other opposed. In those instances, no action was taken. Another attendee commented at the 2015 Interim Meeting that the proposed language was still confusing. Based on that comment, the Board has modified the proposal with improved wording and added a table to clearly illustrate how the bylaws are applied. It has been suggested that this table should appear in NCWM Publication 16 as well as the proposed change to the bylaws.

All amendments to Bylaws must be approved by a vote of the general membership at the Annual Meeting.

## 120-7 V Handbook 44 - Introduction

### Source:

NCWM Board of Directors (2015)

### Purpose:

Remove information from the Introduction section of Handbook 44 and place it in the NCWM Policy Manual.

### Item under Consideration:

Amend NIST Handbook 44 Introduction as follows:

#### A. Source.

The specifications, tolerances and other technical requirements in this handbook comprise all of those adopted by the National Conference on Weights and Measures, Inc. (NCWM) [www.NCWM.net](http://www.NCWM.net). NCWM is supported by the National Institute of Standards and Technology (NIST), which provides its Executive Secretary and publishes some of its documents. NIST also develops technical publications for use by weights and measures agencies; these publications may subsequently be endorsed or adopted by NCWM.

~~The NCWM Committee on Specification and Tolerances (the Committee), acting at the request of the Conference or upon its own initiative, prepares with the technical assistance of the National Institute of Standards and Technology (NIST), proposed amendments or additions to the material adopted by NCWM (see Paragraph C). Such revisions, amendments, or additions are then presented to NCWM as a whole, where they are discussed by weights and measures officials and representatives of interested manufacturers, industries, consumer groups, and others. Eventually the proposals of the Committee, which may have been amended from those originally presented, are voted upon by the weights and measures officials, following the voting procedures in the NCWM Bylaws. A national consensus is required on all items adopted by the NCWM. A specification, tolerance, or other technical requirement is adopted when a majority of the states' representatives, and other voting delegates favoring such adoption, vote for approval.~~

All of the specifications, tolerances, and other technical requirements given herein are recommended by NCWM for official promulgation in and use by the states in exercising their control of commercial weighing and measuring apparatus. A similar recommendation is made with respect to the local jurisdictions within a state in the absence of the promulgation of specifications, tolerances, and other technical requirements at the state level.

#### B. Purpose.

The purpose of these technical requirements is to eliminate from use, weights and measures and weighing and measuring devices that give readings that are false, that are of such construction that they are faulty (that is, that are not reasonably permanent in their adjustment or will not repeat their indications correctly), or that facilitate the perpetration of fraud, without prejudice to apparatus that conforms as closely as practicable to the official standards.

#### C. Amendments

~~The Committee on Specifications and Tolerances of NCWM serves as a mechanism for consideration of amendments or additions to the specifications, tolerances, and other technical requirements.~~

Amendments to NIST Handbook 44 are deliberated and developed by NCWM's Committee on Specifications and Tolerances before presentation to the general membership for a vote. In some instances amendments that significantly affect other NIST Handbooks may be processed jointly by two or more committees.

Amendments to the handbooks are made in accordance with NCWM procedures and policies. The process begins at the regional weights and measures association meetings in the Fall of each year and is culminated at the NCWM annual meeting in July. After passing through one or more of the regional associations the proposed amendment is placed on the agenda of the appropriate NCWM committee for consideration at NCWM's interim meeting in January and after final deliberation and development by the committee the amendment may be presented to the membership for a vote at the annual NCWM meeting in July. NCWM policy provides for exceptions to the process to accommodate urgent or priority items. NIST staff provides technical assistance and advice throughout the process.

The policy is available on the NCWM website at [www.ncwm.net](http://www.ncwm.net). For information on the regional weights and measures associations, visit [http://www.ncwm.net/resource/regional\\_associations](http://www.ncwm.net/resource/regional_associations).

#### **D. Submission of Agenda Items – Preamble.**

~~NCWM Bylaws require that its officers and committees observe the principles of due process for the protection of the rights and interests of affected parties. Specifically, it requires that committees and officers: (a) give reasonable advance notice of contemplated studies, items to be considered for action, and tentative or definite recommendations for conference vote, and (b) provide that all interested parties have an opportunity to be heard.~~

#### **E. Submission Process.**

~~Anyone introducing an item to the Committee must initially use the regional weights and measures associations to consider its merits. Using the regional associations ensures discussion and evaluation of items at the grassroots level by involving the regional members in the development, evaluation, and justification of proposals. The regions include the Central, Northeastern, Southern, and Western Weights and Measures Associations. For information on the regional associations, visit [www.newm.net](http://www.newm.net). To submit a proposal to a regional association, obtain *Form 15: Proposal to Amend Handbooks* at [www.newm.net](http://www.newm.net) or by contacting NCWM via email at [info@newm.net](mailto:info@newm.net). Complete the form and submit it electronically in Microsoft Word format to NCWM at [info@newm.net](mailto:info@newm.net) and copy the Executive Secretary at [owm@nist.gov](mailto:owm@nist.gov). An example of the Form 15 template is provided at the end of this section. Instructions for completing the form are included with the electronic version of this template. To ensure that your proposal is included on the regional meeting agenda, submit at least two weeks in advance of the fall regional meeting. Regional meeting schedules are available on the NCWM website.~~

#### **F. Procedures.**

~~The NCWM Committee will consider items according to the following procedures:~~

~~1. NCWM Committees receive new items from regional associations, National Type Evaluation Technical Committees (Sectors), task groups, and subcommittees and as defined in Sections H and I. All items to be considered by the Committee for action at the upcoming Interim Meeting must be submitted electronically in Word format to NCWM by November 1.~~

~~2. NCWM will ensure that all committee members and technical advisors receive complete copies of all new items for consideration at the upcoming NCWM Interim Meeting.~~

### **G. Criteria for Inclusion on the NCWM Committee's Agenda.**

- ~~1. Any item approved by at least one regional association and received by the November 1 deadline will be automatically placed on the Committee's Interim Meeting agenda.~~
- ~~2. Items that have not been approved by a regional association, but which are received by November 1, will be evaluated by the Committee using the criteria in Section H, Exceptions to Policy, and Section I, Committee Agenda.~~
- ~~3. Any proposal received after the November 1 deadline, but prior to the Interim Meeting, will be evaluated by the Committee according to Section H, Exceptions to Policy and Section I, Committee Agenda. Only those items determined to be a national "priority" will be included on its agenda.~~
- ~~4. Proposals must be in writing and must include:
  - ~~a. a concise statement of the item or problem outlining the purpose and national need for its consideration. An electronic copy of the background material and proposed amendment(s) should be submitted in Microsoft Word format on a CD, DVD, or by electronic mail sent to info@newm.net;~~
  - ~~b. background material, including test data, analysis of test data, or other appropriately researched and documented material for the Committee to evaluate when deciding its position or future activity on the proposal;~~
  - ~~c. proposed solutions to problems stated in specific language and in amendment form as changes to Conference documents; and~~
  - ~~d. if a proposal involves a new area of weights and measures activity, practical, realistic, and specific recommendations for laws or regulations to be adopted and test methods to be utilized to provide for proper enforcement.~~~~

~~When proposals are to modify or add requirements to existing publications, such as Handbook 44, the proposal should:~~

- ~~1) identify the pertinent portion, section, and paragraph of the existing publication that would be changed (e.g., Section 1.10. General Code, G-A.1. Commercial Law Enforcement Equipment);~~
- ~~2) provide evidence of consistency with other NCWM publications such as with other specific device code sections;~~
- ~~3) provide evidence of consistency with federal laws and regulations (e.g., U.S. Department of Agriculture [USDA]); and~~
- ~~4) relay the positions of businesses, industries, or trade associations affected by the proposal including supporting and opposing points of view.~~

### **H. Exceptions to Policy for Submission of Items to a NCWM Committee Agenda; Submission of "Priority" Items.**

~~The Committee will use the following criteria to evaluate items that have not been approved by a regional association, but have been received by the November 1 deadline. If an item is received after the November 1 deadline, it will be included on the agenda if the Committee determines that it is a national "priority."~~

~~Criteria for Inclusion on the Committee's Agenda When No Regional Association Has Approved the Item.~~

~~1. Items must have significant legal impact on weights and measures laws and/or regulations involving:~~

~~a. court cases/attorney general opinions; or~~

~~b. preemption by federal statute or regulation; or~~

~~c. conflicts with international standards; or~~

~~d. items which could affect health and safety.~~

~~2. The Committee may contact parties that are potentially affected by an item (e.g., trade associations, industry, and consumer groups) for comments. The Committee may consider these comments and any other information in determining if the item should be included on its agenda.~~

~~3. When the Committee determines that it should consider an item as a "priority" (using the criteria in 1.), the item will be handled in the following manner:~~

~~a. A "priority" item received prior to the Interim Meeting may be added to the Interim Meeting agenda by a majority vote of the Committee.~~

~~b. A "priority" item received after the Interim Meeting may be added to the Committee's Annual Meeting agenda as:~~

~~1) a discussion item by a majority vote of the Committee; or~~

~~2) as a voting item by a majority vote of the Committee and the NCWM Board of Directors.~~

~~I. Committee Agenda.~~

~~1. The Committee will review items that have been submitted and selected by a majority vote to be included on its agenda. The Committee will only include those items that have been:~~

~~a. approved by at least one of the regional associations; or~~

~~b. forwarded by other committees, subcommittees, NTETC Sectors, task forces, or work groups, or those items that meet the criteria in Section H, Exceptions to Policy.~~

~~2. The Committee will publish an agenda (NCWM Publication 15) that identifies the items to be discussed during the Interim Meeting. This agenda will be distributed to members approximately 30 days prior to the meeting. The agenda will be provided upon request to all other interested parties.~~

~~(Amended 1998)~~

~~J. Interim Meeting.~~

~~1. The Committee shall hold public hearings at the Interim Meeting for the purpose of discussing and taking comments on all agenda items.~~

~~2. Upon request, the Committee will provide the opportunity for presentations by government officials, industry representatives, consumer groups, or other interested parties during the Interim~~

~~Meeting. Requests to make presentations must be received by the Committee Chairman or Technical Advisor at least two weeks prior to the start of the meetings.~~

#### **~~K. Interim Meeting Report.~~**

~~1. Items under consideration by the Committee and about which the Committee offers comments or recommendations to NCWM to act upon during the Annual Meetings will be included in the Committee's Interim Reports published in the Annual Meeting Program and Committee Reports (NCWM Publication 16).~~

~~2. The Annual Meeting Program and Committee Reports will be prepared and distributed to Conference members approximately three months prior to the NCWM Annual Meeting.~~

#### **~~L. Classifications for Agenda Items.~~**

~~At the Interim Meeting, the Committee can classify proposals in one of the following ways as:~~

~~1. "Voting"—These are items the Committee believes are fully developed and ready for final consideration of the voting membership. Each item has either received majority support from the Committee or the Committee has reached agreement that it is ready for voting status to let NCWM membership decide. The Committee has the ability to remove items from the voting agenda at the Annual Meeting by changing the status prior to a vote of the NCWM membership. The Committee may amend voting items during the course of the Annual Meeting based on additional information received following the Interim Meeting and testimony received at the Annual Meeting. These items may also be amended by the voting membership during the voting session of the Annual Meeting following the procedures outlined in the NCWM Bylaws;~~

~~or~~

~~2. "Informational"—These items are deemed by the Committee to have merit. They typically contain a proposal to address the issue at hand and a meaningful background discussion for the proposal. However, the Committee wants to allow more time for review by stakeholders and possibly further development to address concerns. The Committee has taken the responsibility for any additional development of Informational items. For particularly difficult items, the Committee may assign the item to an existing Subcommittee under its charge or request that the NCWM Chair appoint a special task group that reports to the Committee. At the Annual Meeting, the Committee may change the status of Informational items, but not to Voting status because the item has not been published as such in advance of the meeting; or~~

~~3. "Developing"—These items are deemed by the Committee to have merit, but are found to be lacking enough information for full consideration. Typically the item will have a good explanation of the issue, but a clear proposal has yet to be developed. By assigning Developing status, the Committee has sent the item back to the source or assigned it to some other entity outside the scope of the Committee with the responsibility of further development. The Committee Report will provide the source with clear indication of what is necessary to move the item forward for full consideration. The item will be carried in the Committee agenda in bulletin board fashion with contact information for the person or organization that is responsible for the development. Since the Committee is not required to receive testimony on Developing items, this status should be carefully implemented so as not to weaken the standards development process;~~

~~or~~

~~4. "Withdrawn"—These are items that the Committee has found to be without merit. The Committee's determination to withdraw an item should not be based on the Committee's opinion alone, but on the input received from stakeholders. The Committee's report will contain an~~

~~explanation for the withdrawal of the item. Once an item appears in NCWM Publication 16 as Withdrawn, the status of that item may not be amended. The item may be reintroduced through the regional associations for consideration as a new item.~~

~~(Amended 2013)~~

#### ~~M. Comments on Interim Reports.~~

~~1. Weights and measures officials, industry representatives, and all others are encouraged to submit written comments on items in the Committees' Interim Reports.~~

~~2. All comments on the Interim Meeting Report must be submitted to the Committee with a copy to the Executive Secretary no later than one month preceding the opening of the Annual Meeting.~~

#### ~~N. Annual Meeting.~~

~~1. The Committee will hold a public hearing at the Annual Meeting to discuss issues on its agenda.~~

~~2. Those who want to speak on an item during the public hearings should request time from the Committee Chairman. The Committee Chairman may impose time limits on presentations, the discussion of a question, or the discussion of a proposed amendment.~~

#### ~~O. Final Committee Reports and Conference Action.~~

~~1. Following the public hearings, the Committee will prepare its final report for action by the voting membership of the Conference. Copies of the final report will be provided to the membership prior to the voting session for that report.~~

~~2. The Chairman of the Committee will present the final report of the Committee to the Conference body. A vote will be taken on items, proposals, or sections in the report as circumstances require. The Conference will vote on the entire final report as presented in accordance with established Conference voting procedures. Parliamentary procedures according to Robert's Rules of Order, as amended by NCWM Bylaws, must be adhered to in the presentation of, and any action on, a Standing Committee report.~~

~~(Amended 1998)~~

[Remaining sections will be editorially renumbered as needed.]

#### **Background / Discussion:**

At several recent NCWM meetings there were questions raised about the procedures used to modify handbooks and the meeting process. At the July 2014 Board of Directors Meeting in Detroit, the NCWM Board formed a task group to review NCWM policy and bylaws. The goal of the task group is to propose modifications that will improve the clarity of NCWM procedures. Recommendations from the task group were presented to Board at their fall 2014 meeting. These modifications require conference action.

The Introductions to Handbooks 44 and 130 contain information on the procedures to amend the handbook. Handbook 133 does not contain this information or even an introduction. The Board agreed to recommend removing the procedures for amending the handbooks from the introductions in Handbooks 44 and 130. In addition to the proposed amendment to Handbooks 44 and 130, an appropriate introduction is proposed for Handbook 133.

The information that would be removed from Handbooks 44 and 130 has been incorporated into a new NCWM Policy 3.4.1. Procedures to Modify NIST Handbooks. In addition, the Board will review NCWM Policy 3.1.5 to ensure that the new policy will be available to all stakeholders including non members. Policy 3.1.5. currently

limits online access of the Policy Manual to Members Only. This would not be appropriate for the new policy mentioned here.

Amendments to Handbooks 44, 130 and 133 require a vote of the Conference.

## 120-8 V Handbook 130 – Introduction

NCWM Board of Directors (2015)

### Purpose:

Remove information from the Introduction section of Handbook 130 and place it in the NCWM Policy Manual.

### Item under Consideration:

Amend NIST Handbook 130 Introduction as follows:

#### A. Source

The Uniform Laws and Regulations<sup>1</sup> in this handbook comprise all of those adopted by the National Conference on Weights and Measures, Inc. (NCWM) [www.NCWM.net](http://www.NCWM.net). The NCWM is supported by the National Institute of Standards and Technology (NIST), which provides its Executive Secretary and publishes its documents. NIST also develops technical publications for use by weights and measures agencies; these publications may subsequently be endorsed or adopted by the NCWM.

~~The NCWM Committee on Laws and Regulations (the Committee), acting at the request of NCWM or upon its own initiative, prepares with the technical assistance of the National Institute of Standards and Technology (NIST), proposed amendments or additions to the material adopted by NCWM (see Paragraph C). Such revisions, amendments, or additions are then presented to NCWM as a whole where they are discussed by weights and measures officials and representatives of interested manufacturers, industries, consumer groups, and others. Eventually the proposals of the Committee, which may have been amended from those originally presented, are voted upon by the weights and measures officials, following the voting procedures in the NCWM Bylaws. A national consensus is required on all items adopted by the NCWM. A Uniform Law or Regulation is adopted when a majority of the states' representatives, and other voting delegates favoring such adoption, vote for approval.~~

All of the Uniform Laws and Regulations given herein are recommended by NCWM for adoption by states when reviewing or amending their official laws and regulations in the areas covered. A similar recommendation is made with regard to the local jurisdictions within a state in the absence of the promulgation of such laws and regulations at the state level.

#### B. Purpose

The purpose of these Uniform Laws and Regulations is to achieve, to the maximum extent possible, uniformity in weights and measures laws and regulations among the various states and local jurisdictions in order to facilitate trade between the states, permit fair competition among businesses, and provide uniform and sufficient protection to all consumers in commercial weights and measures practices.

#### C. Amendments

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<sup>1</sup> When referring to the Uniform Laws and Regulations in Handbook 130, Laws and Regulations will be capitalized. When referring to general federal or state laws and regulations, no capitalization will be used.

~~The Committee on Laws and Regulations of NCWM serves as a mechanism for consideration of amendments or additions to the Uniform Laws and Regulations.~~

Amendments to NIST Handbook 130 are deliberated and developed by NCWM's Committee on Laws and Regulations before presentation to the general membership for a vote. In some instances amendments that significantly affect other NIST Handbooks may be processed jointly by two or more committees.

Amendments to the handbooks are made in accordance with NCWM procedures and policies. The process begins at the regional weights and measures association meetings in the Fall of each year and is culminated at the NCWM annual meeting in July. After passing through one or more of the regional associations the proposed amendment is placed on the agenda of the appropriate NCWM committee for consideration at NCWM's interim meeting in January and after final deliberation and development by the committee the amendment may be presented to the membership for a vote at the annual NCWM meeting in July. NCWM policy provides for exceptions to the process to accommodate urgent or priority items. NIST staff provides technical assistance and advice throughout the process.

The policy is available on the NCWM website at [www.ncwm.net](http://www.ncwm.net). For information on the regional weights and measures associations, visit [http://www.ncwm.net/resource/regional\\_associations](http://www.ncwm.net/resource/regional_associations).

#### **D. Submission of Agenda Items—Preamble**

~~NCWM Bylaws require that its officers and committees observe the principles of due process for the protection of the rights and interests of affected parties. Specifically, it requires that the committees and officers: (a) give reasonable advance notice of contemplated studies, items to be considered for action, and tentative or definite recommendations for conference vote, and (b) provide that all interested parties have an opportunity to be heard.~~

#### **E. Submission Process**

~~Anyone introducing an item to the Committee must initially use the regional weights and measures associations to consider its merits. Using the regional associations ensures discussion and evaluation of items at the grassroots level by involving the regional members in the development, evaluation, and justification of proposals. The regions include the Central, Northeastern, Southern, and Western Weights and Measures Associations. For information on the regional associations, visit [www.newm.net](http://www.newm.net).~~

~~To submit a proposal to a regional association, obtain *Form 15: Proposal to Amend Handbooks* at [www.newm.net](http://www.newm.net) or by contacting NCWM via email at [info@newm.net](mailto:info@newm.net). Complete the form and submit it electronically in Microsoft Word format to NCWM at [info@newm.net](mailto:info@newm.net) and copy the Executive Secretary at [owm@nist.gov](mailto:owm@nist.gov). An example of the Form 15 template is provided at the end of this section. Instructions for completing the form are included with the electronic version of this template. To ensure that your proposal is included on the regional meeting agenda, submit at least two weeks in advance of the fall regional meeting. Regional meeting schedules are available on the NCWM website.~~

#### **F. Procedures**

The NCWM Committee will consider items according to the following procedures:

1. NCWM Committees receive new items from regional associations, National Type Evaluation Technical

~~Committees (Sectors), task groups, and subcommittees and as defined in Sections H and I. All items to be considered by the Committee for action at the upcoming Interim Meeting must be submitted electronically in Microsoft Word format to NCWM by November 1.~~

~~2. NCWM will ensure that all committee members and technical advisors receive complete copies of all new items for consideration at the upcoming NCWM Interim Meeting.~~

### **G. Criteria for Inclusion on the NCWM Committee's Agenda**

~~1. Any item approved by at least one regional association and received by the November 1 deadline will be automatically placed on the Committee's Interim Meeting agenda.~~

~~2. Items that have not been approved by a regional association, but which are received by November 1, will be evaluated by the Committee using the criteria in Section H, Exceptions to Policy, and Section I, Committee Agenda.~~

~~3. Any proposal received after the November 1 deadline, but prior to the Interim Meeting, will be evaluated by the Committee according to Section H, Exceptions to Policy and Section I, Committee Agenda. Only those items determined to be a national "priority" will be included on its agenda.~~

~~4. Proposals must be in writing and must include:~~

~~a. a concise statement of the item or problem outlining the purpose and national need for its consideration. An electronic copy of the background material and proposed amendment(s) should be submitted in a Microsoft Word format on a CD-ROM, DVD, or by electronic mail sent to [info@newm.net](mailto:info@newm.net);~~

~~b. background material, including test data, analysis of test data, or other appropriately researched and documented material for the Committee to evaluate when deciding its position or future activity on the proposal;~~

~~c. proposed solutions to problems stated in specific language and in amendment form as changes to Conference documents; and~~

~~d. if a proposal involves a new area of weights and measures activity; practical, realistic, and specific recommendations for laws or regulations to be adopted and test methods to be utilized to provide for proper enforcement.~~

~~When proposals are to modify or add requirements to existing publications, such as Handbook 130,~~

~~*Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality, or*~~

~~*Handbook 133, Checking the Net Content of Packaged Goods, the proposal should:*~~

~~1) identify the pertinent portion, section, and paragraph of the existing publication that would be changed (e.g., Uniform Method of Sale of Commodities Regulation, Section 8.2, paragraph (b));~~

~~2) provide evidence of consistency with other NCWM publications such as with other uniform laws and regulations;~~

~~3) provide evidence of consistency with federal laws and regulations (e.g., U.S. Department of~~

~~Agriculture [USDA] or Federal Trade Commission [FTC] regulations); and~~

~~4) relay the positions of businesses, industries, or trade associations affected by the proposal including supporting and opposing points of view.~~

## ~~H. Exceptions to Policy for Submission of Items to the NCWM Committee Agenda;~~

### ~~Submission of “Priority” Items~~

~~The Committee will use the following criteria to evaluate items that have not been approved by a regional association, but have been received by the November 1 deadline. If an item is received after the November 1 deadline, it will be included on the agenda if the Committee determines that it is a national “priority.”~~

~~Criteria for Inclusion on the Committee’s Agenda When No Regional Association Has Approved the Item.~~

~~1. Items must have significant legal impact on weights and measures laws and/or regulations involving:~~

~~a. court cases/attorney general opinions; or~~

~~b. preemption by federal statute or regulation; or~~

~~c. conflicts with international standards; or~~

~~d. items which could affect health and safety.~~

~~2. The Committee may contact parties that are potentially affected by an item (e.g., trade associations, industry, and consumer groups) for comments. The Committee may consider these comments and any other information in determining if the item should be included on its agenda.~~

~~3. When the Committee determines that it should consider an item as a “priority” (using the criteria in 1.), the item will be handled in the following manner:~~

~~a. A “priority” item received prior to the Interim Meeting may be added to the Interim Meeting agenda by a majority vote of the Committee.~~

~~b. A “priority” item received after the Interim Meeting may be added to the Committee’s Annual Meeting agenda as:~~

~~1) a discussion item by a majority vote of the Committee; or~~

~~2) as a voting item by a majority vote of the Committee and the NCWM Board of Directors.~~

## ~~I. Committee Agenda~~

~~1. The Committee will review items that have been submitted and selected by a majority vote to be included on its agenda. The Committee will only include those items that have been:~~

~~a. approved by at least one of the regional associations; or~~

~~b. forwarded by other committees, subcommittees, NTETC Sectors, task forces, or work groups, or those items that meet the criteria in Section H, Exceptions to Policy.~~

~~2. The Committee will publish an agenda (NCWM Publication 15) that identifies the items to be discussed during the Interim Meeting. This agenda will be distributed to members approximately 30 days prior to the meeting. The agenda will be provided upon request to all other interested parties.~~

~~(Amended 1998)~~

## **J. Interim Meeting**

~~1. The Committee shall hold public hearings at the Interim Meeting for the purpose of discussing and taking comments on all agenda items.~~

~~2. Upon request, the Committee will provide the opportunity for presentations by government officials, industry representatives, consumer groups, or other interested parties during the Interim Meeting. Requests to make presentations must be received by the Committee Chairman or Technical Advisor at least two weeks prior to the start of the meetings.~~

## **K. Interim Meeting Report**

~~1. Items under consideration by the Committee, and about which the Committee offers comments or recommendations to NCWM to act upon during the Annual Meeting, will be included in the Committee's Interim Report published in the Annual Meeting Program and Committee Reports (NCWM Publication 16).~~

~~2. The Annual Meeting Program and Committee Reports will be prepared and distributed to Conference members approximately three months prior to the NCWM Annual Meeting.~~

## **L. Classifications for Agenda Items**

At the Interim Meeting, the Committee can classify proposals in one of three ways as:

~~1. "Voting"— These are items the Committee believes are fully developed and ready for final consideration of the voting membership. Each item has either received majority support from the Committee or the Committee has reached agreement that it is ready for voting status to let NCWM membership decide. The Committee has the ability to remove items from the voting agenda at the Annual Meeting by changing the status prior to a vote of the NCWM membership. The Committee may amend voting items during the course of the Annual Meeting based on additional information received following the Interim Meeting and testimony received at the Annual Meeting. These items may also be amended by the voting membership during the voting session of the Annual Meeting following the procedures outlined in the NCWM Bylaws; or~~

~~2. "Informational"— These items are deemed by the Committee to have merit. They typically contain a proposal to address the issue at hand and a meaningful background discussion for the proposal. However, the Committee wants to allow more time for review by stakeholders and possibly further development to address concerns. The Committee has taken the responsibility for any additional development of Informational items. For particularly difficult items, the Committee may assign the item to an existing Subcommittee under its charge or request that the NCWM Chair appoint a special task group that reports to the Committee. At the Annual Meeting, the Committee may change the status of the items, but not to Voting status because the item has not been published as such in advance of the meeting; or~~

~~3. "Developing"— These items are deemed by the Committee to have merit, but are found to be lacking enough information for full consideration. Typically the item will have a good explanation of the issue, but a clear proposal has yet to be developed. By assigning Developing status, the Committee has sent the item back to the source or assigned it to some other entity outside the scope~~

~~of the Committee with the responsibility of further development. The Committee Report will provide the source with clear indication of what is necessary to move the item forward for full consideration. The item will be carried in the Committee agenda in bulletin board fashion with contact information for the person or organization that is responsible for the development. Since the Committee is not required to receive testimony on developing items, this status should be carefully implemented so as not to weaken the standards development process; or~~

~~4. "Withdrawn"—These are items that the Committee has found to be without merit. The Committee's determination to withdraw should not be based on the Committee's opinion alone, but on the input received from stakeholders. The Committee's report will contain an explanation for the withdrawal of the item.~~

~~Once an item appears in NCWM Publication 16 as Withdrawn, the status of that item may not be amended.~~

~~The item may be reintroduced through the regional associations for consideration as a new item.~~

~~(Amended 2013)~~

### **M. Comments on Interim Reports**

~~1. Weights and measures officials, industry representatives, and all others are encouraged to submit written comments on items in the Committee's Interim Report.~~

~~2. All comments on the Interim Meeting Report must be submitted to the Committee with a copy to the Executive Secretary no later than one month preceding the opening of the Annual Meeting.~~

### **N. Annual Meeting**

~~1. The Committee will hold a public hearing at the Annual Meeting to discuss items on its agenda.~~

~~2. Those who want to speak on an item during the public hearing should request time from the Committee Chairman. The Committee Chairman may impose time limits on presentations, the discussion of a question, or the discussion of a proposed amendment.~~

### **O. Final Committee Reports and Conference Action**

~~1. Following the public hearings, the Committee will prepare its final report for action by the voting membership of the Conference. Copies of the final report will be provided to the membership prior to the voting session for that report.~~

~~2. The Chairman of the Committee will present the final report of the Committee to the Conference body. A vote will be taken on items, proposals, or sections in the report as circumstances require. The Conference will vote on the entire final report as presented in accordance with established Conference voting procedures. Parliamentary procedures according to Robert's Rules of Order, as amended by NCWM Bylaws, must be adhered to in the presentation of, and any action on, a Standing Committee report.~~

~~(Amended 1998)~~

[Remaining sections will be editorially renumbered as needed.]

### **Background / Discussion:**

At several recent NCWM meetings there were questions raised about the procedures used to modify handbooks and the meeting process. At the July 2014 Board of Directors Meeting in Detroit, the NCWM Board formed a

task group to review NCWM policy and bylaws. The goal of the task group is to propose modifications that will improve the clarity of NCWM procedures. Recommendations from the task group were presented to Board at their fall 2014 meeting. These modifications require conference action.

The Introductions to Handbooks 44 and 130 contain information on the procedures to amend the handbook. Handbook 133 does not contain this information or even an introduction. The Board agreed to recommend removing the procedures for amending the handbooks from the introductions in Handbooks 44 and 130. This information that would be removed would be used to create a new NCWM policy on how the Handbooks are amended. In addition to the proposed amendment to Handbooks 44 and 130, an appropriate introduction is proposed for Handbook 133.

The information that would be removed from Handbooks 44 and 130 has been incorporated into a new NCWM Policy 3.4.1. Procedures to Modify NIST Handbooks. In addition the Board will review NCWM Policy 3.1.5 to ensure that the new policy will be available to all stakeholders including nonmembers. Policy 3.1.5. currently limits online access of the Policy Manual to Members Only. This would not be appropriate for the new policy mentioned here.

Amendments to Handbooks 44, 130 and 133 require a vote of the Conference.

## **120-9 V Handbook 133 - Introduction**

### **Source:**

NCWM Board of Directors (2015)

### **Purpose:**

Create an Introduction section to Handbook 133 similar to those found in Handbooks 44 and 130.

### **Item under Consideration:**

Amend NIST Handbook 133 as follows:

## **Introduction**

### **A. Source**

The information and procedures in this handbook comprise all of those adopted by the National Conference on Weights and Measures, Inc. (NCWM) [www.NCWM.net](http://www.NCWM.net). The NCWM is supported by the National Institute of Standards and Technology (NIST), which provides its Executive Secretary and publishes its documents. NIST also develops technical publications for use by weights and measures agencies; these publications may subsequently be endorsed or adopted by the NCWM.

This Handbook is recommended by NCWM for adoption by states when reviewing or amending their official laws and regulations on testing the net contents of packaged goods. A similar recommendation is made with regard to the local jurisdictions within a state in the absence of the promulgation of such laws and regulations at the state level.

### **B. Purpose**

This handbook has been prepared as a procedural guide for the compliance testing of net content statements on packaged goods. Compliance testing of packaged goods is the determination of the conformance of the results of the packaging, distribution, and retailing process (the packages) to specific legal requirements for net content declarations. This handbook has been developed primarily for the use of government officials. However, commercial and industrial establishments packaging, distributing, and selling commodities will find this handbook useful.

In conducting compliance testing, the conversion of quantity values from one measurement system to another (e.g., from the metric system to the avoirdupois system) should be handled with careful regard to the implied correspondence between the accuracy of the data and the number of digits displayed. In all conversions, the number of significant digits retained should ensure that accuracy is neither sacrificed nor exaggerated. For this 2014 edition of Handbook 133 all dimensions for test procedures, devices, or environments have been rounded to two significant digits (e.g., 2.5 cm to 1.0 in) or to a precision level applicable to the test equipment (e.g., 200 kPa for 25 psi and 35 MPa for 5,000 psi).

### **C. Amendments**

Amendments to NIST Handbook 133 are deliberated and developed by NCWM's Committee on Laws and Regulations before presentation to the general membership for a vote. In some instances amendments that significantly affect other NIST Handbooks may be processed jointly by two or more committees.

Amendments to the handbooks are made in accordance with NCWM procedures and policies. The process begins at the regional weights and measures association meetings in the Fall of each year and is culminated at the NCWM annual meeting in July. After passing through one or more of the regional associations the proposed amendment is placed on the agenda of the appropriate NCWM committee for consideration at NCWM's interim meeting in January and after final deliberation and development by the committee the amendment may be presented to the membership for a vote at the annual NCWM meeting in July. NCWM policy provides for exceptions to the process to accommodate urgent or priority items. NIST staff provides technical assistance and advice throughout the process.

The policy is available on the NCWM website at [www.NCWM.net](http://www.NCWM.net). For information on the regional weights and measures associations, visit [http://www.ncwm.net/resource/regional\\_associations](http://www.ncwm.net/resource/regional_associations).

### **D. Revisions to the Handbook**

NIST publishes a new edition of this Handbook after significant changes are made. If NIST determines that amendments made by NCWM were minor or editorial in nature an annual publication will not be published. Instead, NIST will issue a notice that the current edition is still valid and will publish a list of the changes on the NIST website.

### **E. Annotation**

Beginning in 1971, amendments or additions to sections in the Handbook are annotated at the end of each section (e.g., "amended 1982") as a service to those states that are planning to update their own laws or regulations. The references to each revision and the year will enable government officials and industry members to trace the rationale for the changes by referring to the Annual Report of NCWM for the year indicated and make decisions regarding adoptions and amendments to their laws and regulations.

### **F. Effective Enforcement Dates of Regulations**

Unless otherwise specified, the new or amended sections are intended to become effective and subject to enforcement on January 1 of the year following adoption by NCWM.

### **G. Section References**

In most references made to specific sections or subsections in this handbook, the word "Section" followed by the section number is used.

### **H. The International System of Units**

The “International System of Units,” “SI,” or “SI Units” means the modernized metric system as established in 1960 by the General Conference on Weights and Measures (GIPM). In 1988, Congress amended the Metric Conversion Act of 1975 (see Section 5164 of Public Law 100-418) to declare that it is the policy of the United States to designate the metric system of measurement as the preferred measurement system for U.S. trade and commerce, and it further defined “the metric system of measurement” to be the International System as established by the GIPM and as interpreted or modified for the United States by the Secretary of Commerce. [See Metric Conversion Law 15 U.S.C. 205, NIST Special Publication 330 – The International System of Units (SI); NIST Special Publication 814 – Metric System of Measurement; and, Interpretation of the International System of Units for the United States in Federal Register of May 16, 2008, (“Federal Register” Vol. 73, No. 96) or subsequent revisions]. In 1992, Congress amended the Federal Fair Packaging and Labeling Act to require certain consumer commodities to include the appropriate SI units along with the customary inch-pound units in their quantity statements.

### **I. “Mass” and “Weight.” [NOTE 1, page 7]**

The mass of an object is a measure of the object’s inertial property, or the amount of matter it contains. The weight of an object is a measure of the force exerted on the object by gravity, or the force needed to support it. The pull of gravity on the earth gives an object a downward acceleration of about 9.8 m/s<sup>2</sup>. In trade and commerce and everyday use, the term “weight” is often used as a synonym for “mass.” The “net mass” or “net weight” declared on a label indicates that the package contains a specific amount of commodity exclusive of wrapping materials. The use of the term “mass” is predominant throughout the world, and is becoming increasingly common in the United States.

(Added 1993)

### **J. Use of the Terms “Mass” and “Weight.” [NOTE 1, page 7]**

When used in this handbook, the term “weight” means “mass.” The term “weight” appears when inch-pound units are cited or when both inch-pound and SI units are included in a requirement. The terms “mass” or “masses” are used when only SI units are cited in a requirement. The following note appears where the term “weight” is first used in a law or regulation.

*NOTE 1: When used in this law (or regulation), the term “weight” means “mass.” (See paragraphs U. “Mass” and Weight and V. Use of the Terms “Mass” and “Weight” in Section I. Introduction of NIST Handbook 130 for an explanation of these terms.)*

(Added 1993)

### **Background / Discussion:**

At several recent NCWM meetings there were questions raised about the procedures used to modify handbooks and the meeting process. At the July 2014 Board of Directors Meeting in Detroit, the NCWM Board formed a task group to review NCWM policy and bylaws. The goal of the task group is to propose modifications that will improve the clarity of NCWM procedures. Recommendations from the task group were presented to Board at their fall 2014 meeting. These modifications require conference action.

The Introductions to Handbooks 44 and 130 contain information on the procedures to amend the handbook. Handbook 133 does not contain this information or even an introduction. The Board agreed to recommend removing the procedures for amending the handbooks from the introductions in Handbooks 44 and 130. This information that would be removed would be used to create a new NCWM policy on how the Handbooks are amended. In addition to the proposed amendment to Handbooks 44 and 130, an appropriate introduction is proposed for Handbook 133.

The information that would be removed from Handbooks 44 and 130 has been incorporated into a new NCWM Policy 3.4.1. Procedures to Modify NIST Handbooks. In addition the Board will review NCWM Policy 3.1.5 to

ensure that the new policy will be available to all stakeholders including nonmembers. Policy 3.1.5. presently limits online access of the Policy Manual to Members Only. This would not be appropriate for the new policy mentioned here.

Amendments to Handbooks 44, 130 and 133 require a vote of the Conference.

## **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.

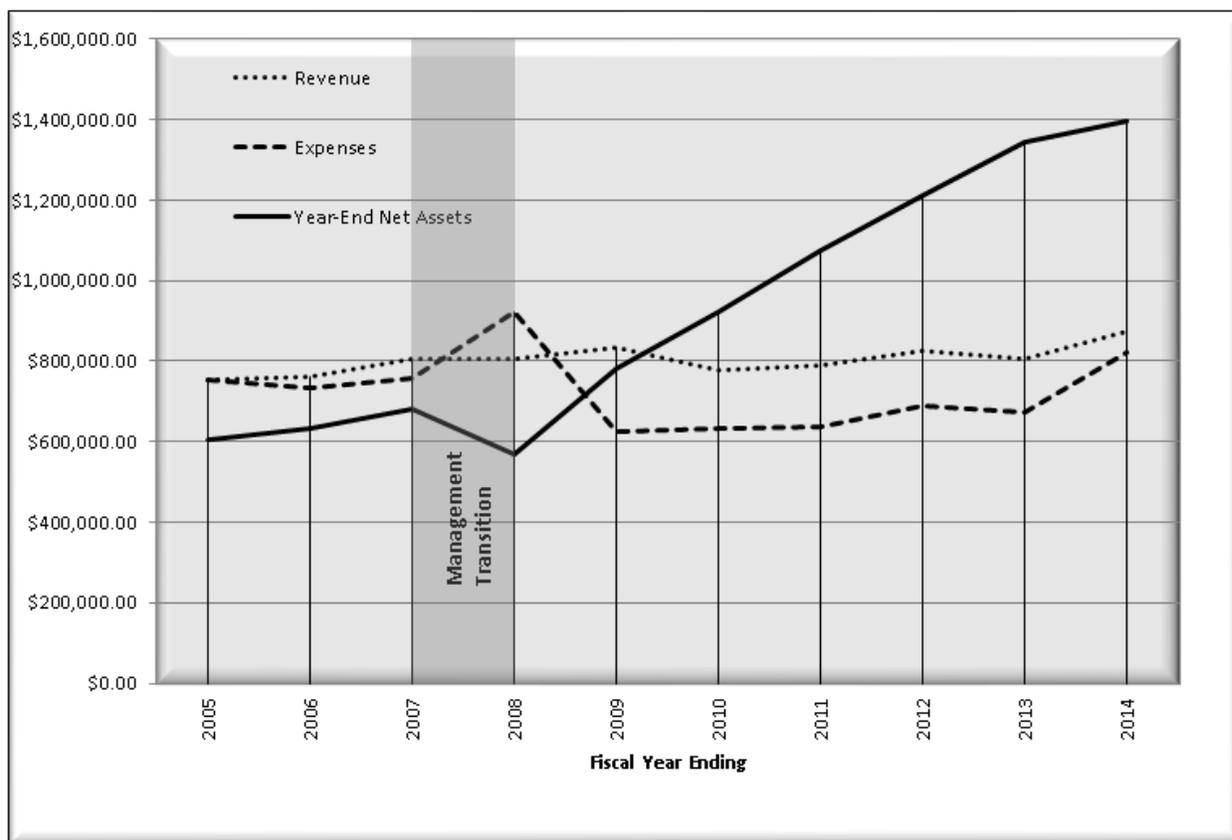
The Board of Directors continues to monitor its ability to fully implement contingency plans based on potential costs compared to reserve funds.

The following is the balance sheet as of March 30, 2015 in comparison with the same time the previous year. Assets in the balance sheet are inflated by the by the NIST Training Initiative Grant that was awarded to NCWM in 2012. Those funds are earmarked for specific training activities. Assets are also inflated by the Associate Membership Fund. This money is accumulated through the additional \$15 dues paid by NCWM Associate Members and is spent at the discretion of the Associate Membership Committee in accordance with Committee Bylaws.

<b>ASSETS</b>	<u>March 31, 2015</u>	<u>March 31, 2014</u>
Current Assets	\$	\$
Checking/Savings		
Associate Member Fund	35,028.03	35,696.97
NIST Training Grant	90,283.41	37,370.72
Certificates of Deposit	1,162,350.71	1,152,694.89
Checking	10,349.89	34,676.63
Savings	344,891.89	293,159.53
Total Checking/Savings	<u>1,642,903.93</u>	<u>\$ 1,553,598.74</u>
Accounts Receivable	5,420.97	20.00
Other Current Assets	97,511.66	139,096.03
Other Assets	7,676.29	2,505.59
<b>TOTAL ASSETS</b>	<b><u>1,753,512.85</u></b>	<b><u>\$ 1,695,220.36</u></b>
<b>LIABILITIES &amp; EQUITY</b>		
Liabilities		
Current Liabilities	33,147.54	28,973.34
Total Liabilities	<u>33,147.54</u>	<u>28,973.34</u>
Equity		
Designated - Associate Membership	35,028.03	12,147.27
Designated – NIST Traiing	90,283.41	46,677.64
Unrestricted Net Assets	1,316,960.51	1,344,750.30
Net Income	278,093.36	251,671.8
Total Equity	<u>1,720,365.31</u>	<u>1,666,247.02</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>1,753,512.85</u></b>	<b><u>\$ 1,695,220.36</u></b>

The following is a graphic view of past 10 fiscal years based on year-end audit reports. The spike in expenses in 2008 reflects the cost transition from contracted management services to hired employees and procured office space, furniture, computers, etc. The chart shows significant savings in the following years even though NCWM has invested significantly in new initiatives during that time.

A significant investment was made in 2013 to rebuild of the NCWM website. Because that website is considered a depreciable asset, the investment does not reduce NCWM's net assets. Expenses in 2014 and going forward will increase with the addition of a new staff person in the National Type Evaluation Program. This new staff position is necessary to handle increased work load associated with the Conformity Assessment Program. Mr. Darrell Flocken was hired as the NTEP Specialist and will greatly enhance NCWM's ability to serve the NTEP stakeholders. The NTEP Specialist also does type evaluations and VCAP audits, bringing in revenue to offset some of the additional cost of adding the position. Revenues in 2014 increased as a result of a higher than normal number of NTEP applications and some increase in membership.



- 
- Mr. Ronald Hayes, Missouri | Chairman
  - Mr. Jerry Buendel, Washington | Chairman-Elect
  - Mr. John Gaccione, Westchester County, New York | NTEP Committee Chair
  - Mr. Mark Coyne, City of Brockton, Massachusetts | Treasurer
  - Mr. Brett Gurney, Utah | Active Membership - Western
  - Mr. Craig VanBuren, Michigan | Active Membership - Central
  - Mr. Kenneth Ramsburg, Maryland | Active Membership - Southern
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  - Mr. Steve Giguere, Maine | At-Large
  - Mr. Chuck Corr, Archer Daniels Midland Co. | At-Large

- Ms. Carol Hockert, NIST, OWM | Executive Secretary
- Mr. Gilles Vinet, Measurement Canada | Board of Directors Advisor
- Mr. Jim Truex, NCWM | NTEP Administrator
- Mr. Don Onwiler, NCWM | Executive Director

**Board of Directors**

## Appendix A

### Report of the Activities of the International Organization of Legal Metrology (OIML) and Regional Legal Metrology Organizations

National Institute of Standards and Technology (NIST), Office of Weights and Measures (OWM)

#### INTRODUCTION

The OWM at NIST is responsible for coordinating United States participation in OIML and other international legal metrology organizations. Learn more about OIML at [www.oiml.org](http://www.oiml.org) and about NIST, OWM at [www.nist.gov/owm](http://www.nist.gov/owm). Dr. Charles Ehrlich, Program Leader of the International Legal Metrology Program, can be contacted at (301) 975-4834 by fax at (301) 975-8091 or [charles.ehrlich@nist.gov](mailto:charles.ehrlich@nist.gov).

**Note:** OIML publications are available without cost at [www.oiml.org](http://www.oiml.org).

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**Table B**  
**Glossary of Acronyms and Terms**

<b>Acronym</b>	<b>Term</b>	<b>Acronym</b>	<b>Term</b>
ANSI	American National Standards Institute	ISO	International Standardization Organization
APEC	Asia-Pacific Economic Cooperation	IWG	International Work Group
APLMF	Asia-Pacific Legal Metrology Forum	LMWG	Legal Metrology Work Group
APMP	Asia-Pacific Metrology Program	MAA	Mutual Acceptance Agreement
B	Basic Publication	MTL	Manufacturers' Testing Laboratory
BIML	International Bureau of Legal Metrology	NIST	National Institute of Standards and Technology
BIPM	International Bureau of Weights and Measures	NTEP	National Type Evaluation Program
CD	Committee Draft <sup>1</sup>	OIML	International Organization of Legal Metrology
CIML	International Committee of Legal Metrology	OWM	Office of Weights and Measures
CTT	Conformity to Type	PG	Project Group
D	Document	R	Recommendation
DD	Draft Document <sup>2</sup>	SC	Technical Subcommittee
DoMC	Declaration of Mutual Confidence	SIM	Inter-American Metrology System
DR	Draft Recommendation <sup>2</sup>	TC	Technical Committee
DV	Draft Vocabulary <sup>3</sup>	USNWG	U.S. National Work Group
GA	General Assembly	VIM	International Vocabulary of Metrology
IEC	International Electrotechnical Commission	VIML	International Vocabulary of Legal Metrology
IQ Mark	International Quantity Mark	WD	Working Draft <sup>3</sup>
<p><sup>1</sup> CD: a draft at the stage of development within a technical committee, subcommittee or project group; in this document, successive drafts are numbered 1 CD, 2 CD, etc.</p> <p><sup>2</sup> DD, DR, and DV: a draft document approved at the level of the technical committee, subcommittee or project group concerned and sent to BIML for approval by CIML.</p> <p><sup>3</sup>WD: precedes the development of a CD; in this document, successive drafts are number 1 WD, 2 WD, etc.</p>			

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**Details of All Items  
(In order by Reference Key)**

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**I. Report on the Activities of the OIML Technical Committees**

This section reports on recent activities and the status of work in the OIML Technical Committees (TCs), Technical Subcommittees (SCs), and Project Groups (PGs) of specific interest to members of the National Conference on Weights and Measures (NCWM). Schedules of future activities of the TC/SC Secretariats, PG Conveners, the U.S. National Work Groups (USNWGs), and the International Work Groups (IWGs) and Project Groups of the TCs and SCs are also included.

**TC 3/SC 5 Conformity Assessment (United States)**

The OIML Basic Publications B 3:2011 *Certificate System* and B 10:2012 *Mutual Acceptance Arrangement* (MAA) are the core documents underpinning the OIML Certificate System. An amendment to B10 was approved by the CIML that allows for the voluntary use of test data from manufacturer's test laboratories (MTLs) under specially supervised conditions (NCWM has adopted the position that it will not accept test data under the MAA that was obtained from MTLs).

An MAA workshop was held in conjunction with the 2013 CIML Meeting (in Vietnam) to gather experiences of the various MAA stakeholders in the MAA. Based on the outcome of this workshop and MAA discussions at the 2013 CIML Meeting, OIML has established an Ad-Hoc Working Group (AHWG) consisting of interested CIML members, Committee on Participation Review (CPR) members, and representatives of manufacturers' associations. This working group was tasked with reviewing the structure, rules, and procedures governing the operation of the MAA (and the role of Utilizing Participants), with a view to increasing the efficiency of the operation of the MAA, and, if necessary, amending their internal (MAA) documents and suggesting to TC 3/SC 5 appropriate amendments to OIML Publication B 10. This Ad-Hoc Working Group is chaired by the CIML first Vice-President Dr. Roman Schwartz of PTB (Germany), and held its first meeting on 20-21 March 2014, at NIST. Mr. Darrell Flocken from NCWM attended, as did Mr. Rob Upright, President of the U.S. Scale Manufacturer's Association (SMA), and Mr. Dmitri Karimov, Chair of the U.S. Meter Manufacturer's Association (MMA). Three Task Groups were established that looked into 1) improving the international awareness and use of the OIML MAA, 2) developing a more robust model for operation of the CPR, and 3) evaluating the impact that termination of the Basic System for categories already covered by the MAA (currently these are load cells, NAWIs and water meters) would have on all stakeholders.

At the CIML Meeting in November 2014, in Auckland, New Zealand, the Committee encouraged the AHWG, and its three Task Groups, to present concrete proposals at the 2015 CIML meeting and instructed the BIML to provide all necessary support to help the AHWG achieve its objectives. The Committee also requested that CIML Members inform the BIML about their experience and knowledge as to whether or not OIML certificates (Basic or MAA) and OIML Test Reports are accepted in their countries as the basis for national or regional type approval, and the reasons in cases where they are either not accepted, or not completely accepted. Mr. Jim Truex, NTEP Administrator, provided this information for the U.S.

A sub-group of the AHWG met in March, 2015, to review a proposal put forward by the second Task Group that could significantly change the way that the OIML Certificate System is structured, managed and operated. This proposal includes the creation of an OIML Certificate System (called OIML-CS) that would be managed by a Management Committee instead of by the BIML. Advisory Committees to the Management Committee are also envisioned. A full AHWG meeting will be held in early June 2015, to finalize a proposal that will be put forward to the CIML at its meeting in Arachon, France, in October 2015. Until the new OIML-CS is approved by the CIML, the current Basic and MAA systems will continue and will be supported by the BIML.

A new OIML document entitled *The Role of Measurement Uncertainty in Conformity Assessment Decisions in Legal Metrology* has passed its 2CD vote. The next step will be a preliminary ballot for CIML vote and comment on the Draft Recommendation; this is planned for distribution in June 2015. For a copy of this document, please contact

Dr. Ehrlich at (301) 975-4834 or [charles.ehrlich@nist.gov](mailto:charles.ehrlich@nist.gov). Please also see the MAA section in the National Type Evaluation Program (NTEP) Committee Report of this publication for more details on the activities of TC 3/SC 5. Please contact Dr. Ehrlich for more information on the activities of this subcommittee.

#### **TC 5/SC 1 Environmental Conditions (Netherlands)**

OIML D 11 *General requirements for measuring instruments - Environmental conditions* has been published. This is a very important document in the OIML system and is used by all of the OIML TCs as a general reference for technical and testing requirements on all measuring instruments. Highlights of this recent revision cycle include: expanding the terminology section, updating several testing sections to reflect the latest International Electrotechnical Commission (IEC) reference standards, and including a new environmental class (“E3”) for a non-mains local source of electrical power supply. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov), if you would like additional information on TC5/SC1 or OIML D 11.

#### **TC 5/SC 2 Software (Germany and BIML)**

The OIML D 31 *General Requirements for Software-controlled Measuring Instruments* has been published and now serves as guidance for software requirements in International Recommendations by OIML TCs. The United States participated in the technical work on this document and submitted votes and comments on several drafts of the document. A new project on software verification was approved by CIML, and the United States is waiting for the first draft of this document. Please contact Dr. Ambler Thompson at (301) 975-2333 or [ambler@nist.gov](mailto:ambler@nist.gov) if you would like to discuss OIML software efforts.

#### **TC 6 Prepackaged Products (South Africa)**

The first draft of a new project *Guidance for defining the system requirements for a certification system for prepackages* was discussed at a TC 6 meeting in Seoul, South Korea, in September 2014. This guideline is being developed to assist countries in establishing reciprocal agreements to accept the test results on prepackaged goods. It is expected that the 2CD of this guidance document will be distributed in the second half of 2015.

A revision of OIML Recommendation R 87 *Quantity of Product in Prepackages* (the OIML equivalent to NIST Handbook 133: *Checking the Net Contents of Packaged Goods*) includes a comprehensive overhaul of the statistical requirements and sampling plans (the revisions were prepared by Blaza Toman of NIST’s Statistical Engineering Division) to correct errors discovered by a statistician from Asia a few years ago. The U.S. and several other countries were successful in opposing efforts by several European Union countries to add drained weight test procedures and packaging requirements utilized in that region to the new edition of R87. Those procedures were rejected primarily because they failed to recognize drained weight test methods that have been in use around the world for decades and which have been adopted by Codex Alimentarius. The US voted “yes” and submitted comments on the 3CD of R 87 in October 2014. It is expected that the next step for the R 87 revision will be a preliminary ballot for CIML vote and comment later in 2015.

The US plans to vote “yes” on the CIML Preliminary Ballot of OIML R 79 *Labeling Requirements for Prepackaged Products* in June 2015. It is expected that R 79 will receive final CIML approval in October 2015.

For more information on the activities of this committee, and to participate in the U.S. review of these documents, please contact Mr. Ken Butcher at (301) 975-4859 or [kbutcher@nist.gov](mailto:kbutcher@nist.gov).

#### **TC 8 Measurement of Quantities of Fluids (Japan)**

The Japanese Secretariat for TC 8 distributed a questionnaire in 2014 concerning several projects in TC 8. Based on responses received on the questionnaire, Japan decided to cancel a project to combine and revise R 40, R 41 and R 43 into a single standard entitled *Standard volumetric measures*. Japan also decided to delay the project to revise R 63 *Petroleum Measurement Tables* (1994) until the corresponding ISO standard is next revised. The Secretariat plans to start the revision of R 119 *Pipe Provers for Testing of Measuring Systems for Liquids Other Than Water* (1996) -- this document is important for other OIML recommendations involving liquid measurement. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov), if you would like copies of any of these documents or to participate in the project to revise R 119.

#### **TC 8/SC 1 Static Volume and Mass Measurement (Germany)**

The United States chairs the Project Group that is drafting new sections of OIML R 71 *Fixed Storage Tanks* and R 85 *Automatic Level Gages for Measuring the Level of Liquid in Fixed Storage Tanks* to add specific requirements for specialized tanks. A committee draft of OIML R 80-2, *Road and Rail Tankers, Test Methods* has been developed by Germany. The Secretariat has also initiated the effort of revising OIML R 95 *Ships’ Tanks*. A meeting to discuss all

of these TC 8/SC 1 projects was held in Germany in December 2014. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov), if you would like copies of the documents or to participate in any of these projects.

### **TC 8/SC 3 Dynamic Volume and Mass Measurement for Liquids Other Than Water (United States and Germany)**

New annexes for measuring systems for foaming potable liquids, for pipelines, and for aircraft refueling have been added to OIML R 117-2, *Dynamic Measuring Systems for Liquids Other Than Water, Part 2, Test Methods*. The 2CD of R117-2 was approved by the Project Group in March 2014 with over 300 comments. The 1CD of R117-3 *Part 3, Test Report Format* was distributed in March 2014. A meeting of the R117 International Project Group was held in April 2014 in Chicago. International comments on the 2CD of R117-2 and the 1CD of R117-3 were discussed and new committee drafts of both documents were created and approved at the meeting. Representatives of major manufacturers of these systems and liaison organizations actively participated in the meeting. These technical experts provided a depth of experience and technical expertise that proved highly valuable during the meeting.

Both R117-2 and R117-3 passed their CIML preliminary ballots with 100% consensus in July 2014; they also received final CIML approval with 100% consensus in November 2014. Both documents were published in April 2015. The CIML also approved a new project for an “immediate revision” of all three parts of R 117. This new project will fully harmonize all three parts and add new annexes to R 117 for several complete measuring systems, including: (a) measuring systems for the unloading of ships' tanks and for rail and road tankers using an intermediate tank, (b) measuring systems for liquefied gases under pressure (other than LPG dispensers), (c) measuring systems for bunker fuel, and (d) measuring systems for liquefied natural gas (LNG). If you have any questions or would like to participate in the next phases of this project, please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov).

### **TC 8/SC 5 Water Meters (UK)**

OIML, the International Standardization Organization (ISO), and the European Committee for Standardization (CEN) worked together to harmonize requirements for water meters using OIML R 49 *Water Meters Intended for the Metering of Cold Potable Water and Hot Water Parts 1, 2, and 3* as the base document. The American Water Works Association Committee on Water Meters assisted in these efforts. This new revision of R 49 (which is now harmonized with the water meter standards from ISO and CEN) was published in May 2014. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov), if you would like additional information on these documents.

### **TC 8/SC 6 Measurement of Cryogenic Liquids (United States)**

The Secretariat for R 81, *Dynamic Measuring Devices and Systems for Cryogenic Liquids* has distributed a first working draft (1WD) of R 81 to TC 8/SC 6 members and the USNWG for their review and comment. Nine members of the R 81 project group submitted comments on Parts 1 and 2 of R 81. A compilation of those comments will be distributed in mid-2015, and distribution of a first committee draft incorporating these comments is also planned for mid-2015. To obtain more information or to participate in this project, please contact Ms. Juana Williams at (301) 975-3989 or [juana.williams@nist.gov](mailto:juana.williams@nist.gov).

### **TC 8/SC 7 Gas Metering (Netherlands)**

OIML R 137-1 and R 137-2, *Gas Meters; Part 1: Metrological and Technical Requirements and Part 2: Metrological Controls and Performance Tests* have been published. Extensive United States comments on the 1 CD, the 2 CD, and the DR were developed in cooperation with the measurement committees of the American Gas Association. CIML voting on the preliminary ballot of R 137-3 *Part 3: Report Format for Type Evaluation* closed in March 2014, and the document received final CIML approval in Nov 2014. The OIML R 137 document is especially important to the U. S. interests because the American National Standards Institute (ANSI) B 109 committee on gas measurement is using the published R 137 to create a new performance-based standard for gas meters in the United States. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov), if you would like to participate in these efforts or if you would like to obtain a copy of any of these gas measurement documents.

The CIML preliminary ballot on OIML R 139, *Compressed gaseous fuel measuring systems for vehicles*, passed in March 2014. This standard is important to US stakeholders, especially in the effort to maximize harmonization between domestic and international legal metrology requirements used for the delivery of alternative fuels such as hydrogen gas and compressed natural gas (CNG). The United States voted “yes” and submitted comments on the

preliminary ballot. R 139 received final CIML approval in November 2014, and was published in February 2015. To obtain more information on this effort, please contact Ms. Juana Williams at (301) 975-3989 or [juana.williams@nist.gov](mailto:juana.williams@nist.gov).

### **TC 9 Instruments for Measuring Mass (United States)**

The United States distributed the 3<sup>rd</sup> Committee Draft of R 60 *Metrological Regulation for Load Cells* Parts 1&2 (Metrological and technical requirements and Metrological controls and performance tests) in August 2014 for comments and voting. The Project Group decided that R 60 needs further development, and a 4 CD is being drafted; it is expected to be circulated in the Summer of 2015. A working draft of R 60-3 is also planned to be circulated in the summer of 2015. For more information on TC 9 activities, please contact Mr. John Barton at (301) 975-4002 or [john.barton@nist.gov](mailto:john.barton@nist.gov).

### **TC 9/SC 2 Automatic Weighing Instruments (United Kingdom)**

All three parts of OIML R 50 *Continuous Totalizing Automatic Weighing Instruments* (Belt Weighers) received final CIML approval in November 2014, and R 50 was published in March 2015. To receive copies of these documents or to obtain more information on the work of this subcommittee, please contact Mr. John Barton at (301) 975-4002 or [john.barton@nist.gov](mailto:john.barton@nist.gov).

The TC 9/SC 2 Secretariat distributed a questionnaire concerning a possible project to revise OIML R 51 *Automatic catch-weighing instruments*, which was last revised in 2006. The proposed international effort to revise R 51 was also announced by the NCWM. Please contact Mr. Rick Harshman at (301) 975-8107 or [richard.harshman@nist.gov](mailto:richard.harshman@nist.gov) if you are interested in the project to revise this document.

### **TC 17/SC 1 Humidity (China and United States)**

The 7 CD of OIML R 59 *Moisture Meters for Cereal Grains and Oilseeds* was distributed for voting in December 2014. Votes and comments were requested by March 11, 2015. Voting was conducted using the new OIML on-line voting for project groups. OIML officially closed the online voting on April 29, 2015. A total of 7 “yes” votes and 1 “no” vote was provided by the TC 17/SC 1 project group’s participating members. The 7 CD was approved. Comments received on the 7 CD will be considered and the document will be forwarded to OIML as a DR for final voting. Please contact Ms. G. Diane Lee at (301) 975-4405 or [diane.lee@nist.gov](mailto:diane.lee@nist.gov) if you would like to participate in this work.

### **TC 17/SC 8 Quality Analysis of Agricultural Products (Australia)**

The 5 CD of a draft document *Measuring Instruments for Protein Determination in Grains* was circulated for vote in 2014. The US voted “yes” on the 5 CD of this draft document in December 2014. A DR is expected in 2015. Please contact Ms. G. Diane Lee at (301) 975-4405 or [diane.lee@nist.gov](mailto:diane.lee@nist.gov), if you would like to participate in this work.

### **OIML Mutual Acceptance Arrangement (MAA)**

The report on the OIML MAA can be found in the TC 3/SC 5 report above and in the NTEP section of this document. For further information on the MAA and its implementation, please contact Dr. Charles Ehrlich at (301) 975-4834 or email [charles.ehrlich@nist.gov](mailto:charles.ehrlich@nist.gov).

## **II. REPORT ON THE 49TH CIML MEETING IN AUCKLAND, NEW ZEALAND IN NOVEMBER 2014**

Mr. Peter Mason, CIML member from the United Kingdom and President of the CIML, opened the meeting and gave the President’s Report.

Mr. Stephen Patoray, who has been serving as BIML Director since January 2011, provided several reports on financial and administrative matters at the BIML, including improvements that have been implemented since his arrival at the BIML. Mr. Patoray also discussed upgrades to the OIML website and significant improvements to the BIML headquarters building in Paris.

Based on a proposal by Mr. Mason, and after a lengthy discussion by the representatives of the CIML member states, the CIML decided that it expects to renew the appointment of the BIML Director for a fixed term of up to five years

at its meeting in 2015. As part of this decision, the CIML also decided not to appoint a selection committee to attempt to find a new BIML Director.

The CIML welcomed Cameroon as a re-instated Member State and welcomed Azerbaijan as a new Corresponding Member.

The Committee noted an oral report given by the BIML on its activities in liaison with other international organizations aimed at developing countries, in particular regarding the organization of an AFRIMETS Legal Metrology School in Tunis in October 2014. The Committee also established an advisory group to carry out wide consultation, to seek suggestions and to build up links with other bodies with an interest in promoting the economic development of countries and economies with emerging metrology systems.

After some discussion on the matter, the CIML decided to disband 12 existing Project Groups either because they did not have the required number of participating Member States (at least six) or because no Member State volunteered to assume the convenership of the Project Group.

The Committee approved the following draft publications:

- Amendment to R 35-1: *Material measures for length for general use – Part 1: Metrological and technical requirements;*
- Revision of R 50-1: *Continuous totalizing automatic weighing instruments (belt weighers) – Part 1: Metrological and technical requirements;*
- Revision of R 50-2: *Continuous totalizing automatic weighing instruments (belt weighers) – Part 2: Test procedures;*
- R 50-3: *Continuous totalizing automatic weighing instruments (belt weighers) – Part 3: Test report format;*
- R 117-2: *Dynamic measuring systems for liquids other than water – Part 2: Metrological controls and performance tests;*
- R 117-3: *Dynamic measuring systems for liquids other than water – Part 3: Test report format;*
- Revision of R 139-1: *Compressed gaseous fuels measuring systems for vehicles – Part 1: Metrological and technical requirements;* and
- Revision of R 139-2: *Compressed gaseous fuels measuring systems for vehicles – Part 2: Metrological controls and performance tests.*

The Committee also approved a new project in TC 8/SC 3 for the “immediate revision” of all three parts of R 117 *Dynamic measuring systems for liquids other than water* – and also approved a new project in TC 8/SC 7 for the revision of all parts of R 140 *Measuring systems for gaseous fuels*.

The Committee noted a report given by the MAA Ad-hoc Working Group (AHWG) chair and CIML First Vice-President, Dr. Roman Schwartz of PTB in Germany. The ad-hoc working group was created by the CIML in 2013 to: raise awareness of the MAA, review the CPRs and their structure, review the rules and procedures governing the operation of the MAA, and work to increase the efficiency of the operation of the MAA. The Committee encouraged the AHWG, and its three sub-groups, to present concrete proposals at the 2015 CIML meeting and instructed the BIML to provide all necessary support to help the AHWG achieve its objectives. The Committee also requested that CIML Members inform the BIML about their experience and knowledge as to whether or not OIML certificates (Basic or MAA) and OIML Test Reports are accepted in their countries as the basis for national or regional type approval, and the reasons in cases where they are either not accepted, or not completely accepted. NCWM will be providing input on this. (See also the TC 3/SC 5 section of this OIML report.)

The Committee congratulated this year’s recipients of an OIML Medal:

- Mr. Stuart Carstens, former CIML Vice-President and member of the Presidential Council;
- Dr. Grahame Harvey, former CIML Vice-President and former member of the Presidential Council; and
- Mrs. Veronika Martens, President of the Legal Metrology Group of CECIP.

### **III. FUTURE OIML MEETINGS**

The next CIML Meeting will be held during the week of 19 October 2015 in Arcachon, France. A seminar on “Legal Metrology and Social Economic Development” is being planned in conjunction with the 2015 CIML meeting. The next OIML Conference will be held in 2016; the venue and dates for this meeting have not yet been announced.

### **IV. REGIONAL LEGAL METROLOGY ORGANIZATIONS**

A meeting of the Inter-American Metrology System (SIM) General Assembly is organized annually and is the event where delegates from National Metrology Institutes of the Americas meet to discuss important issues. This past year, the SIM General Assembly was held in November 2014 in Bogotá, Columbia. Mr. José Dajes Castro, from INDECOPI in Lima, Peru, serves as the SIM President. The Legal Metrology Working Group is chaired by Mr. Emilio Löbbe from INTI/Argentina. The organization is working to build capacity in legal metrology for SIM member countries. In April 2014, INTI and INMETRO held a 3-day Workshop in Brazil on “Hardware and Software Security in Legal Metrology”. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov) for more information on SIM.

The 21<sup>st</sup> Meeting of the Asia-Pacific Legal Metrology Forum (APLMF) was held November 10-12, 2014 in Wellington, New Zealand. The People’s Republic of China holds the Presidency and Secretariat of APLMF. Mr. Changcheng, APLMF President and Vice Minister of AQSIQ, chaired the meeting. During the opening comments at the APLMF Meeting, it was announced that New Zealand planned to assume the APLMF Secretariat in 2015.

The main objectives of APLMF are to coordinate regional training courses in legal metrology and to provide a forum for exchange of information among legal metrology authorities. APLMF activities are facilitated through its seven work groups. The most active WG is the Working Group on Training Coordination, chaired by Australia. In the past year, APLMF held training on “Traceability in Rice Moisture Measurement” in Thailand and “Non-automatic Weighing Instruments” in Indonesia.

The WG on Training Coordination reported on the results of a 2013 survey of APLMF member economies that requested information on the benefits of APLMF training that was conducted in the period 2005-2013. The results clearly indicated that the more than 20 courses conducted by APLMF in that 8-year time period were highly valued by the member economies, promoted harmonization in the Asia-Pacific region, and frequently led to revised/improved legislation and regulations in the member economies.

A significant joint project entitled “Metrology Enabling Developing Economies in Asia” (MEDEA) has been launched by APLMF, the Asia Pacific Metrology Programme (APMP) and the Physikalisch-Technische Bundesanstalt (PTB). This four-year project is being managed by PTB and is primarily funded by Germany. The project aims to foster and further develop the capabilities of the APLMF and the Asia-Pacific Metrology Program (APMP) to support developing economies in the Asia-Pacific region, to promote metrology systems within developing economies, and to strengthen the metrology systems/infrastructure within developing economies. Dr. Anna Cypionka is the PTB MEDEA Project Coordinator. A status report on the first year’s activities of the MEDEA Project was provided at the APLMF meeting; the main first-year accomplishments were to establish a Coordination Committee and to survey APLMF developing economies about their legal and scientific metrology capabilities and needs. Several training courses are planned through the MEDEA Project for the years 2015-2017.

The United States was represented at the APLMF meeting in Wellington by Dr. Charles Ehrlich and Mr. Ralph Richter. Dr. Ehrlich serves as the Chair of the APLMF work group on Mutual Recognition Arrangements and gave a report and update on the OIML MAA. Mr. Richter presented the United States Country Report.

The United States will host the next APLMF meeting on 28-30 October 2015 in Hawaii. Please contact Mr. Ralph Richter at (301) 975-3997 or [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov) for more information on APLMF and the 2015 APLMF Annual Meeting.

## Appendix B

### Associate Membership Committee (AMC) Agenda and Draft Meeting Minutes

Bill Calloway, Chair  
Crompco

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#### Details of All Items (In order by Reference Key)

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#### AGENDA

- I. Call to Order
- II. Approval of Meeting Minutes
- III. Financial Condition
- IV. NCWM Industry Representative Reports
  - (a) Board of Directors Report
  - (b) Professional Development Committee Report
  - (c) Laws and Regulations Committee Report
- V. AMC Fund Disbursement Requests
- VI. Filling Vacant Positions
- VII. Old Business
- VIII. New Business
- IX. Adjournment

## AMC Interim Meeting Minutes

January 20th, 2015  
Daytona, Florida

### Call to Order

The meeting was called to order at ~5:15 pm by the AMC chairman Calloway. There was a small delay in starting the meeting due to a schedule conflict with the meeting room.

### Meeting Minutes

The minutes from the previous AMC meeting were unanimously approved.

### Financial Condition

- The financial report review indicated that the AMC account has a balance of \$34,570.31 as of January 20, 2015.
- Bob Murnane inquired about all outstanding disbursements of which it was determined that there were approximately \$15,170 of outstanding disbursements (funds that have been approved for training but the training has not occurred)
- It was determined that there was approximately \$5,295 remaining available for Scholarship Applications.
- A discussion regarding the approval of AMC funds for training concluded that the AMC will have to be more selective in approving funds for training as the account balance diminishes.
- There was a consensus that the AMC should approve funds for training that will benefit larger groups of W&M officials.
- The AMC should consider collecting the Scholarship Applications and wait until our next meeting to evaluate which applications benefit the most people prior to approving them. By waiting until the meeting will enable the AMC to evaluate multiple applications prior to approval.

### Board of Directors Report

Mr. Guay, the AMC representative on NCWM Board of Directors gave a report regarding board activities:

- The BOD wants to make the AMC Scholarship Application more visible to the various Directors. This can be done by relocating the application on the website.
- There is an Asia Pacific Metrology Forum in which 20 countries will participate in November of 2015. Chuck Ehrlich from NIST was in attendance and wanted to discuss the Forum with the AMC. The APMF discussion was added to the "New Business" category of the meeting.
- The BOD wanted input from the AMC regarding the schedule of NCWM meetings. The BOD is considering to start NCWM meetings on Monday instead of the weekends in order to help facilitate more attendance. The AMC members had various opinions. It was decided to discuss in more detail during "New Business" section of the AMC meeting.
- The 100 year NCWM anniversary is this July at the Annual Meeting. The BOD is planning the event with a speaker. The BOD inquired if the AMC will be contributing any funding to the event - N. David Smith travel? Create pins? Other give-aways?
- Steve Langford made a motion to contribute \$5,000 to the conference in support of the 100 year anniversary. It was determined that the vote be tabled until later in the meeting "New Business" because there was still additional proposals to be reviewed by Chuck Ehrlich regarding the APMF forum.
- NIST Administrator Workshop in spring (for new W&Ms Administrators – about 30 current state administrators have never had this training) Covering Hbk 155.
- NIST OWM Budget tight but doable.
- Traceability assessment in US showed 45 states are in excellent shape.

- AMC guideline for assessing funding requests for training updated?.
- Board starting to look at Policies and By-laws to address and streamline procedures for introducing items and voting procedures.
- Board plans to establish new section for standards and documents which are not part of the Handbooks.
- AMC funds to support 100<sup>th</sup> meeting –
- APLMF Meeting planned in autumn (likely November) 2015 in California or Hawaii
  
- A review of the Regional Association meetings was conducted along with their locations

*Central Regional:*

- 2015 Central meeting will be at Crown Plaza North in Columbus (May 18 to 22nd)
- Mike Miller is new W&M Director in Indiana

*North Eastern Regional:*

- May 4 to May 8 - Saratoga Springs NY NE Chair is Cheryl from New Hampshire, vice Chair is Mark from Vermont. 2016 NE meeting in Vermont is currently planned.
- Vermont adopting Uniform Pricing Regulation in HB 130.
- New York starting motor oil testing. Issue had been identified in New Jersey.

*Southern Regional:*

- Dale Saunders stepped down as the Director of W&M in Virginia
- Southern Meeting this year is in Biloxi, Mississippi October 24 to 28<sup>th</sup>.

*Western Regional:*

- Utah focused on training, and extended to other states –
  - 8 Western states present at retail motor fuel dispensers training in Sept
  - 9 Western states present at small scale training in November
  - Feb hosting Price Verification Training
  - March hosting Vehicle Scale Training
  - Looking at Audit Trails Training
- 9/27 to 10/1 2015 Western W&MA Conference in Boise ID
- 2016 Western Conference still being planned for Hawaii
- New Mexico establishing new regulations for CNG
- Privatization of Montana program has been dropped from consideration.
- Arizona citing Uber for various violations for local regulations
- Colorado required to inspect marihuana scales used for commercial and non-commercial
- Using gas equivalent gallons and DGE in Colorado
- Steve Cook retiring from California Feb 2<sup>nd</sup> (been back from NIST since 2011)
- California using GGE and DGE for fuel.

**Professional Development Committee (PDC) Report**

Mr Shipman, the AMC representative on the PDC gave a report about the committee's activities.

- A lot of discussion about getting more states on board with the certification program. We are tracking participation by state and region.
- There has been some discussion about bringing service organizations into the program.

- Gateway program is being discussed. Techs will need an appropriate level of test that enables them to get into the field and gain experience necessary to take the more advanced certifications.
- Don Onwiler has challenged to the committee to think about taking the program to the next level. Things to be considered are test proctoring and program accreditation.

### **Laws and Regulations (L&R) Committee Report**

Mr. Grabski, the AMC representative on the L&R Committee gave a report about the committee's activities.

- Provided information on what would be voting, developmental, informational or withdrawn.
- Updated the group about the joint meeting with S&T.
- Reported that LNG could be sold by DGE, DLE, GGE, GLE or mass.

### **AMC Fund Disbursement Report**

Mr. Calloway, the AMC chairman presented the following training fund requests

- NYS Weights and Measures Association Training School request for AMC Funds (\$3,000). Funds to be used for the conference room at the hotel for the training seminar. Unanimously Approved
- Northwest Vehicle Scale Inspection Class (AK, WA, UT) request for AMC Funds (\$4,000). It is anticipated that there will be 25 participants. Unanimously Approved
- SWMA Request for AMC funds to conduct presentation of NCWM Training Manual during the SWMA meeting (\$2500). Approved contingent on the AMC only paying for Travel, lodging & meals for only two nights and excluding registration fees to the SWMA meeting in Biloxi, MS.

### Discussion Regarding Applications for AMC Funds

- It was determined that the website Scholarship Application and the downloadable Scholarship Application are different. The two applications will be amended to require the same information.
- Don Onwiler is going to review the applications prior to submitting to the AMC. The AMC voiced a concern regarding the thoroughness of the applications and in the future will require the applications to include more specific information for what the AMC funds will be used.
- It was agreed that the AMC will increase the scrutiny of Scholarship Application and change the approval process the following:
  - The online application and the downloadable application will be amended so that they are identical.
  - Don Onwiler reviewing the applications prior to submitting to AMC
  - The AMC will require the applications to be thoroughly completed to include specifically what the funds will be paying for as well as how many students will benefit from the training.
  - AMC will wait until the meetings to vote on the applications

### **Filling Vacant Positions**

There were no open vacant positions to discuss

### **Old Business**

- In past meetings the AMC discussed providing NCWM pins for the 100 year conference. There was various debate regarding the pins however the group decided that the conference may prefer funding instead of pins.

### **New Business**

- Chuck Ehrlich presented an overview of the Asian Pacific Metrology Forum that is schedule for November 2015. The location is to be determined and the forum is open to businesses as well as the regulatory agencies.
  - The goal of the forum is to exchange ideas among the participants. There are over 20 countries that will be in attendance all of whom are interested in the United States organization of metrology & commerce.
  - The event will be special and as such the APMF will be submitting an application to AMC to host an event during the forum. The APMF will be requesting \$3,000 to \$5,000 for the event.
- A vote on Steve Langford's motion to give the NCWM \$5,000 for the 100 year anniversary was conducted after some discussion on the motion. The discussion included various opinions regarding the use of AMC funds. The majority of the AMC concluded that AMC funds were to be used for training purposes. A vote was taken and 4 were in favor of the donation and 8 were against the donation. The motion failed.
- Bob Murnane suggested that the AMC meetings should be moved to the conclusion of the Open Hearings during the NCWM.

### **Adjournment**

With no further new business Chair Callaway adjourned the meeting at 6:55 pm

Respectfully submitted by,  
Mr. Richard Shipman,  
Secretary/Treasurer

### **Individuals in Attendance**

Mr. Richard Shipman, Rice Lake Weighing Systems  
Mr. Chris Guay, Proctor & Gamble  
Mr. Ed Luthy, Schenick Process, LLC  
Mr. Steve Grabski, Walmart  
Ms. Ann Boeckman, Craft Foods  
Mr. Paul Lewis Sr., Rice Lake Weighing Systems  
Mr. Eric Golden, Cardinal Scale  
Mr. Steven Langford, Cardinal Scale  
Mr. Don Onwiler, NCWM  
Mr. Krister Hard Af Segterstad, IKEA N.A. Services, LLC  
Mr. Bob Murname, Seraphin  
Mr. Louis Straub, Fairbanks Scales  
Mr. Chuck Ehrlich, NIST OWM  
Mr. Rob Upright, Vishay Transducers  
Mr. Russel Vires, Mettler Toledo  
Mr. David Calix, NCR  
Mr. Bill Calloway, Crompco