

support the bill being mandatory. Thank you.

PRESIDENT MOUL: Thank you, Senator Schellpeper. Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Madam President. I want to rise just very briefly to explain the reason why I intend to vote for Senator Withem's amendment. I'm really only going to vote for Senator Withem's amendment because I think it keeps attention focused on this bill and I think that there are other problems with the bill. In fact, I've passed out an amendment this morning which I think will address some of those problems and we'll get around to discussing those later. So when I vote for Senator Withem's amendment I want it to be clear that I'm doing so only to keep attention focused on this particular piece of legislation and may not vote for it at future stages of debate.

PRESIDENT MOUL: Thank you, Senator Wickersham. Senator Withem. Senator Withem.

SENATOR WITHEM: Thank you. Thank you, Madam Speaker, members of the body. Just some few things in response to some of the debate that has been brought up so far. First of all, on the process. I think some people, thankfully they haven't beat the drum as hard as they sometimes do, but there has been some allusions to task force put together, task force came in with a voluntary bill, now we're trying to change it, we ought to leave the task force recommendation they had. I would point out, and Senator Hall and Senator Will can, you know, take some advantage here from some of the things I'm saying about a task force, it may not have been representative of everybody involved in a particular problem. This is one where, in essence, he had a task force of utility operators with one individual, Bill Hartman, representing the Land Improvement Contractors Association that does work primarily in the rural areas that worked all summer on this particular bill. Now Bill did a good job of representing the point of view of excavators, I think, but he was badly outnumbered. So it was fairly easy to come up with a bill that shifts the burden of liability all over to the excavator that makes the excavator liable for finding out, indicates to people if they want to belong to a one-call, to make it easier to find that they can, but they don't have to and it's a responsibility of the excavator to locate those facilities for companies that choose not to belong. So the process probably worked for those people that were involved in