



# Virginia Assembly Wraps; Kaine Cuts Losses

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**W D I G I T A L**

**THE NEWSLETTER OF THE  
HEAVY CONSTRUCTION CONTRACTORS ASSOCIATION**

*Editors Note: The following article was taken from an article written by Mr. Tim Craig, Washington Post staff writer. It appeared in the Sunday, March 1st issue of the Washington Post. JMS*

Gov. Timothy M. Kaine oversaw the conclusion of his final General Assembly session last night, virtually assuring he will leave office without fulfilling his most conspicuous campaign promise: to resolve Virginia's transportation mess.

Facing the worst economic crisis in generations and stiff resistance from Republican lawmakers who felt burned by past efforts at compromise, the commonwealth's 70th governor discovered that the ambitious agenda he laid out to voters in 2005 would remain largely beyond his reach.

As the gavel fell Saturday night on the 2009 legislative session, he acknowledged leaving his efforts to address vexing traffic issues unfinished and his pledge to fund pre-kindergarten programs statewide unresolved.

But Kaine, ever upbeat, said he found other ways to deliver for voters, including Saturday's accord on revisions to the state's \$77 billion budget and last month's decision to impose a statewide ban on smoking in

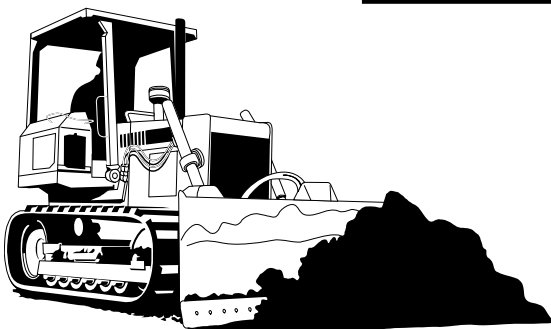
restaurants and bars.

"There are things I wanted to do that I will not get done, and then there are things I have gotten done that I would have never imagined in my wildest dreams," Kaine said in an interview. "It's been a weird three years."

The House and Senate adjourned about 8:45 p.m., signaling to Kaine that they had completed their work. The close of this year's session marks the start of a 10-month transition for Kaine from elected chief executive to full-time chairman of the Democratic National Committee.

During a rare moment of self-reflection, Kaine said Wednesday night that he thinks he's done a "pretty good job" as governor of the nation's 12th-largest state. "You know, I would have gotten more done had I had more money to deal with it," Kaine said. "But, you know, in some ways . . . it might be better to have a friend when times are tough than when times are good."

Some of Kaine's greatest accomplishments were the product of his ferocious appetite for elective politics, which has resulted in dramatic Democratic gains in traditionally conservative Virginia. Senate Minority Leader Thomas K. Norment Jr. (continued on page 2)



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# Virginia Assembly Wraps; Kaine Cuts Losses

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(R-James City) said Kaine "will be remembered as the Democratic governor who married into a Republican family and converted them to Democrats."

During his tenure, Kaine has built a reputation for being an unflappable administrator, a quiet promoter of Northern Virginia's increasingly liberal take on social issues and a calming presence after of the Virginia Tech massacre.

But Kaine's governorship has been badly marred by the slumping economy and housing market, forcing him to cut several billion dollars out of his final budget. Kaine has also been at the center of unprecedented partisan division in Richmond, in part a byproduct of Virginia's new status as a swing state in presidential politics.

His plan to offer universal taxpayer-funded pre-kindergarten fell victim to a drop in state revenue, although he noted that he pushed last year to pump an additional \$25 million into the program. "We have set it up so the battle over pre-K is not over," Kaine said.

When it came to his biggest legislative priority -- a tax increase to build more roads -- legislators said Kaine showed a surprising inability to broker a deal.

After failing to get a transportation agreement in 2006, GOP leaders fashioned their own proposal in 2007 that relied on regional taxing authorities instead of Kaine's plan for a statewide solution. Kaine reluctantly signed on to the legislative plan, but the Supreme Court ruled that regional authorities did not have the power to raise taxes. Kaine came back with a proposal to use higher taxes on vehicle purchases, but not even Democrats endorsed it.

William D. Lecos, president of the Fairfax County Chamber of Commerce, said Kaine deserves credit for trying to overcome Republican resistance. But Kaine shares the blame, he said, for continued gridlock on highways in Northern Virginia and

Hampton Roads.

"I think the governor could have used his bully pulpit as the leader of the Democratic Party to come up with a plan to at least carry in the General Assembly from his side of the aisle," Lecos said.

Republicans say Kaine's failure largely came down to a blunt partisan approach that was a departure from that of his predecessor, Mark R. Warner (D). "With Kaine, I never felt a warm, fuzzy feeling where he wanted everyone to take off their political hats," said House Majority Leader H. Morgan Griffith (R-Salem).

The partisanship in Richmond emerged as an obstacle during Kaine's first weeks in office. Republicans refused to confirm Daniel LeBlanc, the former head of the Virginia AFL-CIO, to be Kaine's secretary of the commonwealth. Griffith said GOP legislators, who were worried LeBlanc would work to overturn the state's right to work laws, saw the appointment as a sign that Kaine "was going to run roughshod" over them.

What followed was an unusually large number of legislative setbacks. Instead of pursuing issues he knew would pass, Kaine pushed measures that appeared designed to test Republicans in the General Assembly.

Last year, Kaine took on gun rights advocates by proposing background checks on weapons purchased at gun shows. He failed. This year, he wanted to double the cigarette tax. The bill didn't get out of a Senate committee. Kaine also pushed for the early release of certain nonviolent inmates, a cost-saving measure that GOP lawmakers saw as an affront to the state's tough-on-crime reputation.

But the governor said that when the final chapter is written he will be known for making sure Virginians -- and the core services they rely on -- escaped the worse of the economic downturn. Any account of his legacy would include the \$800 million in funds he set aside to help clean up the Chesapeake Bay and the effort to start forming a comprehensive policy on renewable energy. (continued on page 3)

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Kaine noted that he also has preserved more than 300,000 acres of open space and expects to hit his goal of protecting 400,000 acres by January – an area the size of Virginia's Eastern Shore.

On transportation, Kaine pointed to movement on construction of HOT lanes, and he helped break a bureaucratic logjam so Metro can be extended to Dulles International Airport.

Now, he is preparing to sign into law the new smoking ban, a milestone for a state that built its economy on the tobacco leaf and remains home to the world's largest cigarette manufacturer. During

his 2005 campaign, Kaine never discussed wanting to ban smoking in restaurants.

But, he said Wednesday, the political dynamics in the state changed, enabling him to launch what he called a "little quixotic campaign against smoking."

Somewhat to Kaine's surprise, Republican House Speaker William J. Howell (R-Stafford) agreed to a compromise on the issue. "I don't mind going out there and just running the draw play up the middle on every play and hoping I break through for a touchdown sometimes," Kaine said.

## Lawmakers Approve Revisions to 2-Year Budget

*Editors Note: The following article was written by Anita Kumar and Frederick Kunkle, Washington Post staff writers. This article appeared in the Sunday March 1st edition of the Washington Post. JMS*

The Virginia General Assembly adjourned its regular session Saturday night after approving revisions to a two-year, \$77 billion spending plan that includes cuts to education, law enforcement and health care.

The budget uses \$1.5 billion in federal stimulus money to help offset a \$3.7 billion shortfall, but deep cuts will hit an array of programs and services as Virginia faces one of its worst financial crises of modern times.

"Without a doubt, this is the most difficult budget that's been worked on by the General Assembly and by the governor in Virginia in a very long time," Gov. Timothy M. Kaine (D) said.

In the final hours, legislators limited the number of support staffers at public schools next year, saving \$340 million, and altered the timetable for large retailers to send sales taxes to the state, recouping

\$100 million. But they scrapped proposals to release some nonviolent offenders early and limit the number of out-of-state students admitted to colleges and universities.

"We are struggling. People are losing their jobs. There have been foreclosures. Banks have failed," House Minority Leader Ward L. Armstrong (D-Henry) said. "This is a tough time, and therefore this budget had to be tough."

Lawmakers agreed to put \$160 million in reserve for future economic problems. Their actions this session amended a two-year spending plan that began in July and runs through June 2010.

Less than 24 hours after a dozen negotiators agreed to the budget, the Republican-controlled House approved the budget by a vote of 90 to 8, followed by the Democratic-controlled Senate, which voted 35 to 5 with no debate.

Kaine said the state would have had to cut \$800 million and eliminate up to 7,000 jobs without the federal stimulus money.

A divided General Assembly (continued on page 4)

# Lawmakers Approve Revisions to 2-Year Budget

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returned to Richmond in January for its annual legislative session – the second year since Reconstruction that different parties had outright control of the House and Senate.

Legislators' most significant policy change was a ban on smoking in most of the state's bars and restaurants pushed by Kaine and House Speaker William J. Howell (R-Stafford). It marked a monumental political and cultural shift for a state whose history has been intertwined with tobacco for centuries.

Lawmakers also agreed to ban texting while driving and expanded capital punishment to criminals who assist in murders but do not commit them. And they decided to allow voters to enter the polls wearing T-shirts, buttons or other apparel with political slogans or candidates' names and to prohibit stores from selling novelty cigarette lighters to juveniles.

Legislators knew their 45-day session would be dominated by the grim financial outlook. Much of the work was left to six negotiators from the Senate and six from the House, who revised a budget Kaine proposed that would slash most state agencies by 15 percent and eliminated more than 1,000 jobs.

Lawmakers used federal stimulus money to restore millions of dollars in cuts to state-funded hospitals and nursing homes and pay \$7.5 million for 400 waivers to treat mentally disabled patients at home instead of in institutions. They also agreed to use \$345 million of that money for elementary and

secondary education and \$127 million for colleges and universities but told school officials to not raise tuition more than 5 percent in the fall.

The breakthrough on the budget came late Friday, when negotiators agreed to restore state aid to local constitutional offices, including sheriffs, prosecutors and clerks of courts.

Del. [David B. Albo](#) (R-Fairfax) told his colleagues that his vote for the state budget does not mean he approves of the stimulus package.

"It's turned into this big, humongous, the largest in the history of America, spending package," he said. "My three-and-half-year-old son is going to be paying taxes when he's an adult to pay this money back." State and local government agencies in Virginia expect about \$4.8 billion in stimulus money, but much of that will be directed to specific programs and projects.

Sen. [Janet D. Howell](#) (D-Fairfax) said that the stimulus helped but that the worst might not be over. "The message that has to go out is there will be severe cuts over the next year or two," she said. "The stimulus package is providing a little cushion of relief. . . . We're assuming things are not going to get better for a while."

Kaine said he will work with legislators in the coming weeks to determine how to allot the funds. Lawmakers will return to the Capitol on April 8 to consider Kaine's amendments and vetoes.

## Motivational Corner: Dolly Partin's Cosmetic Surgery on Larry King Live

*Editors Note: The following conversation occurred on the Larry King Show with Dolly Parton as Larry's special guest. The interview was aired on February 21st, 2009. JMS*

Larry King: You've had great plastic surgery, by the way.

Dolly Parton: Well thank you. You have too, ain't you? :

King: No, I...

(LAUGHTER)

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# Motivational Corner

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Larry King: Are you kidding?

Dolly Parton: You haven't had plastic surgery?

Larry King: I'm too scared.

Dolly Partin: Well, you know what, I'm the kind of person if I need something I just go get it done. I always make jokes and say if I see something sagging, dragging, or bagging, I'll get it nipped, tucked, or sucked.

## Using Air Vacuum Excavation to Safely Locate Utilities

*Editor's Note: The following was submitted by HCCA member firm Mid-Atlantic Locating service. The association does not advocate using one system of excavating over the other but offers all members an opportunity to promote their services. JMS*

There are plenty of ways to locate and expose underground utilities, but perhaps the safest method is by means of air vacuum excavation. Air vacuum excavation is the process of using high-pressured air to penetrate and loosen soil that is then removed through a vacuum hose to effectively locate and expose underground utilities. This is one of the fastest ways to excavate utilities as well, digging an 8" x 8" x 5' hole in approximately 7 minutes in optimal soils.

The alternative to air vacuum excavation is hydro (water) excavation. Compared to hydro excavation technology, air vacuum excavation is much safer, and cleaner. Because air is non-conductive, it is safer for the operator when trying to locate live utilities. And since no water is used with air excavation, the operator is not left with a muddy mess to deal with at the completion of each project saving his or her client valuable time and money.

Some of the benefits of air vacuum excavation include:

- Air vacuum excavation offers reduced costs and increased production
- Air will not damage utilities, whereas a shovel, pick, or high-pressure water may
- Increases operator safety by eliminating the possibility of personal injury from strikes to utility lines
- Can be used around high-traffic and high-liability areas and can be used in any weather condition
- Air excavation will not undermine a road base, making it safer for excavation under roadways

Air vacuum excavation is becoming a common tool among subsurface utility engineers and contractors due to its safety benefits and many different uses, which include:

- Utility Locating
- Potholing of Utilities
- Valve Box Clean-out
- Storm Box Clean-out
- Safe Tree Root Excavation
- Utility Manhole & Handhole Clean-out
- Digging Under Existing Structures
- Frozen Ground Digs

Mid-Atlantic Utility Locating utilizes a VACMASTERS System 4000, the world's most powerful air-vacuum excavation system. It allows for test pitting over 95% of the time in the most difficult soils. Its interceptor canister is capable of - separating wet and dry soils, giving us the ability to use air or water to dig and penetrate the hardest soils with out harming utilities. With equipment this accurate and efficient, Mid-Atlantic is able to locate and designate utilities quickly, therefore, - cutting the clients billing cost and at the same time keeping the project on schedule.

Mid-Atlantic Utility Locating is a quality provider of Subsurface Utility Engineering services, providing accurate locating and mapping of all underground utilities. Services provided by Mid-Atlantic include: utility locating, vacuum excavation services; ground penetrating radar; utility as-builts; utility information databases; underground tank detection; valve and storm box clean-outs; utility manhole and handhole clean-outs; safe utility pole and sign excavation; and safe tree root excavation. Mid-Atlantic is a certified small business in the states of Virginia and Maryland.

# Executive Director Jim Stepahin Leaves The HCCA After Twelve Years of Service

HCCA Executive Director Jim Stepahin has officially resigned his position effective March 13th to become the Executive Director of Unibell, The PVC Pipe Association. Unibell is the international association that represents manufacturers of pvc pipe for water and sewer applications.

The headquarters of Unibell is located in Dallas, Texas. Jim will be relocating to Texas and will be replacing Unibell's director of twenty-five years Mr. Bob Walker.

Jim has served the HCCA as its third director in the fifty-two year history of the association. He began his career with HCCA in 1997 and was beginning his thirteenth year as director of the HCCA in 2009.

In a letter to HCCA President Kurt Rodgers announcing his decision to leave, Jim explained his decision as nothing more than a great opportunity and looked back on a wonderful career:

"I have thoroughly enjoyed playing a role in building the HCCA into a strong and financially secure representative of the heavy construction industry in Northern Virginia."

"I have served under some great leaders in the past, and I have complete confidence that you (Kurt), Doug Coleman, Greg Ridge, Dann Nash, and David Hazel, along with the current HCCA Board, will continue the great progress that we have all enjoyed in spite of a very difficult market.."

"I have been blessed to have had a great partner in my Executive Assistant Janice McIlvoy. She pours her heart and soul into this association. I am completely confident that with Janice's knowledge and the support of the board that the association will not miss a beat until a new director is found."

"I am sorry that I have to leave so soon. There are so many people to thank.. I owe a lot to the HCCA. I would have never had a chance to compete for my new job if Gerry Buracker, Ron White, Jeff Flippo, Tom Newman, and Dave Speed had not decided to give me a chance to serve the HCCA twelve years ago."

"I will always cherish my time as director of the HCCA and I will continue to monitor the association's progress."



Jim with Howard Dean and Barak Obama (summer of 2008)



Jim and Governor Mark Warner at NVTA fundraiser (2004)



Jim visiting Congressman Tom Davis on Capitol Hill (2005)

# Association Bulletin Board



HCCA member firms are reminded that the next regular dinner meeting of the **HCCA Fredericksburg Chapter** will be held on **March 12th at the FOP Lodge in Spotsylvania, Virginia**. Our special guest speaker will be **Ms. Mary Lee Carter, former member of the Spotsylvania County Board of Supervisors and the Fredericksburg representative of the Commonwealth Transportation Board**.

Mary Lee will update the membership on the status of the stimulus money as it affects the Fredericksburg region as well as projects that will be funded (or cut due to budgetary constraints). Don't miss what proves to be a very informative meeting, network with industry friends, and enjoy a cold beverage and a great buffet meal.

HCCA members are reminded that if you perform work in VDOT easements or you work on VDOT projects you are required by July 1st of this year to certify an individual or individuals in the new **VDOT WorkZone Traffic Control Program**. The HCCA has scheduled a number of basic and intermediate classes that will certify your worker's as work zone traffic control technicians (basic) and work zone design technicians (intermediate). The response to these classes has been overwhelming and we have had to schedule a number of extra classes to accommodate all of our

member's needs. There are now only a small number of authorized trainers for this program so please do not wait until the last days to have your personnel trained. Contact Janice at the HCCA office and schedule your personnel now. A training schedule and registration flyer is included with this newsletter for your review. Don't delay. Sign up now.

HCCA member firms are reminded that the **HCCA Northern Virginia membership dinner meeting has been changed from its normal date (third Tuesday, March 24th at the Evergreen Country Club in Haymarket, Virginia)**. The association will be presenting its **annual HCCA Safety Awards** for both individuals and firms who have exceptional safety records. Don't miss a great networking opportunity and help recognize and congratulate the best of the best in our industry. Flyers for this event can be downloaded from the HCCA website at: [www.hcca.net](http://www.hcca.net).

**The HCCA April membership dinner meeting will be held on Tuesday, April 28th at the Evergreen Country Club in Haymarket, Virginia.** The special guest speaker for the event will be **Mr. Whittington Clement**, lobbyist for the association's lobbying coalition, the VUHCC. Whit is a former member of the Virginia House of Delegates, former Secretary of Transportation under the Warner Administration, and a true Richmond insider. He will be reviewing the results of the 2009

Virginia General Assembly session. You won't want to miss this very informative briefing. Come network with industry friends and enjoy a scrumptious buffet meal. Flyers for this meeting can be found on the HCCA website at [www.hcca.net](http://www.hcca.net).

All HCCA member firms are reminded to save the date of **Friday, May 8th** as the association will once again "tee it up" at the annual **HCCA Spring "Ditchdiggers Open golf tournament"**. The event will once again be held at the Shenandoah Valley Golf Club in beautiful Front Royal, Virginia. The HCCA Golf Committee is considering moving the format to a 4 man team for the first time in many years. Flyers for this event have not yet been put out but will soon be available on the HCCA website.

**Thank you all for your support throughout the years. This is my last newsletter after 12 years and three months and I have thoroughly enjoyed being the "voice" of the HCCA. Please "stay the course" and help this great association continue its mission. We have come so far in twelve years and working together as an industry we have made much progress. I will only be a phone call away in Texas. Good bye for now and good luck. Jim Stephin**

# Calendar of Events (Dates, Locations, & Times Subject To Change)

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## **March**

**Tuesday, March 12th**  
**HCCA Fredericksburg Dinner Meeting**  
**FOP Lodge**  
**Spotsylvania, Virginia**

**Tuesday, March 24th**  
**HCCA Dinner Meeting**  
**Evergreen Country Club**  
**Haymarket, Virginia**

## **April**

**Tuesday, April 28**  
**HCCA Dinner Meeting**  
**Evergreen Country Club**  
**Haymarket, Virginia**

## **May**

**Friday, May 8th**  
**"Ditchdiggers Open" Golf Tournament**  
**Shenandoah Valley Golf Club**  
**Front Royal, Virginia**

**Tuesday, May 19th**  
**HCCA Dinner Meeting**  
**Evergreen Country Club**  
**Haymarket, Virginia**



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