

have some responsibility, some liability involved, then it would seem only reasonable that both parties would be more cautious in trying to locate the line. And as I said earlier, it's not that the water district doesn't want to do it. If they can't find it and are not sure where it is, then it means that together somebody has to look for it. And in looking for it, if they strike it and damage it, then I was just curious if the proposition of some shared responsibility between both the...both the contractor and the owner of the facility would share. And if that's not possible, then...

SENATOR KRISTENSEN: Well, it's possible, but I...and you're going to accuse me of trying to interject legal terms here, but how do you...are you just going to say they're a 50-50 responsibility?

SENATOR VRTISKA: I don't know. I...you know, I'm not a lawyer, so I'm just asking what...

SENATOR KRISTENSEN: But see, I struggled with that, because let's say that you're a farmer out there and you're...you're digging your reuse pit, and it's your land, you have no idea if the line is on there, you think the water company may have some interest, so you're being abundantly cautious and you contact the water company and they say, we don't know where the lines is at, and so you go ahead and dig. Is that farmer, then is he, just because he hit it after he did everything he could do to locate the line, he's...he's 50 percent responsible and shares in that responsibility of that line? See, I don't know that that's fair just to automatically say he...if he did everything he could, just because the line is there, does he have to accept some of that responsibility?

SENATOR VRTISKA: Well, using your rationale gets back to my original thought, and that is take water lines out of it completely because they're going to be responsible, based under the...you told Senator Wehrbein that they wouldn't, but it appears to me there's not that much difference whether this law is...whether this bill is passed or not, because they can still collect, the way it is now, as I understand it, if they don't phone...if they don't notify the owner and dig there and do damage, they're going to be responsible and vice versa. So what's the advantage of the bill?

SENATOR KRISTENSEN: Can I use the rest of your time?