



# MNLICA

# NEWS

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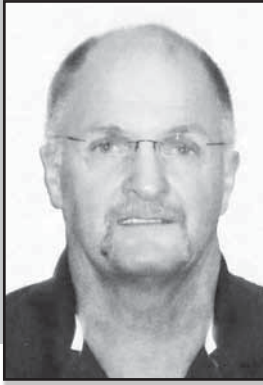
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Lance & John Piepenburg

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*MNLICA is glad you have joined our family!*



## GREETINGS From Your PRESIDENT

### M N L I C A President's letter ,

Let me start out by saying MnLICA has had a very busy year - again .We started it off with the National LICA Convention in San Diego , California on February 7-11 .We saw an aircraft carrier , the San Diego Zoo , raced indoor go-carts , played in a golf tournament (3<sup>rd</sup> place) and had many productive meetings . At the annual awards banquet, MnLICA was named top state in 2012. Thanks to all who made this possible.


On February 23, I attended drainage and wetland conference in St Cloud put on by Rinke-Noonan law firm. Drainage law is often tested and now more than ever, with all the ag drainage taking place. Attendees were nearly all regulators, with very few contractors or farmers there. I would highly recommend this seminar because it impacts so many of our work areas.

March 20, a group of 8 MnLICA members set up a visit with our Legislators in St. Paul. We met with 15 Legislators and several aids in a productive day. Our topics were Farm Taps, MSHA, SSTS, prevailing wage laws and tiling and drainage. We plan to go again. If interested, let us know.

The Association of Minn. Counties held a meeting in St. Paul on June 28. Nordis and I attended and learned about the wording and proposals for the FY13 Clean Water Funding to BSWR for conservation drainage, including drainage water management and associated grant programs .A very interesting meeting involving county regulators from all over the state. It is obvious people around the state are very concerned about drainage, water use and protecting the environment.

The week of July 10-14 was the summer National LICA meeting. It was held in Manhattan Kansas. The Kansas LICA did a great job with the pre-tours and all the convention plans. We had very good meetings and found out MSHA is getting to be a huge national problem. It will surely be addressed in Savannah in February.

On July 30, we had a teleconference with officials from the NRCS and various concerned MnLICA members. Kent Rodelius, Chuck Wingert, Jeremy Donabauer and myself talked with Paul Flynn and Sid Cornelius about problems and concerns in the drainage industry .( Don Baloun cancelled out at the last minute ) . We voiced our concerns about not getting the 'certified' wetland determinations done in a timely and accurate manner. They said not all areas were having delays and they were adding staff where needed. They also talked about 'self-certifying' the area. The NRCS is not the 'tiling police' and cannot prevent drainage. A very hot topic in many areas. Continued on page 5.

  
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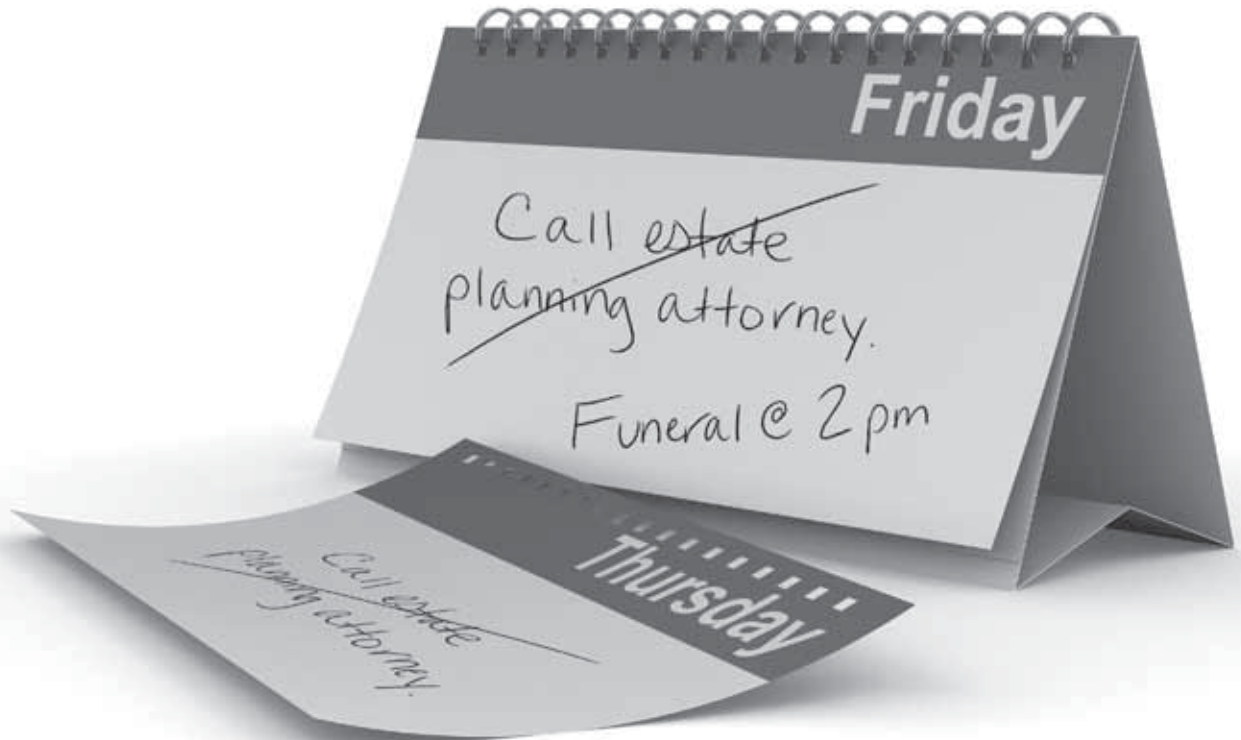
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## BUY - RENT - LEASE

### FEATURES

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## OSHA deputy director reveals preliminary Top 10 violations for FY2012

Before a crowded group of spectators attending the National Safety Council Congress & Expo, Patrick Kapust, deputy director of OSHA's Directorate of Enforcement Programs, announced the preliminary Top 10 most frequently cited workplace safety violations for fiscal year 2012.

### The Top 10 for FY2012 are:

1. Fall Protection - General Requirements (1926.501) Total violations: 7,250
2. Hazard Communication (1910.1200) Total violations: 4,696
3. Scaffolding (1926.451) Total violations: 3,814
4. Respiratory Protection (1910.134) Total violations: 2,371
5. Ladders (1926.1053) Total violations: 2,310
6. Machine Guarding (1910.212) Total violations: 2,097
7. Powered Industrial Trucks (1910.178) Total violations: 1,993
8. Electrical - Wiring Methods (1910.305) Total violations: 1,744
9. Lockout/Tagout (1910.147) Total violations: 1,572
- Electrical - General Requirements (1910.303) Total violations: 1,332

President's report continued from page 2

In Granite Falls, on July 31 and August 1, I attended the field day and workshop on drainage. We saw a controlled drainage system designed by Mike Lehmann, a MNLICA board member, a saturated buffer and a bioreactor at the Doug Albin farm. They had a tour about the Yellow Medicine Watershed and how they are controlling flooding events on the river. We also had a workshop on drainage problems and solutions. We were role playing as various regulators and trying to fix a classroom problem. Many good ideas came out and it was actually a lot of fun

The Minnesota Office of Pipeline Safety invited Don Loken to attend a Gopher State One Call hearing in St Paul on Aug 8. I tagged along and met with them about the Farm Taps problem. They are well aware of the problem, but haven't figured out a viable answer yet. Safety is the driving force in this issue and we will continue to work on a solution.

On August 24, we held our Annual Scholarship Fund Raiser at the beautiful Gopher Hills Golf Club north of Cannon Falls. A four person best ball event that is sponsored by many associates. Thanks to the associates and also to the MNLICA members who came and golfed. A fun day.

These are some of the highlights of the past year, and not mentioned are all the board meetings and committee meetings to plan and schedule events. We, as your Board of Directors, are very dedicated to serving this organization and helping improve all of our businesses. We also have a lot of fun meeting new people and learning about other contractors in the State and also across the country. I would welcome participation anytime. The more people we can draw ideas from, the better we become as an organization. LICA has many benefits in people and also in products. Be sure to use them and get involved.

Mark Morreim , MNLICA President .

**MNLICA Web-Site; [www.mnllica.org](http://www.mnllica.org)**

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Please call Jeanne at 507-451-0073  
to register.*

### CONGRATULATIONS

**Butch & Joyce Thull  
New Grandparents  
Of a Girl—9-13-12  
Harper Breth  
Parents Mark & Debbie Breth, Avon**

**Butch & Joyce Thull  
New Grandparents  
Of a Boy—11-15-12  
Blayn Henkmeyer  
Parents Nick & Beck Henkmeyer, St. Cloud**

**Chuck & Rosie Wingert  
New Grandparents  
Of a Boy—12-5-12  
Markus Francis Wingert  
Parents Derek & Ines Wingert**

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MNLICA membership provides a stronger united voice on behalf of our industry.

MNLICA provides services and programs which you could not do on your own without spending more money and time. Such as MSHA, OSHA, Competent Person and other trainings.

MNLICA membership provides you with a professional effective hearing in government on state and federal levels.

MNLICA provides a great networking group throughout the state and USA.

MNLICA provides your company with resources for reduced costs on products your machines use.

**ASK ONE PERSON TO JOIN DAY! GET JUST ONE!**

**NO-PEEK STEW**

- 2-pounds cubed beef
- 4-5 raw potatoes, peel and chunked
- 6 sliced or chunked carrots
- 2 stalks celery, chunked
- 1 onion. Chunked
- 1-1/2 cups tomato juice
- MIX TOGETHER:**
- 5 Tablespoons minute tapioca
- 1-1/2 Tablespoons sugar
- 1/4 teaspoon pepper
- 1 teaspoon salt
- 1/4 teaspoon garlic salt

**SPRINKLE OVER VEGETABLES**

Put cubed beef and vegetables in ovenware. Pour tomato juice over all. Seal with foil and bake for 5 hours at 250 degrees. **DO NOT PEEK!** Garnish with parsley (optional)! Enjoy!

**Mention Wetlands, Drainage, or Permits and Someone will Mention**



**RINKE NOONAN**  
*attorneys at law*



**Kurt Deter**  
[kdeter@rinkenoonan.com](mailto:kdeter@rinkenoonan.com)



**John Kolb**  
[jkolb@rinkenoonan.com](mailto:jkolb@rinkenoonan.com)



**Gary Leistico**  
[gleistico@rinkenoonan.com](mailto:gleistico@rinkenoonan.com)

Landowners are becoming increasingly aware of the difficulties in dealing with wetlands, drainage, and acquiring permits. The DNR, NRCS, Corps of Engineers, county and local governments all may have interests that must be addressed.

Our work involves wetlands, drainage, and other water related issues, permits - areas of law that are constantly changing and becoming more specialized.

If you're facing a challenge in any of these areas, or are wondering if you could benefit from legal help, call Kurt, John, or Gary at (320) 251-6700 or (888) 899-6700

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### PRESIDENTIAL TRIVIA

To mark President's Day, here are some interesting facts :

**George Washington, 1789-1797**, was the only American president to be unanimously elected and the only president who did not represent a political party.

**James Madison, 1809-1817**, standing 5 feet, 4 inches and weighing 100 pounds was the shortest and lightest president. He also was the first president to wear trousers rather than knee breeches.

**James Monroe, 1817-1825**, was the first president to have a daughter, Maria, married in the White House.

**John Quincy Adams, 1825-1829**, was a son of a former president and the first president to be photographed.

**Martin Van Buren, 1837-1841**, was the first U. S. president born in the United States.

**William Henry Harrison, 1841**, was the only president who studied to be a doctor, and served the shortest presidency. He died of pneumonia one month after delivering his 105-minute outdoor inaugural speech without a hat or overcoat.

**John Tyler, 1841-1845**, was the first vice president to ascend to the presidency upon the death of a president. He also had the most children—15.

**Zachary Taylor, 1849-1857**, did not vote until the age of 62 because he had moved many times as a soldier and had not established an official place of residency.

**Franklin Pierce, 1853-1857**, was the first president to have a Christmas tree in the White House.



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**9600 South Dennison Blvd., Northfield, MN 55057**

**Cell: 612.328.2784**

**E-mail: [bakken4957@gmail.com](mailto:bakken4957@gmail.com)**

**To register please fill out the form below and return with your payment to:  
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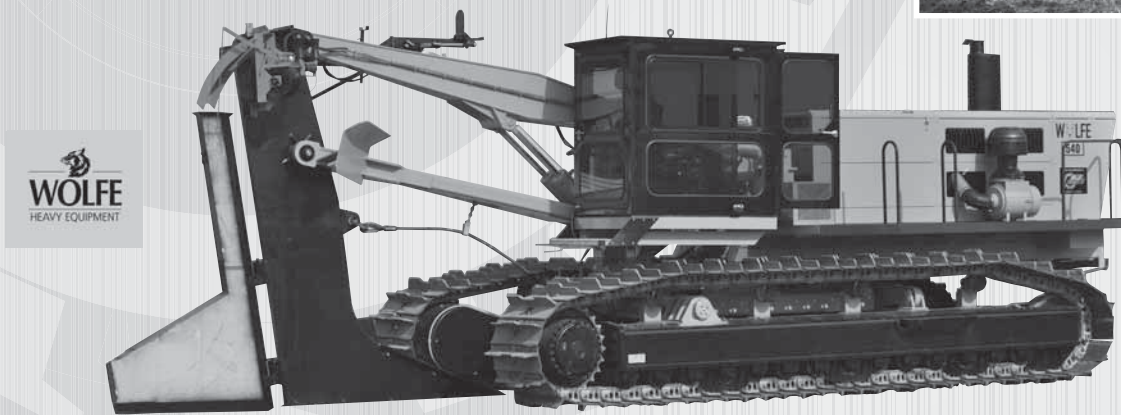
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- 1 3 million nonfatal workplace injuries, illnesses were reported in 2011
- 3 LOI addresses applicability of crane standard to forklift with boom attachment

## Workplace Safety Ideas

- 5 Winter driving hazards are just around the corner
- 6 How does your safety record in materials handling stack up?

**3 million nonfatal workplace injuries, illnesses were reported in 2011** — Nearly 3 million nonfatal workplace injuries and illnesses were reported by private industry employers in 2011, resulting in an incidence rate of 3.5 cases per 100 equivalent full-time workers, according to estimates from the Survey of Occupational Injuries and Illnesses (SOII) conducted by the U.S. Bureau of Labor Statistics

⇒ **Winter driving hazards are just around the corner** — Perhaps the most deadly winter activity is driving on roads slick with ice and snow. Give your workers tips for safe winter driving

**. How does your safety record in materials handling stack up?** — It's hard enough to find ample storage space in the workplace, but you want to make sure employees aren't injured when they're stacking items



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Why do you go by so fast?  
Is it not a little strange  
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That the jolly sun should give  
You another day to live?  
Maybe this is only done  
Since you are the smallest one;  
So I make the shortest thyme  
For you, as befits your time:  
You're the baby of the year,  
And to me so very dear,  
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"WILL YOU BE MY VALENTINE"?

Moments filled with beauty,  
With contentment and with pleasure,  
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Happy times, dreaming times, quiet times apart,  
Are lovely memory—making—times—treasures of the heart.  
The moments we share are special  
Because of LOVE—  
The Love we share is special because of YOU!  
HAPPY VALENTINES DAY!

HAPPY ST. PATRICK'S DAY!!!

## FARM BILL UPDATE

**John Peterson**

### LICA Director of Government Relations

As the ball dropped on the end of 2012 and as a new year began, a last-minute deal passed the Senate by a vote of 89-8 and passed the House by a vote of 172-85. This deal largely addresses tax issues by changing estate taxes to 40% with a \$5 million deduction and raising income taxes on families making more than \$450,000 and individuals more than \$400,000. It also increases the capital gains tax to 20% for those above the \$400,000/\$450,000 level and uses a permanent fix for the alternative minimum tax. The bill extends most of the 2008 Farm Bill, including direct payments, for nine months but does not include many expiring energy and organic programs and does not reform milk policy.

The farm bill extension contains limited authority with reduced dollar amounts for most conservation programs, including WRP, GRP, FRPP, EQIP, CSP, WHIP, CRP, and VPA. The short-term thinking of this extension makes it difficult to fully use all of the conservation tools, including enrolling CRP, WRP, and CSP contracts in 2013 because these programs are not fully funded. The efficiencies and savings found in the 2012 framework have been lost with this extension, and this nine-month deal ignores the 2012 Farm Bill framework passed by the Senate and House Agriculture Committee that took a common sense approach to our resource needs across the landscape by consolidating 27 programs into four major categories: (1) working lands programs that deal with soil health, (2) easements that are simplified, (3) CRP with important haying and grazing provisions, and (4) a partnerships program to find watershed scale solutions to water quality and quantity concerns. NACD finds it extremely unfortunate that farmers and landowners will be left without the certainty of a five-year policy and the assistance of critical programs to protect America's land, air and water that ensure proactive planning for a sustainable food, fiber and fuel supply for the future.

When Chairwoman Stabenow and Chairman Lucas saw the writing on the wall during the Fiscal Cliff negotiations, they worked together to form a 78-page thoughtful, one-year farm bill extension, tailored to the needs of the landscape. However, their work was disregarded in this end-of-the-year deal, just as the 2012 Farm Bill was never given the opportunity to come to the House Floor. In a time of tremendous drought in the West and hurricane damage in the East, the \$850 million in disaster aid included in the extension plan agreed to by Senate and House Agriculture Committee Leadership was not included in this deal.

This bill does not address long-term budget cuts and only kicks the can down the road to delay sequestration for only two months. This bill does not raise the debt ceiling, so in two months Congress will be fighting the same budget fights that led to this deal, including the expiration of the Continuing Resolution funding the government through March 27, 2013. In total, this bill does not address deficit reduction whereas the 2012 Farm Bill as passed by the full Senate and the House Agriculture Committee would have saved taxpayers \$23 billion and \$33 billion respectively, while maintaining critical funding for the necessary conservation programs that proactively address resource concerns. This short-term extension leaves farmers and landowners without the certainty they need to plan for the future of their land and businesses, so now that Congress has dealt with the Fiscal Cliff, NACD urges the Senate and House Leaders to make the passage of a long-term Farm Bill with a strong Conservation Title as a top priority.

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**Karl Guetter of A D S**  
**Associate of the Year**  
**2012**



**Jeanie Bakken, Mark Morreim (holding Top State Award from 2011), Kevin Bakken Contractor Wife & Contractor of the Year 2012**



**Steve Anderson**  
**Region 4 V P**



**Jennifer Sweeney**  
**KOCH Pipeline**

**Guys enjoying the trainings held at the convention**



**Trade Show was well attended**



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## DIRECTORS REPORT

WELCOME all the new MNLICA Members and Associates. We appreciate your membership. If you have any questions please call Nordis or Jeanie.

If you want a special training in your area during the winter outstate trainings, please call Nordis at 507-649-1771 or e-mail: [nordisestrem@frontier.com](mailto:nordisestrem@frontier.com).

**Thank you to the Associates that have sponsored meals and breaks at the State Convention. Also MNLICA would like to thank all the Associates and Members that participated in the January 17, 2013 Tradeshow at the Best Western Hotel in North Mankato. We appreciate ALL OF YOU!!!! You made this another successful convention!**

A very well deserved congratulations goes out to the Associate of the year, 2012, Karl Guetter from ADS, Contractor of the year Kevin Bakken and Contractor Wife of the year, Jeanie Bakken. All plus many others have worked very hard for many years to make MNLICA a successful organization!

## Decadent Caramel-Pecan Brownies

- |  |                                       |
|--|---------------------------------------|
| 3/4 cup butter                                 | 4 oz. baking chocolate, chop coarsely |
| 12 oz. bittersweet chocolate, chopped coarsely |                                       |
| 1 cup chopped pecans                           |                                       |
| 4 eggs   | 2 cups sugar                          |
| 1-1/4 cups flour                               | 14 oz. soft caramel candies           |
| 2 teaspoons vanilla                            | 1/4 cup cream                         |

In a large microwave safe bowl combine the butter and baking chocolate. Microwave on high for 1 minute. Stir and microwave again for 20 seconds. Stir until mixture is smooth and let it cool slightly. Whisk in eggs, sugar, vanilla, and flour. Add pecans and stir with a wooden spoon. Spread 1/2 the dough mixture in a 9"x13" pan lined with greased aluminum foil. Make sure to smooth out the foil and leave about an inch of extra foil on tow sides of the pan. Sprinkle half the bittersweet chocolate on top.

In a saucepan combine the caramel candies and cream. Over medium-low heat, stir constantly for 5 minutes or until candies have melted and the mixture is smooth. Leaving 1 inch space all sides, spread the caramel mixture evenly on top of the dough mixture in the pan. Cover with the rest of the dough mixture. Sprinkle the remainder of the bittersweet chocolate on top.

Bake for about 30 minutes at 350 degrees or until the center of the cake is moist when poked with a toothpick (so not overtake). Place the pan on a rack to cool. Remove from the pan by lifting the edges of the aluminum foil. Cut into squares.

**MEMBERSHIP APPLICATION**

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## HOW TO FOLLOW A BILL In the MINNESOTA LEGISLATURE

### What is the process for introducing a bill?

Any member can introduce a bill. There is no limit to the number of bills & resolutions a member can introduce. However, there are limits to the number of co-authors. In the House, there can only be 35 authors; in the Senate, the limit is 5. Once a bill is introduced in either house, the chief author may find someone to carry the companion bill in the other body. A companion bill is usually identical when introduced, though that may change. In the House, the Speaker of the House assigns each bill & numbered resolution to one of the standing committees. The Chief Clerk of the House then assigns each House File a number, which will identify the bill in its travels. The Senate has traditionally used a somewhat different path to introduction. Bills and resolutions are given a number by the Secretary of the Senate's Office & assigned to a committee by the Senate President.

Once introduced, a bill must travel through the committee process. If it is a House bill, it would go through the necessary policy committee & if it has financial implications, a finance committee. Then it is ready to go to the floor. A bill receives three readings before members debate it & take a final vote. Many bills never make it that far. Of the 3500 bills introduced in the House & Senate each year, only about 15 % actually become law. If the bill is a Senate bill, the measure follows a parallel procedure through the Senate.

Once a bill has passed on the House floor, the bill must travel to the Senate. If it is a Senate bill, it must go to the House after passage by the full Senate. Once the bill is approved by both bodies, it goes to the governor for his approval. If he signs the bill, it becomes law.

**How a bill becomes law in Minnesota (<http://www.leg.state.mn.us/leg/howbill.asp>)** combines information from the various offices of the Minnesota Legislature on the process of lawmaking in Minnesota.

### MNLICA WEB MAIL

To get items on the MNLICA Web page please contact Mike Lehmann at 507-381-9791 or you may e-mail him at [air-row@charter.net](mailto:air-row@charter.net)

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### How to find a bill continued:

#### Find a bill and its status using a Web-based form

Search for bills by bill number, author, chief author, statutory citation, & by keyword in the bill's description.

- **House** bill status
- ([https://www.revisor.leg.state.mn.us/revisor/pages/search\\_status\\_search.php?body=House](https://www.revisor.leg.state.mn.us/revisor/pages/search_status_search.php?body=House))
- **Senate** bill status
- ([https://www.revisor.leg.state.mn.us/revisor/pages/search\\_status/status\\_search.php?body=Senate](https://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_search.php?body=Senate))

Bill status information includes the companion bill number, authors, a short description of the bill, a list of actions taken on the bill to date, & a link to the full text of the bill.

**NOTE:** The searching feature does not search the full text of individual bills, just the short descriptions. To search within the text of a bill, use the 'find' feature of your browser.

#### For more information or not wanting to go on-line:

You may also call the House at 651-296-6646.  
You may also call the Senate at 651-296-2887.

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MNLICA Web-site:[www.mnllica.org](http://www.mnllica.org)

2013

<b>February 5-10</b>	<b>NLICA Winter Convention</b>	<b>Savannah, GA Marriott Riverfront</b>
<b>March 14</b>	<b>MSHA and Adult First Aid-CPR</b>	<b>South Central College Campus Mankato</b>
<b>March 16</b>	<b>MNLICA Board Meeting</b>	<b>Bakken Excavating Residence 9600 S Dennison Blvd, Northfield</b>



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