

Coordsen, you're next, followed by Senators Lynch and Byars.

SENATOR COORDSEN: Thank you, Madam President and members of the body. Setting aside the liability question, which I'm really not qualified, I think, to talk to, looking at the language, in plain English, of the Withem amendment, I find no problem with it. It would be my thought process that all of the operators of various types of buried utilities would, in fact, operate in this mechanism because they have another greater responsibility to their own customers, whether that is water, whether that is electricity, natural gas, phone, any of the things that could be buried out there and be subject to damage from...from excavation where the location is not precisely known, and the depth isn't known and all those things. So I think the Landis amendment really just puts into statute, or the Landis-Withem amendment puts into statute what the actual practice would be, in fact, because no operator of any of these types of services would like to go through the process of having to repair damages. So they're going to be out there anyway in cases where the precise location can be identified in order to assist in that location. So, other than the liability question, which has been discussed, I see no problem with this section of the Withem amendment. Thank you.

PRESIDENT MOUL: Thank you, Senator Coordsen. Senator Lynch.

SENATOR LYNCH: Madam President and members, the business I used to be in I used to have to do some digging like we're describing now. And I can remember when, to do this, in those days most everything was iron, of course. We would call the telephone company and they voluntarily came out at no charge, as a service for public safety, and helped to identify where these lines are. But it's unbelievable to me that anybody, unless it's a private water district, or even in the case of a private water district, not be responsible for identifying the lines and where they go. They put them in. If it's a water line, it's got to be at least five foot deep so it don't freeze. Generally it's in a straight line, until they make it turn somewhere. It's generally on some kind of right-of-way that they had to buy or already exists. And it's unbelievable to think that they would be so irresponsible that they wouldn't know where it's at, at least within two or three feet, maybe 16 inches is too close. And if they're not going to be responsible enough to even keep records of where the lines are at, they ought to be at least responsible and share the responsibility for paying for the damage and help