

# The LICA NEWS

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The Land Improvement Contractors of America

March/April, 2007



## In This Issue:

### Departments

President's Message 2

### Features

Just One 1

LICA Contractor Magazine 1

Five-Year Strategic Plan 2

Have You Checked It Out? 3

Thank You Associates 3

Safety Pays 3

2007 NLICA Winter 4

Convention Highlights 4

2006 NLICA Award Winners 5

2007 Summer Meeting 6

Information and 6

Registration 6

LICA's Legislative 10

Positions 10

Farm Bill Principles 11

811 ... Gewgaw or 13

Silver Bullet? 13

New Call Before You 14

Dig Number 14

The Future of Power 14

Global Warming? 15

Transportation 15

Infrastructure 15

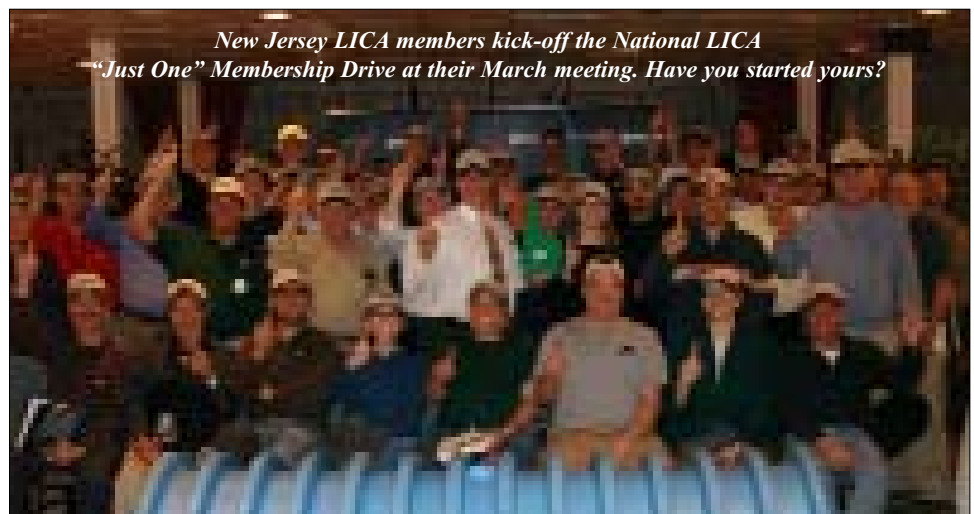
2007 Raffle Winners 16

## "Just One" Membership Drive!

"Just-One" is the theme for the national membership drive launch at the winter convention in Orlando Florida. If every LICA member recruited "Just One" new member we can double our membership!

Buttons were distributed to all the attendees and the theme carried throughout the convention. In the next newsletters, we will publish the names of all LICA members who successfully recruit a least one new member.

Since the launch of the membership drive new members have been reported in Nebraska, Iowa, and New Jersey. It is time to get involved, recruit "Just One" and have your name included in the next newsletter!



## LICA to Publish a National Magazine ... the "LICA Contractor"

National LICA, in conjunction with Associated Construction Publications (ACP) will publish a full-color national magazine called "LICA Contractor." The first issue is projected for July, 2007. It will be published four times a year.

ACP's group of 14 market-leading publications reports on the construction industry in the United States through a network of locally based editors: *California Builder & Engineer*, *Construction*, *Construction Bulletin*, *Construction Digest*, *Construction News*, *Constructioneer*, *Dixie Contractor*, *Green Sheet*, *Green Sheet Logger*, *Michigan Contractor* &

*Builder*, *Midwest Contractor*, *New England Construction*, *Pacific Builder & Engineer*, *Rocky Mountain Construction*, *Texas Contractor* and *Western Builder*. ACP has built one of the world's largest editorial staffs devoted to this market sector and has a combined circulation of more than 100,000 subscribers.

ACP is a business unit of Reed Construction Data, provider of critical data to all members of the building team throughout the construction life cycle. This data includes project news, plans and specifications, building product information and cost information.

# The LICA NEWS



## The Land Improvement Contractors of America

THE LICA NEWS is the official publication of the Land Improvement Contractors of America, dedicated to the professional conservation of soil and water. LICA was founded in 1951 and is today comprised of twenty-four chapters across the continental United States.

*Publisher*  
**Eileen Levy**

*Contributing Writers*  
**Jerry Biuso**  
**Wayne Maresch**  
**Brad Barringer**

*Art Direction*  
**Jerry Biuso**

THE LICA NEWS welcomes letters, subject to editing for accuracy and brevity. THE LICA NEWS also welcomes articles relevant to the land improvement industry. Include your name and daytime phone number for verification purposes.

Deadlines are the twenty-first of the month preceding issue date. All unsolicited material must be accompanied by a self-addressed, stamped envelope.

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**[www.licanational.org](http://www.licanational.org)**



## *A Message from the President* *Doug Hey*

As always we had a good convention in Orlando. I would like to thank Paul, Eileen, Jerry and all others who helped make it a success. It bothers me that more members do not take advantage of the opportunities to help their businesses and meet new friends, Associates and have a good time by attending. However, I would like to thank all of you who attended and hope to see more at our Summer Meeting in Nebraska this July. We also want to thank our Associates. We appreciate your support of our convention events. I thank John Deere; Trimble; Top Com, Agri Drain for making our raffle a success. I am looking forward to a busy year for LICA as we look into many ventures and possibilities for increasing benefits and membership, such as insurance, tax breaks, influence in legislation, and getting more exposure for LICA. With a good working Board and help from all of you, we will accomplish our goals for the benefit of all our members. Each and every one of you is our national organization. Our strength comes from each state and each member. Wouldn't it be exciting to double our membership? It will work if each of you get one new member. It is up to you. Thanks for your support

*Doug Hey*  
National LICA President

## Five-Year Strategic Plan: 2007-2012

### GOAL I

Promote membership among contractors in all areas of land improvement.

- Action 1. Trade Shows
- Action 2. Membership drives
- Action 3. Publicity campaigns
- Action 4. Network with other trade associations
- Action 5. Educational workshops
- Action 6. Local interest meetings
- Action 7. Encourage LICA Associates to promote membership

### GOAL II

Promote and develop contractor certifications through educational programs

- Action 1. Maintain national certification committee
- Action 2. Create a standard certification form
- Action 3. Inform LICA members about existing NRCS letter of competency
- Action 4. Inform LICA members about the Technical Service Provider program

### GOAL III

Provide educational opportunities that help contractors diversify and learn new construction techniques. Develop leadership to market and promote LICA to contractors and the public.

- Action 1. Provide seminars, field days and demonstrations that focus on practical applications.

### GOAL III (Continued)

- Action 2. Utilize resource speakers and demonstrators from:  
University/research/extension  
Associate business members  
Contractors using the techniques  
Architects, Engineers and others
- Action 3. Assign LICA members to identify opportunities and evaluate tangible results by working with education, new technology, and associate advisory committees.

### Goal IV

Develop leadership to market and promote LICA to contractors and the public

- Action 1. Teach public speaking (type of LICA toastmasters)
- Action 2. Leadership training/development
- Action 3. Learn and be aware of other contractors needs through surveys/questionnaires

### GOAL V

Position Land Improvement Contractors of America in the public perception as a professional land and water conservation organization

- Action 1. Utilize public relations

### GOAL VI

Develop better working relationship with local, state, and federal government.

- Action 1. Host agency meeting for the exchange of information

## EXECUTIVE COMMITTEE

### National Officers

Chairman  
**Darrell Birge**  
Indiana

President  
**Doug Hey**  
New York

Vice President  
**Dean Neiswinger**  
Indiana

Executive Vice President  
**Gerald Biuso, Sr.**  
New Jersey

Legislative Liaison  
**Wayne F. Maresch**  
Ft. Washington, MD

### Region Vice Presidents

Region I & Secretary  
**Bob Colburn**  
New Jersey

Region II  
**Sandy Gulick**  
Virginia

Region III  
**Steve Gerten**  
Ohio

Region IV & Treasurer  
**Bruce Barnhart**  
Iowa

Region VI  
**Dirk Riniker**  
Kansas

Region VIII  
**Merlin Welch**  
California

## Have You Checked It Out?

National LICA 6-Pack  
Health Care Savings  
Card Program



This discount program is created exclusively for LICA Members who are in good standing (paid dues). This program is designed to deliver discounts in the areas of Dental Care, Eye Care, Hearing, Chiropractic Care, Alternative Medicine and a 24-Hour Nurse Advisory Line. You may view the program on the National LICA website, [www.LICANATIONAL.org](http://www.LICANATIONAL.org). Just simply click on benefits. Review this program. New providers are added every day!

## A Great Big Thank You to Our Associates



We'd like to thank ...

**Caterpillar**

**CNA**

**John Deere**

**Volvo Construction Equipment**

**LBX/Linkbelt**

**RWF Bron**

**Agri Drain**

**Advanced Drainage Systems**

**Hancor**

And all the Associate members who supported our 2007 Convention by exhibiting and/or making presentations.

## Safety Pays

*by Wayne F. Maresch*

Safety is critical in the earthmoving business. Failure to follow safety procedures can have serious consequences, including deaths and injuries, absenteeism, and reduced productivity. It can also lead to increased workers' compensation claims and higher insurance premiums for employers. With such high stakes, it's no surprise that many leaders in the industry consider safety training a top priority.

If you don't think safety training is important, consider that U.S. employers pay almost \$1 billion per week to injured workers and their medical care providers, according to the 2005 Workplace Safety Industry Index from Boston-based Liberty Mutual Insurance Co.

### Safety Training Pays

While reducing injuries can reduce employers' workers' compensation costs, employers gain much more by creating an overall safer workplace.

When you have an injury or death on the job, think of the lost time involved. Probably everyone on the site stops working to help the situation or just to watch. Then the investigation begins, with the endless paperwork to follow, reports to file, with claims after that. This involves you, witnesses, clerical staff, etc. That is time taken away from what you want to accomplish. That's money out of your pocket.

So, if you can prevent one accident with safety training it will pay off many times over. Furthermore, safety is everyone's responsibility. Don't just train the equipment operators. Believe it or not, the people in the office can often spot an unsafe situation. They can alert you to an unsafe process or procedure, enabling you to take preventive action while there is still time. Therefore it is good business to provide safety training to your entire staff. This reinforces the idea that safety is everyone's concern. Most of all it is yours.

## The 56th Annual Convention in Florida Lived up to All Expectations!

The 56th Annual Convention in Florida lived up to all expectations. Tours, Education, Networking and Association business kept everyone busy and productive. Dean Neiswinger of Indiana was elected as the new National LICA Vice President at the Delegate meeting. At the Board Meeting, the dues incentive proposal was passed for state chapters. The incentive passed as follows: *The state chapter shall receive a*

*discount of five dollars per member when they have a 10% increase in membership. In addition, for each 100 members, a state chapter shall receive a reduction of five dollars per member. The discount cannot exceed a total of \$25. For comparison purposes, the membership number as of June 30th will be used. The discount will be refunded to the state in July to help their chapter operations.*

(Right and below) One hundred LICA members were welcomed by Geri Mulford, Donald Bronson, and Florida LICA, to the Bronson ranch. A 500-acre ranch just a half hour drive from Orlando. They were able to see cattle, water buffalo, wildlife and a working sand mine. After the tour of the ranch, the group was treated to some great musical entertainment and a delicious steak dinner.

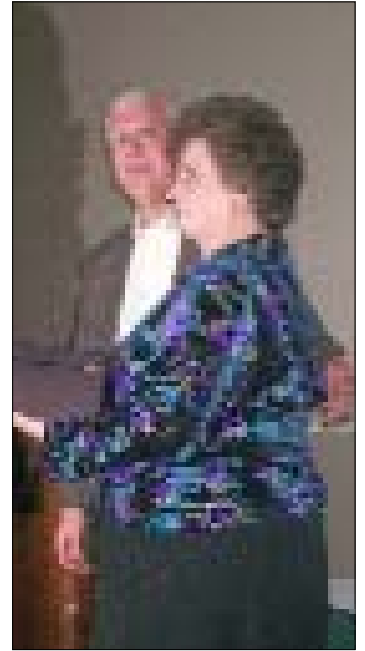


(Right) The other tours, "Orange You Curious" and the Kennedy Space Center gave a real flavor of Florida. The ADS & Accord Industries tour gave the contractors a chance to see the products they use being made.



(Left) The Convention was a great place to get an education with enough variety to meet everyone's needs. Seminar topics - OSHA 10 hour training, GPS, Utility Damage Prevention, EQUIP, Asset Protection, to name a few, were all well attended. At the Strategic Planning seminar, members provided input for the direction LICA should head in the next five years.

## And the Winners Are ....



**Top right:** 2006 Contractor Wife Evelyn Cottrell, PA gets a well-deserved pat on the back.

**Top left:** Darrell Birge, left, presents Russ Peters, 2006 Iowa LICA President with the 2006 Top State Award

**Left:** David Rule, NY poses with his 2006 Hancor Onsite Waste Award plaque, presented by Hancor's Mike Hagen, right.

**Below left:** New LICA President Doug Hey, right, presents the Past President's Pin to Darrell Birge

**Below right:** Harry Hauschild, 2006 LICA Chairman of the Board, right, congratulates Brad Barringer, Carolinas on his 2006 Contractor of the Year Award.



# The National LICA Summer Meeting - July 18-21, 2007

Hosted by Nebraska LICA at the Embassy Suites Hotel, Downtown Omaha

# O!

## WELCOME TO OMAHA!

A block of suite-style rooms has been reserved at the Embassy Suites Hotel Downtown/Old Market at the rate of \$119 Single/Double occupancy room per night plus applicable taxes. This rate includes a complimentary full cooked-to-order breakfast and a complimentary daily managers reception from 5:30 P.M.-7:30 P.M. for all overnight guests. Complimentary self parking and airport shuttle transportation are also included. Each two room suite offers in-room refrigerators, microwaves, coffee makers, telephone voice mail and high speed Internet access. The Hotel also offers an on-site fitness center, business center and indoor swimming pool.

The Embassy Suites Hotel Downtown is located at 555 So. 10th St. in Omaha, NE. which is a short five minute drive from Omaha's Eppley Airfield and easily accessible from Interstate 480.

The Hotel offers a myriad of dining, shopping and entertainment options in the historic Old Market District. Several attractions located within walking distance, or a short, drive include: The Holland Performing Arts Center, Joslyn Museum, the Western Heritage Museum and the world renowned Henry Doorly Zoo.

Reservation cut-off date is June 16, 2007. To make reservations call (800) 362-2779 or (402) 346-9000 and request the National LICA Meeting Block. Register on-line at [www.omaha.embassysuites.com](http://www.omaha.embassysuites.com) using the group code NLM. The block is found in the reservation system as: Nat'l.LICA Mtg.

### Driving Directions

From the East and West, take I-80 to 480 North Eppley Airfield/Downtown. Take the Harney/Dodge Street exit and turn onto Harney Street. Proceed approximately 1.5 miles and turn on 10th Street.

From the North and South, take I-29 to I-480 West across the river into Omaha and take the Dodge Street exit. Turn left at the stop light onto 10th Street.

### Schedule of Events

#### PRE-TOURS

##### **Wednesday and Thursday - July 18 and 19, 2007**

Boys Town	Mead Cattle Co.
CLAAS Caterpillar Combine Plant	Nebraska's Memorial Stadium
DeSoto National Refuge	Historic General Dodge House
Strategic Air & Space Museum	Lauritzen Botanical Gardens
Valmont Industries	

#### CONVENTION AGENDA

##### **Thursday - July 19, 2007**

8:00 a.m.	Tours
6:30 p.m. - 9:00 p.m.	Welcome Reception

##### **Friday - July 20, 2007**

6:00 a.m. - 8:30 a.m.	Complimentary cooked-to-order breakfast
8:30 a.m. - 9:00 a.m.	Nebraska Welcome
9:15 a.m. - 11:45 a.m.	Committees
12:00 p.m. - 1:15 p.m.	Lunch
1:30 p.m. - 4:45 p.m.	Committees
5:00 p.m. - 8:00 p.m.	Dinner (On your own)
8:00 p.m. - 9:00 p.m.	Ice Cream Social

##### **Saturday - July 21, 2007**

7:00 a.m. - 10:30 a.m.	Complimentary cooked-to-order breakfast
9:00 a.m. - 11:45 a.m.	Committees
9:00 a.m.	Executive Directors Meeting
12:00 p.m. - 1:15 p.m.	Lunch
1:30 p.m. - 3:30 p.m.	Board Meeting
5:30 p.m. - 7:00 p.m.	Hotel Hospitality Reception
7:00 p.m.	Dinner

### Restaurants within Walking Distance

*There are a LOT! Here are a few:*

Billy Frog's Pub	Nick & Tony's
Omaha Prime	French Café
Spaghetti Works	Little King
Subway	M's Pub
Trini's Mexican	Famous Daves Bar-be-que

### Airport Information

#### **Eppley Airport**

Free shuttle service available to the hotel. (Approx. every 15 minutes.)

#### Airlines

America West, American, Continental, Delta, Frontier, Midwest, Northwest, Southwest and United

# The National Summer Tours and Special Events



## CLAAS Caterpillar Combine

Experience a wonderful tour of Claas Omaha, Inc. located within the "heart" of the corn and wheat belts of the Midwest. Home of the world's largest combine, the LEXION facility in Omaha, NE is one of the most modern in the marketplace. CLAAS Omaha is the assembly site for LEXION combines and home of an award winning team of engineers and LEXION personnel spearheading header and machine development. The LEXION combine is distributed and service through the CAT dealer network throughout North America.



The Strategic Air & Space Museum is regarded as the nation's foremost facility of its kind, the \$29.5 million museum opened on May 16, 1998 and preserves aircraft and missiles for future generations. The Museum is a 300,000 square foot building that features a glass atrium, two aircraft display hangars, a traveling exhibit area, a children's interactive gallery, a 200-seat theater, a Museum store, an aircraft restoration gallery, and a snack bar. The glass atrium is a breathtaking structure constructed of 525 glass panels that encase the awesome Lockheed SR-71 Blackbird. The two aircraft display hangars protect the aircraft collection and exhibits from harsh outdoor elements.

They participate in an exhibit exchange program with other national museums and display them in the traveling exhibit area. The children's interactive gallery is both entertaining and educational, and features audiovisual programs and activities for children of all ages. Visitors can purchase souvenirs, gifts and educational items from the Museum store, and refresh themselves at the Plane Food snack bar.

A unique feature of the Museum gives visitors the opportunity to watch the restoration of warplanes as technicians prepare them for display

## Father Flanagan's Boys Town

One of Nebraska's top attractions, a beautiful campus shares the history of Father Flanagan's dream to care for America's children. Here, you can see Spencer Tracy's Oscar for the timeless classic movie "Boys Town," the breathtaking Dowd Chapel and Father Flanagan Shrine, and discover how Father Flanagan sparked a revolution in childcare at our Hall of History.

Founded by Father Edward Flanagan in 1917, Girls and Boys Town has a 90 year history of helping abused, abandoned and neglected children. What began as a small home for homeless boys has grown into a nationwide organization with 19 sites in 15 states providing more than 46,000 children each year with a safe, caring, loving environment.



## Lauritzen Gardens Omaha's Botanical Center

Lauritzen Gardens are surrounded with beauty and tranquility. A trolley will take you over 100 acres of breathtaking outdoor gardens, including a rose garden, Victorian garden, children's garden and an arboretum. It also includes an indoor floral display hall, café and gift shop.



## Memorial Stadium

You're sure to enjoy this wonderful tour of the famous historic Memorial Stadium. The home of the University of Nebraska Huskers since 1923. With a capacity of 82,000 it has a continuing NCAA-record sellout streak that reached 282 games at the conclusion of 2006,

The tour will include the Osborne Athletic Complex, the new home for Nebraska football, the coaches' offices, player locker room and a walk on the field. It will also include the Charles and Romona Myers Performance Center. The new performance area provides every one of Nebraska's nearly 600 student-athletes all the elements to maximize their performance, including a new strength complex, athletic medicine center, hydrotherapy pools, and nutrition center, all on one level.

Inscribed on the four corners of the stadium are the following words, written by former UNL professor of philosophy Hartley Burr Alexander:



**Southeast:** "In Commemoration of the men of Nebraska who served and fell in the Nations Wars."

**Southwest:** "Not the victory but the action; Not the goal but the game; In the deed the glory."

**Northwest:** "Courage; Generosity; Fairness; Honor; In these are the true awards of manly sport."

**Northeast:** "Their Lives they held their country's trust; They kept its faith; They died its heroes."

Each event has limited space. Please make your reservations early.

For more information please call Nebraska LICA 402-289-2489

# 2007 SUMMER MEETING TOURS

## OMAHA, NEBRASKA

Wednesday, July 18, 2007

### TOUR ONE:

#### VALMONT INDUSTRIES

Wherever you live, whatever you do, chances are Valmont is part of your life. Lighting and traffic poles guide your way. Utility poles bring power to your home and business. Communication poles and towers enable your wireless communications. Irrigation equipment brings much needed water to crop-land while conserving fresh water resources. Valmont currently operates from 43 facilities located in 14 countries around the world. The company is headquartered in Omaha and employees over 5,600 personnel worldwide.

#### MEAD CATTLE COMPANY

View a 50,000-head cattle feed lot and also a Nebraska ethanol plant under construction.

#### CLAAS CATERPILLAR COMBINE PLANT

CLAAS Omaha is the assembly site for LEXION combines. Home of the world's largest combine in the heart of the corn and wheat belts of the Midwest.

#### HEAVY EQUIPMENT EARTHMOVING JOB

Weather permitting

Lunch: Round The Bend Restaurant

**PRICE: \$50.00 per person**

### TOUR TWO:

#### LAURITZEN GARDENS

Omaha's botanical center with over 100 acres of breathtaking gardens. The trolley will take you through the beautiful and tranquil areas of many different garden themes.

#### HISTORIC GENERAL DODGE HOUSE

A 14 room, three story brick Victorian home built in 1869 stands on a high bluff overlooking the Missouri River Valley. It displays such architectural features as parquet floors; walnut, butternut and cherry woodwork and several "modern" conveniences which were quite unusual for the period. Also tour the August Beresheim House.

#### DESOTO NATIONAL WILDLIFE REFUGE/THE STEAMBOAT BERTRAND

This 7,823 acre refuge lies on the wide plain formed by prehistoric flooding and shifting of the Missouri River and is devoted to preserving and restoring increasingly scarce habitat. In 1968, the steamboat Bertrand was discovered on the refuge and unearthed. The cargo, which contained every manner of goods needed for the territories, gold mines, logging camps, farms and households, has been restored and is on display.

Lunch: Rick's Boatyard Café

**PRICE: \$50.00 per person**

Thursday, July 19, 2007

### TOUR THREE:

#### MEMORIAL STADIUM

Located in Lincoln, Ne., this has been the home of the University of Nebraska Cornhuskers since 1923. This stadium becomes Nebraska's third largest city on game days with an attendance of 82,000.

#### STRATEGIC AIR & SPACE MUSEUM

The nation's foremost facility of it's kind which preserves aircraft and missiles for future generations.

#### FATHER FLANAGAN'S BOYS TOWN

Tour this beautiful campus with a 90 year history of helping abused, neglected and abandoned children. There is no greater way to feel the healing and hope Girls and Boys Town provides than by visiting this historic village. See where the children live, pray, learn and find love.

Lunch: Mahoney State Park - Peter Kiewit Lodge

**PRICE: \$50.00 per person**

*NLICA Wants YOU  
To ...*



*Sign up  
JUST ONE  
new member today!*

# 2007 NATIONAL LICA SUMMER MEETING

Embassy Suites Old/Market • Omaha, Nebraska • July 18-21, 2007 • Hosted by: Nebraska LICA

## REGISTRATION

**Registrations:**

Includes: Opening Reception Thursday evening, Friday lunch and Ice Cream Social, Saturday lunch and dinner

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Early Bird Registration - Post Mark before June 5, 2007**

Members, Spouses, Associates, Government Employees, Consultants	\$ 130.00 each	\$ _____
Youth - 15 years of age and under	\$ 65.00 each	\$ _____

**Registration after June 5, 2007**

Members, Spouses, Associates, Government Employees, Consultants	\$ 150.00 each	\$ _____
Youth - 15 years of age and under	\$ 85.00 each	\$ _____
Children 3 years of age and under		- Free-

**PRINT NAMES FOR NAME BADGES      Child Age      COSTS: TOUR 1      TOUR 2      TOUR 3      TOTAL**

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

ADD TOUR REGISTRATION: Please put total tour cost amount here \$ \_\_\_\_\_

TOTAL: MEETING REGISTRATION FEES PLUS TOURS \$ \_\_\_\_\_

**Registration Policy:** Only individuals registered and wearing badges may attend Summer Meeting events. All must register to attend convention, programs or functions. No registration will be processed without payment. Registration fee deadlines will be strictly enforced.

**Refund Policy:** For cancellations received prior to June 20, 2007 a \$30.00 charge will be deducted from the original amount paid. No registration payments will be refunded after June 20, 2007 unless an emergency has been experienced.

For further information call: (402) 289-2489

Please return this form with payment to:

**NEBRASKA LICA SUMMER MEETING**  
109 Platte View Drive  
Phillips, NE 68865

**EMBASSY SUITES HOTEL**  
**OMAHA OLD/MARKET**  
Room Rate \$119 plus tax  
Reservation number:  
(800) 362-2779; (402) 346-9000  
Request: National LICA Meeting Block

# LICA's Legislative Position

*The following legislative positions were approved for the National LICA Members Legislative Trip to Washington DC in March:*

## TAXES

### *Make the Tax Cuts Permanent, Particularly the Death Tax*

The tax cuts have benefited businesses which has led to more jobs. One of the most onerous taxes that needs to be eliminated is the Death Tax. This tax applies not only to the profit or income level of the business, but to the entire business, including land, equipment and buildings. The unfortunate result often is that the entire business must be liquidated in order to pay this tax. The employees lose their jobs and the remaining family members are left without the means to continue the business.

The entire tax code needs to be reworked and simplified. What started in 1913 as 14 pages of law has become a 17,000 page, 5.5 million word disaster requiring over 700 different forms. The average cost of compliance for small and medium-sized businesses is \$7,240 for every \$1,000 they pay in income taxes.

## IMMIGRATION REFORM

LICA SUPPORTS a comprehensive immigration reform bill. It is well known that many of our industries depend on workers from other countries in order to produce their products. Most of those who come here do it for economic reasons, wanting to better the lot of their families. The Congress should explore the possibilities of a guest worker program or other means to facilitate ways that this can be done without granting amnesty.

We need more effective control of our borders and need to develop better ways for legal immigration.

## HEALTH CARE

### *Affordable Health Care Through Associations*

Senate (S733) House (H.R.241): Small businesses need help. In competing with large business in the area of health care insurance, small businesses are at a distinct disadvantage. They must now pay the highest premium for less quality coverage than their larger counterparts. Small businesses employ a significant portion of the U.S. Labor force, but, those who work for small businesses are treated as second class in the area of health care.

Small business health care plans could ensure that their workers are offered similar health care benefits at affordable prices available to those working for medium and large businesses.

LICA supports legislation to permit Associations to offer health care benefits to members as a group. This would allow small businesses to combine resources to purchase health care insurance at lower cost.

## ENERGY

LICA supports legislation that will increase electricity reliability, promote alternative and renewable fuels, encourage domestic oil production and provide security for the energy infrastructure.

We need to open ANWAR and the Outer Continental Shelf for oil exploration. We have the know-how to do this in an environmentally responsible way. Let's not permit our industries' future to be held hostage by the whims of heads of foreign countries. If we are to retain leadership economically in the world, we must work to make use of all proven sources of energy and to further develop other forms of energy, such as wind, solar, renewable, etc.

## INFRASTRUCTURE

### *Adequately Fund the Small Watershed Program*

The Administration's proposed budget for fiscal year 2008 has zero funding for the USDA watershed program (Watershed Protection and Flood Prevention Program). This lack of proposed funding for the program, if approved by Congress, would have a devastating effect on watershed projects across the nation.

We understand the need to fund the war on terrorism and other national priorities, but we also have communities across the nation that are working on projects that protect the health and safety of citizens which also need help. This proposed reduction in funding would delay construction, increase future costs and could put lives in danger and property at risk.

Only \$6 million is proposed in the FY 2008 budget for rehabilitation of aging flood control dams. More than 900 watershed dams across the nation will need rehabilitation in the next five years at a cost of over \$570 million. These numbers will increase as dams get older and thousands of people and millions of dollars of property could be at risk if these dams should fail. That is why Congress authorized \$600 million for rehabilitation for 2003- 2007 in the last Farm Bill. Local watershed project sponsors provide 35 percent of the cost of the rehabilitation projects and many have local cost-share funds ready for projects that could be lost if the federal money isn't made available.

LICA recommends \$35 million for watershed planning, \$190 million for watershed operations and \$75 million for rehabilitation of aging watershed dams for fiscal year 2008.

The USDA watershed program provides an important infrastructure to thousands of communities in all 50 states. Investment in the USDA watershed program over the past 50 years has developed a \$15 billion national infrastructure that is

**“Legislative Positions” >p11**

# Farm Bill Principles

by Wayne Maresch

*Wayne Maresch, LICA Legislative Liaison, has been serving on a National Association of Conservation Districts (NACD) Task Force concerning the Farm Bill. Below are the principles they have outlined which they believe need to be followed in getting Congress to enact a meaningful farm bill.*

The demand for technical assistance continues to increase from all agricultural constituencies including farmers, ranchers, producers that manage rangelands and grasslands, forest landowners and landowners in developing areas. Funding must be provided to continue providing the general public with a wide range of soil, water, air and habitat benefits. These benefits are achieved through proper land and water management and the adoption of conservation practices, through the Conservation Technical Assistance Program and each of the Farm Bill Conservation Programs.

Farm Bill conservation programs should be resource-driven and locally-led with sufficient flexibility to identify local priorities and concerns. Program delivery must be tailored to the natural resource needs of the state and local area, with reliance on State Technical Committees and Local Work Groups to help identify local needs and apply limited financial assistance to maximize conservation benefits.

Retain the funding commitment to conservation programs provided in the 2002 Farm Bill, but look for opportunities to streamline and improve efficiency within the current program options.

The conservation program delivery system must be easily accessed by potential conservation program customers. This includes education of farmers, ranchers and forest landowners and new landowners about the programs; understanding the application process and necessary qualifications for participation in the programs; and technical assistance to implement the

programs must be easily accessible for conservation program customers. The sign-up process must be simple, easy to understand, and reach a broad audience (farmers, ranchers, forestry, and new landowners).

Education and outreach to landowners, producers and the general public are crucial to the successful delivery of the Conservation Title of the 2007 Farm Bill.

The conservation program options must provide a balance between those that set aside land and those that provide incentives and cost-share to undertake or maintain conservation practices on land that is in production of food, feed, and fiber. There is a growing demand for working lands programs from row-crop agriculture producers, livestock producers, specialty crops producers and forest landowners.

Support the development of alternative energy from woody biomass, forest byproducts, new and traditional crops and agricultural waste materials while maintaining natural resource protection for the land and providing the conservation and wildlife benefits of the land enrolled in conservation programs.

Support a Forestry Title to address the unique complexities of forestry.

NACD believes that the expansion of conservation practices on agricultural operations is driven by the economic viability of those operations and we support a strong agriculture base across the country. We encourage all landowners and operators to install and maintain conservation practices as appropriate for their operations and resource needs.

## Legislative Positions *(from page 10)*

providing \$1.5 billion in annual benefits to 47 million people in 2,000 watershed projects.

These projects return over \$2 in benefits for every \$1 spent.

### Proposed Amendment To National Labor Relations Act (H.R. 800)

The language below, intended to amend the National Labor Relations Act, appears to be against everything America stands for. Permitting one employee to allege that the majority of employees wish to have a union circumvents the principle involved behind the secret ballot. How is it intended that the Board will determine the validity of the signatures? It appears this will amount to certification by coercion. This can result in discrimination by the employer as well as by the union. We must maintain the sanctity of the secret ballot.

*“(a) In General- Section 9(c) of the National Labor Relations Act (29 U.S.C. 159(c)) is amended by adding at the end the following:*

*“(6) Notwithstanding any other provision of this section, whenever a petition shall have been filed by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a majority of employees in a unit appropriate for the purposes of collective bargaining wish to be represented by an individual or labor organization for such purposes, the Board shall investigate the petition. If the Board finds that a majority of the employees in a unit appropriate for bargaining has signed valid authorizations designating the individual or labor organization specified in the petition as their bargaining representative and that no other individual or labor organization is currently certified or recognized as the exclusive representative of any of the employees in the unit, the Board shall not direct an election but shall certify the individual or labor organization as the representative described in subsection (a).”*

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2

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3

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4

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5

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# 811 ... Gewgaw or Silver Bullet?

by Brad Barringer, Carolinas LICA

811 has been aggressively promoted as the answer to the underground utility damage problem. The reality is, will it help at all? There seems to be a lot of confusion as to what 811 can and will actually do. The establishment of a national, toll-free number to have underground utilities located is actually a compromise which originally would have established a national One-Call Center.

Senator Trent Lott had been very active in pipeline safety issues and realized we needed a more uniform and more dependable method of locating and identifying underground utilities, especially liquid petroleum and gas pipelines. Early on, it was evident that a national One-Call would be an administrative nightmare. Almost all states had a One-Call law on their books and all were different.

In most states, the control of the One-Call system was in the hands of a small number of local utilities that were very protective of their authority. Many of these utilities did not cross state lines and certainly didn't want "outsiders" running the show. The big pipeline companies had a lot at stake locally but very limited clout. A lobbyist representing a company in Texas doesn't demand the same attention as one representing a local company with thousands of local customers. National One-Call was never a viable option.

The National One-Call concept evolved into a national One-Call number ... 811. The establishment of 811 was mandated in the Pipeline Safety Administration reauthorization of 2002 and was approved on March 10, 2005 by the Federal Communications Commission as a national call-before-you-dig telephone number. The Commission ordered that all other use of 811 be discontinued and that ALL service providers must assign 811 to the national abbreviated dialing code for access to One-Call Centers. It also mandated that callers who use 811 cannot be charged for the call. A charge for a locate is a different issue.

811 does not change the way the One-Call Centers operate. You can still dial the 1-800 number if you so choose. 811 will be easier to promote and to remember and the hope is that it will become as recognizable as 911 or certainly as recognizable as 411. Certainly, home owners and occasional "excavators" should find it easier to dial 811 than to try to find a 10-digit number to call. 811 will place you into the One-Call Center serving the area from which the call is placed. That One-Call Center is expected to transfer you to any other Center if your excavation is not within their service area. Anyone working across state lines or Center service areas will no longer have to keep track of several One-Call numbers, 811 will do it all.

It's not all green pastures or smooth sailing. 811 is being promoted as the silver bullet but until the facility owners actually respond to the home owner or the occasional excavation, it will be a gewgaw. How many times will a home owner call when nobody responds? Even more serious is the question about private lines, especially gas lines and sewer laterals. The facility owners who actually benefit from such lines via product sales or service fees have refused responsibility for locating them. Nobody else has the records. Often the property has changed ownership several times with no information exchanged about "private" lines.

In most suburban areas the gas meters are on the side of the building and you can get a locate at least to the meter. In rural Minnesota, the meter is often at the DOT right of way or the pipeline right of way and the private line runs (meanders) hundreds if not thousands of feet and may serve several locations. The gas companies almost certainly can trace these lines but commonly refuse to do so under the pretext that it's not their line and therefore not their responsibility. In reality, gas companies are the logical, responsible party; they receive the revenue. Also, on March 31, 2005, Minnesota Administrative Law Judge Richard C. Luis ruled that private owners are not operators of utilities and should not be expected to locate those utilities. He reasons that the utility providing service for a line is actually the operator and should be responsible for locating.

The same argument holds true for sewer laterals. They are locatable by some means, be it GPR or robot entry or flushing a sending unit down the toilet. The municipality is usually the one receiving the revenue but seldom takes responsibility even from the collector to the clean out much less to the structure.

811 has the potential to bring both these issues to the forefront. As the effectiveness of the campaign is analyzed, the excavators simply must be vocal about the glitches in the system. Cutting a gas or electric line is dangerous, be it in an open field or trying to clean a sewer line stopped up by a gas or electric line which has been drilled through it. 811 can be a good tool if we use it to our advantage.

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# New Call Before You Dig Number

*by Wayne F. Maresch*

Several years ago, the U.S. Congress directed the U.S. Department of Transportation to sponsor an organization of concerned industries and organizations to come up with ways to reduce or eliminate damages to underground utilities. The organization began as the Common Ground Study. It is now known as the Common Ground Alliance (CGA). They are launching a national "Call Before You Dig" number which is 811. This is a nation-wide number and it will take effect on May 1, 2007. They have also set up a web site: [www.call811.com](http://www.call811.com)

This new web site is designed to serve as a national resource for professional excavators. The web site is now up and operating. It is intended to educate the industry about the new 811 "Call Before You Dig" telephone number.

One easy phone call to 811 will get the approximate location of underground utility lines marked. This number: (811) is the new FCC-designated national N-11 number created to eliminate confusion of multiple "Call Before You Dig" numbers across the country. This quick and efficient service connects callers with local One-Call Centers who will notify the appropriate local utilities, who will then send crews to the requested site to mark the approximate location of underground lines.

Knowing where underground lines are buried before each digging project helps prevent injury, expense and penalties. In

2004, according to industry data, CGA estimated there were approximately 680,000 underground line strikes resulting in damages, including service outages and injury. Many of these accidents might have easily been avoided by calling ahead to have lines marked before digging. A recent national survey conducted for CGA shows that confusion exists among the public as to the necessity of calling before every dig job. In the survey, only 35% of homeowners indicated they "or someone in their house" have called to have their utility lines marked in the past.

The intent is that even a homeowner who is about to build a deck that requires sunken footings or to plant a tree, a fence post, or a bush is expected to call 811 before digging.

You can continue to use the old number you always used to notify your local affected utility companies who will continue to mark your underground lines. With more than 62 local One-Call numbers across the country, 811 eliminates the confusion of multiple "Call Before You Dig" numbers by providing one national number you can call to get your lines marked.

While initially, we were told that calling 811 would eliminate the charge for locating the utilities, we have now learned that those states that have been charging for this service may continue to do so.

# The Future of Power

*by Wayne F. Maresch*

The Progressive Policy Institute released a report, last October, that promotes nuclear power as the weapon of choice against the threat of global warming. The Progressive Policy Institute is an arm of the Democratic Leadership Council. This is significant, since the environmentalists have, for years, objected to nuclear power as being a danger to civilization as we know it. Since they have identified carbon dioxide as being a greater threat and there seems to be no better substitute that emits no harmful gases, does not require cutting forests, destroys wildlife habitat, or diverts food crops for fuel use, the next logical choice seems to be nuclear.

Evidentially, technology advances which improve the safety of nuclear power plants and the fact that they don't degrade the environment and that they would forestall the building of new coal fired plants contributed to the decision in favor of nuclear power. They also note that new advances in power plant design make this option much more favorable.

Added nuclear plants face continued opposition in Congress, particularly in the Senate where Majority Leader Harry Reid is adamantly opposed to the use of Yucca Mountain as a storage facility for spent nuclear fuel. It remains to be seen whether he has the power to continue to block the completion of the Yucca Mountain facility or whether pressure from his Party for safe storage of spent nuclear waste will prevail.

# Global Warming???

by Wayne F. Maresch

Is global warming something new? Is it something that just started to happen or has it happened before? Consider the following: In 1895, the *New York Times* reported that we were on the verge of a new ice age. In 1912, they repeated this warning, and again in 1924. But, then in 1932 the *Times* reported that the climate was heating up again. Then, in 1975, the *New York Times* sounded the alarm that we were cooling off again and should prepare for a new ice age. And, lo and behold some 31 years later, in 2006, *Time Magazine* carried a story that things were heating up again and that now it is referred to as global warming.

How can all of these be true? In all of these cases, the alarmists were said to be scientists. And in this latest episode, they have computers to support their case. In each instance, both warming and cooling were purported to be disastrous to civilization as we know it. Crops were expected to be damaged by cooling and also by warming. In this latest scare, man was

blamed for increasing the amount of so-called greenhouse gases in the atmosphere. While things may be warming up, the evidence that greenhouse gas increase is the cause is flimsy, at best. Little attention has been given to the changes in the output of energy from the Sun. It is also true that our climate fluctuates in long cycles over periods of time, most likely due to changes in the Sun's output.

What is really different in this latest chapter in global climate change is the increased involvement of the government. At this time, the U.S. Government is spending \$4 billion each year on climate change research. Who is benefiting from this waste of tax dollars? The scientists who clamor for grants to conduct the studies, of course. They have created a golden goose from which they can collect the golden eggs. We would be far better off if those tax dollars were spent on creating jobs, or fighting diseases, or improving education.

## Transportation Infrastructure -- The Present and Future Crisis

by Thomas J. Donohue, President and CEO, U.S. Chamber of Commerce (January 16, 2007)

Our nation faces no shortage of crises--real or imagined--at the dawn of this new century. Anyone with an ax to grind or an agenda to push characterizes their issue as a "crisis" that requires immediate attention and usually lots of money. The term is so overused, it's almost become meaningless. But real challenges exist that, if not met, will have profound impacts on the quality of our lives and our ability to compete in a global economy. Transportation infrastructure is one of them.

I'll be the first to admit, this isn't a sexy topic that captures the imagination of the public or Congress, but it is a critical one. It goes straight to the heart of what every American cares about deeply--getting from point A to point B with minimum hassle and cost. Of course, businesses and consumers have an enormous stake in the efficient flow of goods around the world.

What are we up against? Take roads and bridges, for example. I could bore you with reams of statistics about the poor quality of our roads, capacity constraints, rising freight traffic, etc. But I'll simply ask you this: Have you been stuck in traffic lately? Have you hit a pothole? Have you seen chunks of concrete missing from bridge abutments? Is there traffic on roads that used to be less traveled, and at more times during the day? Unless you live in the most rural parts of our country, I would bet your answer is yes.

And how about our aviation system? Have a flight delayed lately? Worried about "close calls" on the runways? Read about the impending shortage of air traffic controllers? Our aviation infrastructure is becoming as antiquated as our roads and bridges, with the same dire implications for productivity, safety, and competitiveness.

One of the least discussed aspects of our transportation crisis is the status of our ports. Here a key statistic is telling. By 2020, every major U.S. container port is projected to at least double the volume of cargo it was designed to handle, with select East Coast ports tripling in volume and some West Coast ports quadrupling in volume. How will we handle the increase while balancing the need for security with the need for the quick, efficient movement of goods?

That's a simple, thumbnail sketch of the crisis we are facing. We know the implications because we are beginning to live them today: decreased productivity; more congestion; more delays; and more safety threats to each of us individually, and as a nation. There are no simple answers to these complex challenges (otherwise they would not be a crisis!). One thing we know for certain is that solutions will require innovation, technology, great political will, and yes, lots of money.

We also know that business should be leading the debate and needs a seat at the table when the decisions are made. That's what the Chamber is focused on now ... Stay tuned.

## Thanks to the Generosity of Our Associates, Another Successful Raffle!



↑ (Pictured from left) Charley Lloyd, Nebraska; Harry Hauschild, Nebraska; Xenya Mucha, John Deere Company; Patti McArdle, Nebraska; Brad McArdle, Nebraska; Jim Pruss, Nebraska celebrate Nebraska's remarkable raffle luck!

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