



# ILICA NEWS

Land Improvement Contractors Of America • Illinois Chapter

March/April 2004

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## Exciting News for ILICA Members!

### New Illinois LICA Carrier

Illinois LICA is excited to announce that we have endorsed Continental Western Insurance Company as the insurance carrier for our member's property and casualty coverages. Continental Western's home office and regional service office is located in Des Moines, Iowa. Continental Western is part of the W.R. Berkley Corporation. Continental Western Insurance Company is A rated by A.M. Best, a recognized insurance company rating authority in the U.S. The insurance policy Continental Western Insurance Company provides for the ILICA members is designed specifically for the Illinois LICA. Through independent agents, representing Continental Western Insurance Company, the company is active in the Illinois LCA at both the district and state levels. The Continental Western Insurance Company, claims staff and loss control staff have the technical expertise to service LICA member accounts.

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**See Inside For Further Information**

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## CAPITOL UPDATE



### Legislative and Regulatory Issues

#### 1. Farm Bill Gaining Momentum in Senate

The Farm Bill debate gained momentum in the Senate last week as that chamber voted 73-26 on a motion to limit debate and avoid delaying tactics on the legislation. Agriculture Committee Chair Tom Harkin (D-IA) reported the bill- S.1731- as ready for consideration by the full Senate.

At a press conference Thursday, Majority Leader Tom Daschle (D-SD) said, "We're not going to leave until the Farm Bill is finished." Daschle would like the bill on the President's desk by Christmas but thinks reconciling differences between the House and Senate versions can't be completed until late January or early February.

The Senate is debating the Farm Bill with the first major amendment on the Dairy Program submitted by Senator Mike Crapo (R-ID). Votes on this and other amendments are expected today. Harkin indicated in a floor speech yesterday that he thought the farm bill debate in the Senate could be finished by the end of Wednesday.

#### President Signs Agriculture Appropriations into Law

President Bush signed the conference report on the fiscal year 2002 Agriculture Appropriations Bill on November 28. The bill included a \$66 million increase for NRCS's Conservation Operations account making the total for that account \$779 million for this current fiscal year, which includes funding the agency's Conservation Technical Assistance Program. The original House agriculture appropriations bill included a \$70 million increase and the Senate a \$90 million increase. The bill also included \$10 million for watershed rehabilitation, \$48 million for the Resource Conservation and Development Program, \$6.8 million for the Forestry Incentives Program and improved the technical assistance funding for the Conservation Reserve Program.

Additionally, the President signed the VA/HUD/Independent Agencies FY 2002 funding bill into law on November 26. The bill, which funds the Environmental Protection Agency, includes the Clean Water Act's Section 319 Nonpoint Source Program. Section 319 remained level with last year's -\$238 million.

#### Second Amendment Upheld by Appeals Court:

Judges of the U.S. Court of Appeals, Fifth District, have held that... 'the right of the people to keep and bear Arms,' guaranteed by the Second Amendment, is not the exclusive domain of members of active military units, as claimed by gun control groups, but "that it protects the rights of

*Capitol Update...* (> p13)

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## PRESIDENT'S MESSAGE

Where does the time go? Here it is mid-February already. I hope you have all taken some time this winter to relax before another busy construction season gets here.

I would like to thank all of you for your support last year and I look forward to serving as your president again this year. The help of good committee people and a very good Executive Director make this job pretty easy. I think 2004 is going to be a good year for Illinois LICA. The insurance program looks like a very good benefit for the members and a good tool for recruiting new members. The certification program is ready to go and several will be tested by the time you read this. We will also have a booth at the con-x show in Rosemont in late March. I hope we will get some good exposure and some new members from that. We are going to have a conservation show in McLean County this August. I would like to try to get some regional meetings in various parts of the state. If you would be interested in hosting something like this please contact me.

This year is also bringing change to our association. JoAnn Huff, our Executive Director, has decided to retire after nearly 24 years of service to us. We all need to thank her for all she has done for us over the years. I would like to publicly thank her for all the help she has given me with this office. She makes this job easy. She will be missed and

hard to replace. I would also like to wish her all the best in her future. THANKS, Joann.

As we all prepare for the spring season, remember to work safe, and have a prosperous season.

Stuart Anderson  
President



## ACTIVE

**Ken Lee — Area 4**  
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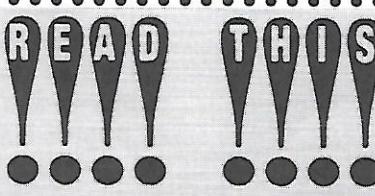
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**ILICA Board Meeting**  
will be held at

**The Heritage House Restaurant**  
3851 S. 6th Street  
Springfield, Illinois  
**MARCH 6, 2004**

### COMMITTEE MEETINGS

**11:00 AM – Convention**

**1:00 PM – Membership**

**2:00 PM – Insurance**

**2:00 PM – Headquarters**

**2:00 PM – Executive**

**Upcoming Meetings**  
**ILICA BOARD MEETINGS**

March 6, 2004

May 8, 2004

June 26, 2004

September 4, 2004

November 6, 2004

February 11-12, 2004

ILICA Contractors Workshop

The Chateau, Bloomington

March 24-25, 2004

Illinois LICA CONEX Illinois  
Rosemont, IL

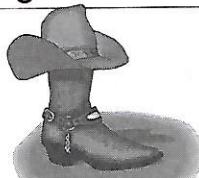
July 13-17, 2004

National LICA Summer Convention

Ramkota Hotel, Rapid City, SD  
James Keyes 605-224-8689

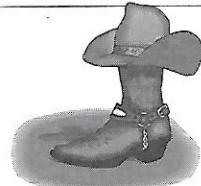
2005 Annual Convention

January 12-14, 2005



# ILICA'S 47<sup>TH</sup> ANNUAL MEETING & CONVENTION

## "WILD WILD WEST RODEO ROUNDUP"



The 47th Annual Meeting & Convention of the Illinois Land Improvement Contractors Association was held at the Holiday Inn Brandywine in Peoria, January 15-16-17. Hats off to Convention Committee Members, Joe & Jackie Streitmatter, Scott & Kate Day, Bill & Michelle Massching and Mark & Kate Baker for providing us with an



2004 Convention Committee

Registration Desk  
(l to r): Michelle  
Masching,  
Kate Baker and  
Jackie Streitmatter



educational, and well planned convention. Recognition also goes to our Education Committee for their continued success in finding speakers and topics that were timely and relevant for our educational sessions. The weather cooperated, **THE HOTEL WAS OUTSTANDING** and we had a great turn out.

Thursday morning started with an educational session,

### BACKHOE COMPETITION



First Place:  
Bill Masching



Second Place:  
Jon Seevers



Third Place:  
Stuart Anderson



Forth Place:  
Ron Baird



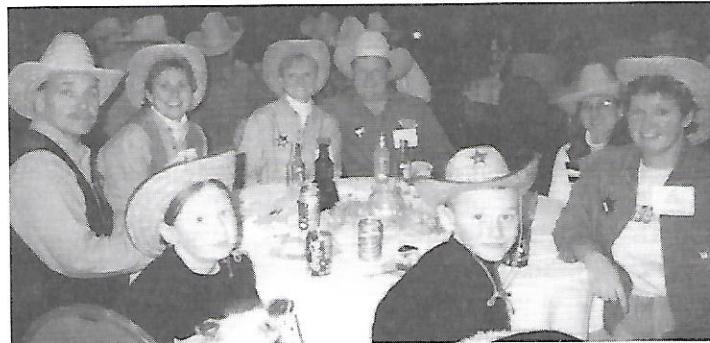
Fifth Place:  
Shawn Cassens



Scott Day "Keeping Score"  
at the Backhoe Rodeo

Trench Safety with Brian Bothast from OSHA. Then attendees were bussed to the Peoria Civic Center for the Backhoe Rodeo and lunch. Thanks to John Deere & Martin Equipment, Case & Birkeys Equipment and Caterpillar & Altorfer Inc. for participating and helping to sponsor this well attended event. Congratulations to the winners of the Backhoe Competition. Winners were as follows: 1st place-Bill Masching, 2nd place-John Seevers, 3rd place-Stuart Anderson, 4th place-Ron Baird and 5th place-Shawn Cassens. Kudos to the Backhoe Rodeo Committee for all their hard work in getting things all set up and running! Then it was back to the hotel for the Board of Directors Meeting which was held at 3 p.m.

Thursdays activities continued with the Early Bird Get together co-sponsored by Springfield Plastics and ILICA. Theme this year was "Wild Wild West & Rodeo Roundup".



Cowboy hats were handed out to get everyone in the mood. Brian "Fox" Ellis of Fox Tales International entertained us with his great songs and "Good Luck Paul the Bear" was auctioned off to high bidder (of lets just say over \$1,000) to Craig Carroll. A fun time was had by all! And then of course, the evening ended with a visit to the Hospitality Rooms sponsored by our Associate Members.

Thanks to all our associates for sponsoring the nights entertainment and especially to Springfield Plastics for providing great food, drinks and prizes.



Craig Carroll had the highest bid for "Paul the Bear".

Friday began with devotional service, opening of a well packed Exhibit Area and the General Session which included Reports from the following; "ILICA, LICA, Current Legislation, NRCS, FSA and AIDD. These reports were given by representatives from each of these agencies. Thanks to Altorfer Inc for again sponsoring our noon luncheon. After lunch Educational Sessions included "I.D.O.T. Compliance/Question & Answers" with George Wyness, Motor Carrier Compliance Officer.

Thanks goes to our dinner sponsor Agri Drain for a great meal. For the evening entertainment this year we had "The Pride of Peoria Chorus" followed by our 3rd Annual



The Pride of Peoria chorus.

Auction which helped us to raise some funds for ILICA. Thanks again to our Associate Members and ILICA Contractors for donating some great auction items.

The Devotions Committee started our Saturday morning off with inspiration and song and those who attended appreciate their efforts. After breakfast, door prizes were handed out to the lucky winners and General Session started back up with Educational Session which included "Personal Protective Legislation and the Scope of the Laws" with Ed Hertenstein, Assistant Professor Labor & Industrial Relations.

The annual Business Meeting began at 2 p.m. Stuart Anderson was again elected President, Joe Streitmeyer - Vice President, Bill Dean -First Vice President, Steve Anderson- Treasurer and JoAnn Huff -Secretary. Directors

and Alternates where chosen by their respective Districts making up our new 2004 Board of Directors. All yearly reports were given.

The evening ended with of course, our Annual Awards Banquet. A big thanks to Jim Evans, asst. State Conservation Engineer, Natural Resource



Coretha Rozendahl and Rose Day lead the ILICA song.

Conservation Service who did a **SUPER** job as Master of Ceremonies and of course, Congratulations to all award recipients!

## THANKS TO ALL OUR SPONSORS:

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## AWARDS WERE PRESENTED TO:



Mr. Contractor  
**Stuart Anderson**



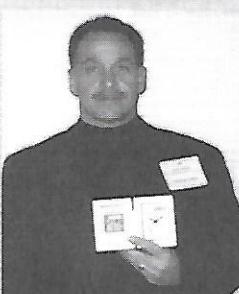
Mrs. Contractor  
**Beverly Dean**



Director of the Year  
**Wayne Litwiler**



Merit Award  
**Dr. Kent Mitchell**,  
University of IL  
Extension service



Merit Award  
**Mark Baker**,  
Springfield Plastics

## CONGRATULATIONS TO THE WELL DESERVED RECIPIENTS!!

## LADIES PROGRAM

Our ladies enjoyed another great program this year. We started off with a "Get Acquainted Coffee" on Thursday. "The Bag Lady" brought in purses & jewelry for the ladies to eye or buy. On Friday we boarded the bus for a tour of the Flanagan House which is the oldest single residence in Peoria built in 1837. Then it was lunch at Johnny's Italian Steakhouse preceded by a cooking demonstration from the Chef himself which included tastes of his gourmet delights. The Peoria Convention & Business Bureau was there to greet us and we received "Goody Bags" from the Shops of Grand Prairie where we spent the rest of the afternoon

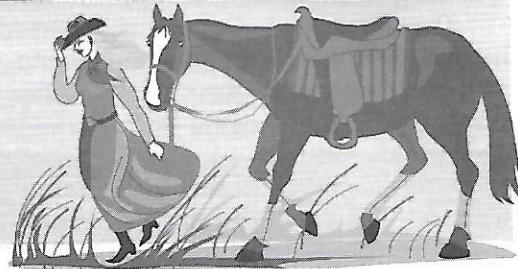
checking out the stores and using our newly acquired savings coupons.

On Saturday, Dr. Rebecca Knight talked about "Osteoporosis" and Kim St. John told us all about using and growing herbs. We also got to sample some great treats that she brought for us and make some things to take home.

The 2004 Convention was filled with wonderful food, great fellowship, opportunity to meet new and old friends and to learn something new with great educational programs. The Convention Committee is checking out some places for the 2005 convention and if you have ANY suggestions for entertainment or educational programs, please call the ILICA office or let our committee members know.



The ladies on the tour.



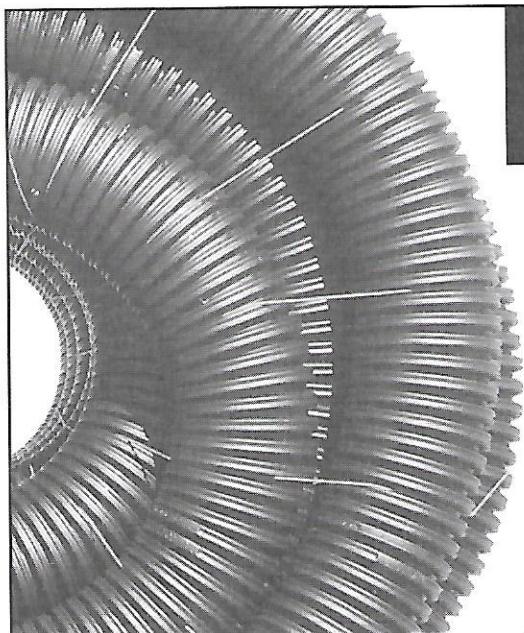
## HEY WORKAHOLIC, GET A LIFE!

It's great to be passionate about your work. But if you don't have a life outside the work and can't adequately explain why, you're a workaholic. How to develop life outside work? Here are some suggestions:

- **Plan a vacation or quick getaways months ahead.** Then buy nonrefundable tickets and

prepay the hotel. This makes it financially and emotionally painful to cancel.

- **Schedule a standing date night with your mate.** Commit to it.
- **Sign up for regular, non-work activity** during the week that makes you leave the office early.
- **Subscribe to publications** that have no relationship to your profession.



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## ILLINOIS HIGHLIGHTS

- Fortune magazine's ranking of the 100 Best Companies to Work For includes CDW Corporation, a Vernon Hills wholesaler of electronics and office equipment, at number 11. This marks the sixth consecutive year that CDW has been ranked among the top 100 on this list.
- The Associated Press reports that Chicago's O'Hare Airport was again the world's busiest airport in 2003, based on 931,000 take-offs and landings. Atlanta's Hartsfield-Jackson Airport was projected to have the most passengers for the year.

## GLOBAL INSIGHT - DECEMBER 2003 U.S. ECONOMIC OUTLOOK

- Economic forecasting firm Global Insight reports that long-awaited gains in jobs and unemployment are finally occurring. The third quarter "produced one giant, last gasp of doing more with less," with a 9.4 percent increase in productivity. Hiring picked up over the summer and seems to be increasing. As new workers enter the work force, productivity growth will slip to a more sustainable pace, averaging 2.6 percent for the next few years.
- Foreign trade is expected to turn the corner, with net exports making a positive contribution to GDP growth by the middle of 2004. Exports are on the upswing largely because value of the dollar has declined approximately 20 percent versus the currencies of our major trading partners, making American products cheaper overseas.
- A growing and vocal minority at the Fed believes that inflation now poses a greater risk than deflation, due to strong recent growth, expansionary federal fiscal policy, and a weaker dollar. Global Insight therefore projects that the Fed will begin to tighten monetary policy no later than June, and perhaps sooner.

*For more information, contact: John O'Conner,  
Illinois Department of Commerce and Economic Opportunity (DCEO)  
217/557-1820 • 800/785-6055 (TDD)*

## SAFETY TIPS TO HELP REDUCE THE RISK OF HYPOTHERMIA AND FROSTBITE WHILE WORKING OUTDOORS

Contractors who must brave the outdoor winter conditions face the occupational hazard of prolonged exposure to frigid temperatures. This can result in serious health problems – including hypothermia and frostbite. Help your employees reduce the risk of winter's hazards by sharing the following tips:

- Allow a period of adjustment to the cold before embarking on a full work schedule.
- When working outside, provide your body with frequent shots of fuel. Good sources of quick energy are candy and dried fruits.
- Prevent hypothermia by paying attention to what you wear. When dressing, pull out the wool gloves, socks, shirts and coats. Wool is an insulating fiber.

- The combination of cold, wet and windy conditions is more likely to cause hypothermia than severe cold alone.
- The early symptoms of hypothermia include intense shivering, muscle tension, fatigue and feelings of cold or numbness.
- If you suspect frostbite, seek medical assistance immediately. Frostbite parts should be covered with dry, sterile gauze or soft, clean cloth bandages.
- The symptoms of frostbite occur in three stages: body parts begin to feel cold and stiff with a prickling pain; skin hardens and turns blue or white; affected areas become numb and feelings of cold or pain go away.

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# IMPORTANT NEWS THE NEW ILICA SAFETY INSURANCE GROUP

As another Contractor Member benefit, the Illinois, Missouri and Iowa LICA Chapters have combined efforts to establish a Safety Insurance Program which, when the pool remains profitable, can provide the contractor members who carry this insurance with a substantial dividend on their premiums.

## A LITTLE HISTORY

The program was started in the Iowa LICA Chapter in 1996 and has been very successful for its members. With the exception of the year 2000 when a large accident depleted the pool's dividend, the Iowa LICA contractor members who carry the insurance have received a dividend on their premiums every year since 1998 when the program became eligible. For the year 2002, that dividend amounted to over \$250,000 or an average of 18% being returned to premium-paying contractors!

The insurance is provided through the Continental Western Insurance Group with Prins Insurance Agency (Sanborn, IA) serving as the Administrator for the program. You can find a Continental Western agent near you by accessing the Continental Western Insurance Group's website ([www.cwgins.com](http://www.cwgins.com)) and look under "Agent Finder."

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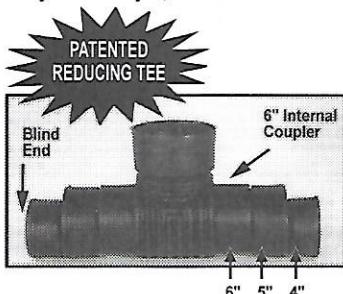
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safety record. Any qualified contractor may purchase this insurance; however, only Illinois, Missouri and Iowa LICA qualified contractor members will receive any potential dividends. In addition, in order to receive any dividend, the contractor must be a paid member of Illinois, Missouri or Iowa LICA at the time of disbursement.

## PROGRAM SUMMARY

Below is a brief summary of the Illinois/Missouri/Iowa LICA Safety Insurance Program:

### Coverages

- Property (Buildings; Contents)
- General Liability (Business Liability)
- Business Auto (Pickups; Dump Trucks; Semi Tractors; Trailers)

### Continuation Coverages

- Inland Marine (Scheduled Equipment; Misc. Tools; Cargo)

### Optional Coverages

- Pollution Liability
- Fellow Employee Coverage (Auto & Business Liability)
- Crime (Employee Dishonesty)
- Employment Practices

### Property Coverages

- 50% of limit for newly acquired buildings
- 25% of limit for newly acquired contents
- \$25,000 valuable papers
- \$10,000 signs attached/detached to buildings
- \$500 damage to outdoor plants, etc.
- \$5,000 money and securities
- \$10,000 transit coverage
- \$2,500 sewer backup

### Contractors Equipment Endorsement

- \$100,000 loss to leased or rented equipment
- \$10,000 misc. tool coverage
- \$10,000 installation floater coverage
- \$500 per day/\$5,000 per occurrence rental reimbursement

### Dividend Potential

*Important News... (> p10)*

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**Important News... (< p9)**

- Dividends percentages are tentatively figured at the end of the calendar year (December 31 st) and are paid seven months later.
- ILICA Contractor members who are enrolled in the program and are current in their dues at the time of disbursement would receive dividends when the program qualifies.
- Only ILICA eligible contractors will receive the dividend when available.

**Safety Training**

- Continental Western and/or Prins Insurance will provide safety seminars for Districts and/or State Meetings.
- Continental Western and/or Prins Insurance will provide safety consultation for individual contractor members.

**Dividend History**

The Iowa LICA Safety Insurance Program was established in 1996 with Hawkeye Security being the insurance provider. Continental Western began providing the program's insurance in 2000. That year, there was one very large claim which depleted the potential dividend. With Illinois, Missouri and Iowa members combining forces, the risk of one incident depleting the pool becomes less, but there is still no guarantee that a dividend will be issued. However, as the numbers below indicate, the chances look good!

- 2.53% premium dividend paid for 1998
- 13.59% premium dividend paid for 1999
- No dividend for 2000
- 7.98% premium dividend paid for 2001
- 18% premium dividend paid for 2002

**In Summary**

- The qualified LICA contractor gets a quality insurance program at a competitive price with the additional opportunity to receive a dividend on his/her premium.
- With the addition of more qualified contractors, the pool grows and is more likely to sustain even a large accident.
- If the contractor has an independent agent, he/she can keep this same agent and still purchase the Continental Western program.
- The LICA contractor can receive needed safety courses to protect his employees, business, and rates.
- The more safe contractors in the program, the more likely the dividend will be issued, and the larger that dividend can become.

**Watch Your Mail...**

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**The Insurance...**

**Sign Up A New Member...**

**And Be A Winner!**

**LICA LIFE INSURANCE**

As part of your member benefits each LICA Active Contractor Member under the age of 65 is automatically insured for \$5,000 in term life insurance. The insurance remains in force from the time you join LICA, renewed each year, as long as your dues are paid. Those of us between the ages of 65 and 69 are insured for \$2,500.

Many LICA members purchase Additional Term Life Insurance on themselves, their spouse and employees. LICA offers three plans; \$10,000, \$20,000 and \$30,000. Spouse or employees are eligible for half the amount of the member's coverage.

As a member of LICA you participate in a group rate, probably much lower than an individual rate. Benefits for new members begin the first day of the new quarter following receipt of your dues in the National office.

**Call: 630-548-1984 for more information.**

**GRATEFUL SCHOLARS**

LICA awarded four scholarships this year. The LICA National office processes the awards. But all the thank yous belong to you, the LICA members: Here are some excerpts:

*"Your support means a lot to me as I begin my career journey."*

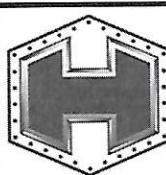
*"No matter where I go, or what I do land improvement will always be my background."*

The phrase "thanks" is repeated so often in the student letters that there is not space to include them all. But you get the idea.

**Anyone in your family getting ready for college?**

LICA awards a number of scholarships each spring. If you are related to an Active Contractor Member (spouse, child, step-child, grandchild or step-grandchild) You may qualify for a LICA scholarship. Applications are available from National LICA.

**Call: 630-548-1984 or e-mail: [nlica@aol.com](mailto:nlica@aol.com)**



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## MARK REETER

**Finance manager helps Roland customers navigate finance process to maintain maximum cash flow**

With a more than 20-year perspective on what makes companies thrive or fail, Roland Machinery finance manager Mark Reeter cites three main reasons why contractors go out of business: a poor work ethic, a bad business plan, or being under-capitalized. Although he may not be able to change a company's behavior in the first two areas, his goal is to help ensure that Roland's customers aren't saddled with the third obstacle to success.

"When they get that operating line tied up," Reeter said, "it could retard their growth or possibly put them out of business." He strives to obtain the best financing or leasing products for Roland customers, using a wide range of finance companies and national lenders that are familiar with the construction industry and the needs of contractors. "Komatsu financing is one competitive option, but there may be others as well," he added.

"We do this as a service to help grow our customers' businesses," Reeter stressed. "In addition to financing the pieces of equipment we sell, we offer assistance to our customers in restructuring debt if they have several term loans on equipment.



Illinois LICA & JoAnn,

Thanks for inviting us to your convention. We really enjoyed ourselves. Hopefully "Good Luck Paul" will help with membership.

Douglas May Jr.  
Region IV, Vice President

We have lenders that can offer restructuring or refinancing on those loans to help cash flow and save money on interest expense."

Reeter also works with customers to provide service financing, he noted. If a piece of equipment needs a major overhaul, such as a new drive train, transmission or engine, he will attempt to set up a finance package that allows the customer to spread the debt over two or three years, with the piece of equipment as collateral.

"The advantage to the customer who's repairing a used piece of equipment is that he wouldn't have to take all the cash out of his pocket to pay for it or draw the money off his operating line," Reeter explained. "And he

**Mark Reeter... (p12)**

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**Mark Reeter... (<p11)**

would be making an under- or non- performing unit a valuable and profit-making asset."

**The best option to improve cash flow**

Roland customers interested in financing a piece of equipment can call Reeter directly or ask their salespersons to have Reeter contact them. "Then, I touch base with the customer and together, we determine their objectives and what will work best for them – finance, lease, refinance, whatever," said Reeter. "The customer may want to finance the new piece of equipment and restructure some existing debt to improve overall cash flow.

"Once we figure out what's going to work best for the customer, I then gather what financial information that would be needed by a lender to approve the deal. When I have the financial package gathered, I then find a lender I feel will get us the most aggressive rates and terms for that particular deal."

Although new to his position at Roland, Reeter entered the commercial lending business in 1979 with General Electric Credit Corporation and has had a broad range of experience in the field, financing everything from bulldozers to aircraft to computer systems. "For the last 11 years, all I did was call on contractors and dealers," he said. "I know the problems they address. I know the funding problems they have with state road projects, and

I know that cash is king. I'm familiar with the balance sheet and how they need to improve it for bonding and bank purposes."

Financing large pieces of equipment presents challenges and opportunities, but Reeter is confident he can help determine the best course for Roland's customers. "I have a good background in financing, and I know a lot of lenders," he said.

Mark Reeter can be reached at 1-800-252-2926.

## WEATHER BAD - CAN'T GET OUT IN THE FIELD?

Remember it is YOUR job. Don't rely on someone else. Remember the old story:

There was an important job that needed to be done and Everybody was sure that Somebody would do it. Anybody could have done it, but Nobody did.

Somebody got angry about this, because it was Everybody's job. Everybody thought Anybody could do it, but Nobody realized that Everybody wouldn't.

It ended up that Everybody blamed Somebody when Nobody did what Anybody could have done! Please don't let this story apply to us! Get a new member or a prospective member today!

## A Single Focus

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**Capitol Update... (< p2)**

individuals...to privately possess and bear their own firearms...that are suitable as personal, individual weapons." The court's endorsement of the Second Amendment was part of a 77 page ruling in which the justices decided that the Texas district court erred in dismissing the indictment of Timothy Joe Emerson, accused of violating a restraining order forbidding his possession of a firearm. The Appeals Court ruled that Emerson had forfeited his own right to possess a firearm, but other Americans retain the right under the Second Amendment. (*Liberty Matters News Service*)

**Funding Our Own Destruction**

The U.S. taxpayer, through the generosity of federal agencies, is providing money to fund the conservation projects of 20 major environmental groups. In 2000, \$377,000 a day went to organizations whose mission is to wrest control of property from private owners. The biggest winner was The Nature Conservancy, which last year received \$37.5 million. The Forest Service granted \$30,000 to The Lands Council, a group that favors a ban on commercial timber sales on public forests. The Forest Service also bank rolled the activities of the National Forest Foundation to the tune of \$82,700 to pay consultation fees to a retired Forest Service employee and \$123,500 spent to recruit new members. Their efforts only garnered \$13,000 in new membership fees. A Website dedicated to erasing "urban sprawl," [www.smartgrowth.org](http://www.smartgrowth.org), is written and funded by the Environmental Protection Agency (EPA). The same

day the National Wildlife Federation sued the EPA over water quality, it applied for a \$70,000 EP A clean-water grant, which was granted. The federation won its lawsuit and even got the government to pay its legal fees of \$14,000. The flow of taxpayer dollars is not confined to U.S. borders, either. Last year, more than \$37 million flowed to environmental projects in foreign countries to pay for sustainable farming projects and eco-tourism events. Maybe the Bush administration needs to be asked why we are funding organizations that seek to destroy our liberty. (*Liberty Matters News Service*)

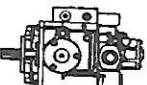
**Small Business Bills Stalled:**

Legislation to assist small businesses adversely impacted by the terrorist attacks is stalled after the Administration announced opposition to the appropriations required in the bills. The "American Small Business Emergency Relief and Recovery Act," H.R. 3230 and S.1499, both contain a provision that would ensure that small business federal contractors locked out of federal facilities due to security measures taken after September 11 would be entitled to equitable relief. That relief could include contract price adjustment or an extension of the time for performance of the contract. Either action would require a review from the head of the contracting agency and the Small Business Administration. The bills also authorize a \$100 million fund to pay for price adjustments.

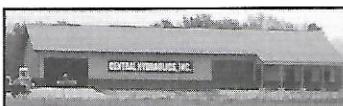
**EPA Posts Draft Arsenic Implementation Guidance:**

November 28, EP A posted a copy of a draft State Implementation Guidance Manual for the arsenic regulation for review and comment. While the text on the EPA web site indicates that the draft guidance is based on the proposed arsenic regulation (June 2000), the executive summary of the guidance document contains a description of the events up to and including EPA Administrator Whitman's statement in October 2001 that the final arsenic MCL would remain at 10

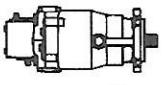
*Capitol Update... (> p20)*



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## COMMITTEE FUNCTION, RESPONSIBILITY AND AUTHORITY

The committee system is the best system yet devised in a democracy to capture and develop ideas into a workable program. The **FUNCTION** of each committee is to gather ideas from every source that relates to its area of concern. Those ideas should be advanced in the form of a proposal. Each member of the committee has a personal **RESPONSIBILITY** to become knowledgeable in that area of the committee's concern. Each committee has the **AUTHORITY** to investigate, research, meet, submit reports and develop proposals, to the extent of its budget. Committees are authorized by the By-Laws as an instrument of the Board as a means to secure ideas and suggestions from the membership. Committees which do not gather and refine ideas for presentation to the Board are missing the opportunity to serve the Association. Committees can be no stronger than the individual members who serve the Association.

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## BACK TALK

Chances are you or some of your employees suffer from back pain. U.S. Department of Labor statistics say that more than 20 percent of workplace illness and injuries are due to back injuries. Employee back injuries are the most frequent cause of days away from work, and insurance claims costs amount to millions of dollars each year.

While back problems may arise from acute injury or illness, many injuries develop over a long period and worsen as the body ages. Often, the cause is related to habits and behavior that can be changed to improve back health and prevent serious injuries. Increasing awareness of these factors can work wonders in decreasing the frequency of back injuries and illness.

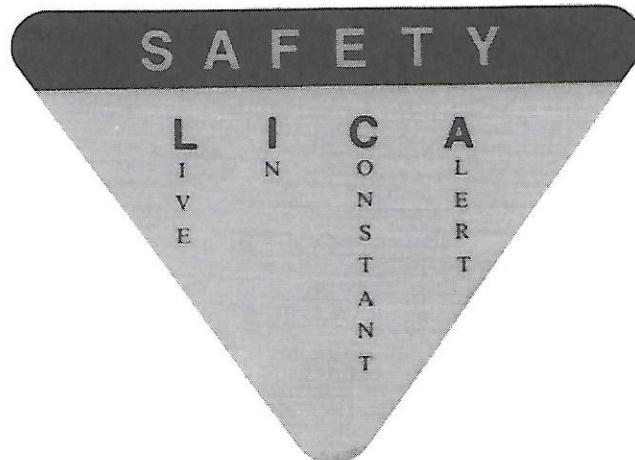
- Posture -Good posture while standing, sitting, driving and sleeping can help align the spine and avoid undue stress on the back.
- Lifting -Proper lifting techniques and awareness are especially important for employees whose jobs include heavy lifting.
- Exercise -Strengthening muscles in the back, abdomen, and legs along with a regular exercise routine helps protect the back.
- Healthy Life-style -Managing stress, getting enough sleep and rest, maintaining a healthy weight and not smoking helps maintain a healthy back.

# DRIVER CONDITIONS

## Physical Conditions That Affect Driving Ability

**Age.** We can't change our age, but we can compensate for it. The younger we are, probably the more physical skills and less patience we have. The older we are, probably the fewer physical skills and more patience we have. Each age group should understand these facts and drive accordingly.

**Mobility.** If our bodies are experiencing some limits to their mobility, it's time for us to use our minds to make the necessary adjustments.



**Hearing.** Most drivers assume that their eyesight is their most important sense behind the wheel. After all, our state requires periodic vision tests. But the facts show that hearing is also critically important because it alerts us to what our eyes have not yet seen. That is why smart drivers see to it that they are not operating inside a sonic barrier while out on the road.

**Vision.** This sense, of course, is the primary one at work when we are driving, so we need to give our – eyes every advantage. If there are vision impairments, we should try to compensate for them (using headlights, mirrors, glasses, and sun visors, for example) before we turn on the ignition.

**Illness or Use of Medication.** We can't control when we get ill or must be under medication, but we can control how we handle illness behind the wheel. In some cases, that may mean not getting behind the wheel at all.

**Fatigue.** Fatigue or drowsiness is the silent killer on the highways. We have all experienced it and we all know what to do about it. The trick is not to underestimate its seriousness. Here are some typical ways to tell if we are too tired to drive:

- Our thoughts wander.
- We are easily distracted.
- We can't stop yawning.
- Our eyes close or go out of focus.

- We cannot remember driving the last few miles.
- We drift between lanes, tailgate or miss traffic signs.

A fatigued driver is just as dangerous as an impaired driver. If we find ourselves getting sleepy, we need to get off the road as soon as possible and get some rest.

In defending a client charged with assault, a lawyer told the jury his client was walking down the road with a pitchfork on his shoulder. A large dog who was very fierce attacked the man, and the man killed the dog with the pitchfork.

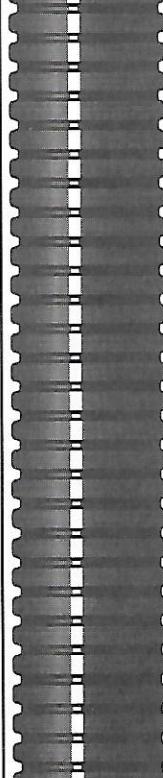
"Why did you kill my dog?" demanded the dog's owner.

"Because he tried to bite me."

"But why did you not go at him with the other end of the pitchfork?"

"Why didn't your dog come at me with his other end?"

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# GABBING WITH THE GALS...



Here we are in Glumland again – with snow all over and cold air a-coming down upon us. If we would be honest, what else can you expect in the season of winter? We can always be happy that it isn't as worse as other parts of the good old U.S. of A. However, then guilty conscience comes upon us that we are glad someone else has the bad weather. Mother Nature hasn't given any instructions for those feelings. When we live in the Midwest we still have the four seasons just like all others do, so guess it's normal to brag or complain about it. (Those two words are in the dictionary so it's alright to use them.)

A little boy went to the ballet for the first time with his father. He watched for awhile as the women danced around on their toes, then asked, "Dad, why don't they just get taller dancers?" The Nutcracker Suite was on at the Krannert Center at the University of Illinois in December and my best friend attended. She appreciates those programs; afraid I wouldn't, even though I have progressed to liking classical music and listen to my CD's when hubby isn't around; he definitely would not care for them. Perhaps it's because the classical dance programs (including opera) are things I don't understand as they are mostly in another language. That's what would bother me about going to a foreign country – the language barrier. I'm one of those who gets irritated when people that call on the telephone and you cannot understand them. Hey, I hear the old soap box coming on so best change the subject – okay?

Not going on the political soap box again either but this was kind of amusing: Why don't politicians play hide and seek? Because noone would look for them. Why don't they allow bureaucrats to look out the windows in the morning? They need to save something for them to do in the afternoon. Here's a definition: A credit card is a small plastic device used to dig yourself into a hole. How true! Predicting the future is easy. What's hard is figuring out what's going on now! The Noah Principle: You don't get fame for predicting a flood – only for having built an ark.

Surely enjoyed visiting and seeing good friends and new ones at the state convention in January. Thanks to all who helped me carry things and getting around. We received a bag of whatever at the luncheon and one of the items was a small box. It would not open for me and I was inquisitive to see what was in it. So I resorted to a knife—a no/no—and of course sliced my finger in the process. So I wrapped it in tissue and went to the registration (hotel) desk for a band-aid and the Region 4 president's wife was there and helped to put it on. She was a very nice lady and I thank her. What was in the box? Nothing! How does that grab you? Supposed to be a pill box I was told – well, a person could die before opening that pill box to be saved. So guess where it went? Yep, File 13.

There is a lot to be done to teach people to read nowadays according to the newspaper and TV. Don't know how I got interested in reading at an early age as no one read to me, but must have been curious. Have always been a reader and now that I have to be occupied at the office daytimes have taken to reading before going to sleep so only read paperbacks. I have favorite authors and once in awhile try a new one and decide whether or not to try them again. It is astounding when you see all the books in a bookstore and wonder how anyone could possibly make a living at writing a book unless you already are a well-known author. Seems as if everyone and their brother or sister write a book when they get out of a certain job anymore; not always a good idea. I certainly am down on those who tell tales out of their workplace because it is not fiction and could damage someone's reputation. My preference is fiction, and mysteries. (Still curious after all these years!) Those of you who remember John O'Reilly from Kansas probably know he was a book worm also. He sent me a box of books after he retired and I did read some of them but gave some away that were not down my alley.

Another season of the church year is the coming of Lent. It is late again this year, Feb. 25. which will make Easter late in April which is good because we might have good weather for it. To me it was much harder to figure out what to do for Lent as a sacrifice than making a New Year's resolution. Now the thought is to not deprive oneself of something but to do something extra for somebody or something, which is probably harder to do. It would also be considered a sacrifice, especially of your time, and often times that is harder to give up than money. If you are a diabetic, it would be easier to do something extra because you have to give up so much as it is. Trying to change oneself doesn't always work out because you can change just so much and the nitty-gritty stays the same. We can always blame it on our genes -right?

"Doctor," the receptionist said to the psychiatrist, "there's a man out here who says he is invisible." "Tell him," the doctor replied, "I can't see him right now." Why did the Siamese twins move to England? So the other one could drive. A burglar froze in panic when a loud voice said, "God is watching you!" When it was silent the burglar felt safe enough to creep forward another step. "God is watching you," said the voice. He looked around and spotted a parrot in the corner. "Did you say that?" "God is watching you," the parrot repeated. The burglar breathed a sigh of relief. "What's your name?" "Clarence." The burglar laughed and said "What kind of idiot would name a bird 'Clarence'?" "I suppose," the bird replied, "the same idiot who named our rottweiler 'God'."

The word for this issue is "sacrifice". We probably would have to reconsider what we do each day to decide how we can sacrifice whatever. It probably would make us a stronger individual and make things more meaningful to us if we did find something to sacrifice in the course of our day. We won't know if we don't try. Okay?

Our best to Marilee on her mission trip and many congrats to Ben and Rose on their 50th anniversary this month. True love will prevail!

...Rambling Rose

# STATE LAW CHANGES IMPACT EXCAVATORS

## New JULIE Provision Limits Locate Request Ticket Life to 28-Calendar Days

STATE OF ILLINOIS – Representatives of the Joint Utility Locating Information for Excavators (JULIE, Inc.) are coordinating a proactive campaign to promote the importance of safe digging practices and remind excavators about the amendatory changes in the state law. One of these additions includes a provision limiting the locate request ticket life to 28-calendar days (effective March 1, 2004).

"In 2003, amendatory language to the Illinois Underground Utility Facilities Damage Prevention Act was created in a cooperative spirit with various stakeholders and approved unanimously by members of the Illinois General Assembly," said Mark A. Frost, executive director of JULIE, Inc. "Damage prevention is a shared responsibility."

JULIE team members promote public awareness and education concerning the use of the system. Over the past few weeks alone, over 5,000 professional contractors and representatives from member utilities have attended safety presentations. In addition, materials have been distributed at a variety of industry-related events across the state.

Highlights of the amendatory language to the Act include:

- Clarifies the advance notice requirement of no earlier than 48 hours (exclusive of Saturdays, Sundays and holidays), but no more than 14 calendar days prior to the start of excavation.
- Creates a "ticket life" or specific expiration date for the locate request (Dig number) processed through the JULIE System (effective date is March 1, 2004).
- Adds new language that states, "Owners and operators of underground utility facilities that are damaged and the excavator involved shall work in a cooperative and expeditious manner to repair the affected utility."
- Excuses sewer facility owners and operators from marking when their facilities are deeper than seven (7) feet and the indicated excavation is shallower.
- Added black to the allowed colors to indicate "proposed excavation area" during winter when snow is on the ground.

With the exception of the ticket life provision, the other

changes became effective last year. The Illinois Commerce Commission (ICC) is responsible for the enforcement of the Act.

More information, including fact sheets, free safety materials and the full text of the state law, is available on JULIE's Web site at [www.illinois1call.com](http://www.illinois1call.com). In addition, JULIE's Damage Prevention Managers are available to assist with employee safety presentations and to answer questions about the state law and policies. The following is

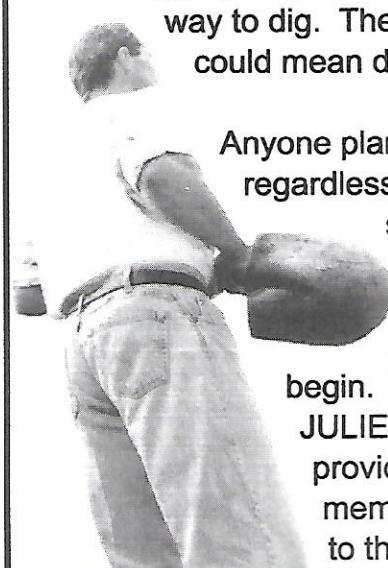
the contact information by region: *Northern Illinois, David Van Wy, 847-635-7992 (office) 815-351-5002 (cell); Central Illinois, Dale Kuhn, 217-698-0813 (office), 217-725-0904 (cell); or Raymond Muhs, Southern Illinois, 618-662-2118 (office), 618-843-2513 (cell).*

JULIE, Inc. is a not-for-profit corporation that provides professional and non-professional excavators with a toll-free number (1-800-892-0123) for the free locating and marking of underground facilities. JULIE serves as a message handling, notification service for underground facility owners, taking information about planned excavations and distributing this information to its membership. It is then the responsibility of each facility owner to mark the location of their underground facilities at the excavation site. JULIE neither owns nor marks any underground facilities. In 2004, JULIE, Inc. celebrates 30 years of damage prevention awareness.



### BEFORE HE DIGS ILLINOIS MAN KNOWS TO CALL JULIE.

Digging responsibly is the only way to dig. The alternative could mean disaster!



Anyone planning to dig, regardless of the depth, should call JULIE two (2) working days before they begin. The call to JULIE and the service provided by utility members are free to the excavator.

**BE SAFE. DIG SMART.**

**1-800-892-0123**



# ILLINOIS UNDERGROUND UTILITY FACILITIES DAMAGE PREVENTION ACT

In 2003, amendatory language to the Illinois Underground Utility Facilities Damage Prevention Act was created in a cooperative spirit with various stakeholders and approved unanimously by members of the Illinois General Assembly. One of these additions includes a provision limiting the locate request ticket life (dig number) to 28-calendar days (effective March 1, 2004).

## 28-Calendar Day Ticket Life

In Section 4 of the Act (see below), a new paragraph creates a "ticket life" or specific expiration date for the locate request processed through the JULIE System (note: effective March 1, 2004). This concept is considered a national industry best practice.

**Section 4(g)** After February 29, 2004, when the excavation or demolition project will extend past 28 calendar days from the date of the original notice provided under clause (d), the excavator shall provide a subsequent notice to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System or, in the case of excavation or

demolition within the boundaries of a municipality having a population of at least 1,000,000 inhabitants that operates its own one-call notice system, through the one-call notice system that operates in that municipality informing utility owners and operators that additional time to complete the excavation or demolition project will be required. The notice will provide the excavator with an additional 28 calendar days from the date of the subsequent notification to continue or complete the excavation or demolition project.

## HELPFUL REMINDERS

The 28-day provision is based on calendar days (not business days).

For example, a locate request called in on the first day of the month needs to be extended on or before 11:59 p.m. on the 28th day of the same month to meet the extension provisions of the state law. Call center operators are available at 1-800-892-0123 to process locate requests 24 hours a day, 7 days a week.

**An excavator can extend their locate request ticket between Day 20 and Day 28.**

Extended tickets will receive a new 28-day ticket life beginning on the extension date. For example, a ticket extended on the 20th day will be valid for 28 more calendar days from the date it was extended. JULIE representatives recognize that this new 28-day period will overlap with the previous 28-day period. An extend operation will result in a revised ticket indicating that "the job is ongoing" being sent to all members with facilities in or near the job site.

No changes affecting the jobsite address, extent of work or work type will be allowed on the "extend" locate request ticket--a 'New' ticket will be assigned to the excavator if any of these changes are required.

**Extend locate request tickets will be considered a request for locates and require a 2-working day/48 hour advance notice prior to being valid.**

Extend tickets require 48 hours/two working days notice (excluding Saturdays, Sundays and Holidays). To help avoid delays and/or interruptions on the job, extensions need to be requested in a timely manner that allows for the two working days. Extensions requested within the last two working days of a dig number's 28-day ticket life might require the excavation project to stop until the extension request becomes valid.

**Only New/Normal priority locate request tickets and Joint Meets can be extended.**

Emergency, Damage, Design and Short Notice locate request tickets cannot be extended.

An excavator's request for locates will maintain the same locate request number on all subsequent requests for locates for a period up to 5 months from the initial call. Projects that require a longer period to complete will be issued a new dig number during the next call.

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**Excavation must begin within 14 calendar days of initial locate request.**

A new member lookup will be done during each extend operation just in case a new facility owner is now in or near the jobsite. The list of members to be notified will be read to the excavator on all extend operations. JULIE hopes to be able to identify members who are new to the list in order to best inform the excavator.

**A Refresh request is NOT the same as an Extend request.**

If outside factors (i.e. weather, construction activity or vandalism) at the dig site have caused the markings to become undistinguishable, a request for remarks is required. This request does not mean that the ticket has been extended. The excavator must specifically request an extension if the project is scheduled to go beyond the 28-day ticket life.

**WEB SITE AND ADDITIONAL INFORMATION**

The full text of the legislation is available at [www.legis.state.il.us](http://www.legis.state.il.us). For more information about the JULIE system, related policies and a direct link to the site, please visit [www.illinois1call.com](http://www.illinois1call.com).

Damage prevention is a shared responsibility. Representatives of the JULIE team continue to promote public awareness and education concerning the use of the JULIE System. JULIE's Damage Prevention Managers are available to assist with employee safety presentations and to answer questions about the state law and new policies.

Contact Information for JULIE, Inc. Damage Prevention Managers:



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**Dig Safely Illinois****Capitol Update... (> p13)**

micrograms per liter.

A copy of the draft implementation Guidance Manual and appendices can be found at the following web address:  
<http://www.epa.gov/safewater/ars/implement.html>

**DOI Seeks Law Enforcement Authority**

Circulating inside Interior is a draft bill, which would give specific DOI employees full law enforcement authority. The draft title of the bill is "Department of Interior Law Enforcement Clarification Act of 2001." It specifically authorizes DOI officers to carry firearms, make arrests without a warrant, execute orders, warrants or subpoenas and other powers usually reserved to Federal Law Enforcement agencies and local sheriffs and police. At every opportunity, DOI has tried to acquire this authority, most recently by rewriting regulations during the Babbitt administration. But all attempts to do so have wisely been struck down by Congress and public opposition. But unfortunately DOI is using the recent terrorist attacks as justification for expanding its agencies law enforcement authority. As pointed out by Congressman George Nethercutt (R-W A) who has requested a meeting with Secretary of the Interior, Gale Norton, DOI officers already have the necessary authority they need which allows them to work with local law enforcement. Nethercutt questions the wisdom of giving such broad police powers to a department with a history of misusing the limited power it currently assumes. Contact your Congressman immediately to alert them to this draft bill and ask them to support Nethercutt's opposition of the bill. Also, contact the Secretary of Interior's office directly and voice your concern. Our best opportunity to stop this ill-conceived idea is before it is ever filed. DOI Draft Law Enforcement Bill Secretary of Interior's Letter Congressman Nethercutt's Letter to Norton (*Liberty Matters News Service*)

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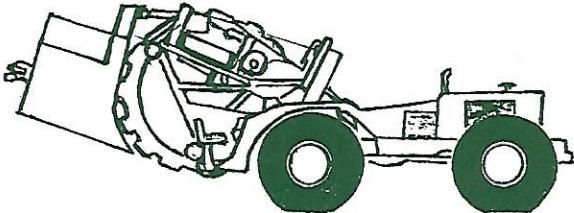
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