

location of the facility on the part of the excavator. I had an amendment drafted at one time that would put all the responsibility back on the side of the operator. This brings the responsibility back to a shared responsibility. I believe it is a workable solution. It is not meant to be negative to either side, it is meant as possible...as much as possible for us to mirror what actually takes place out in the real world when these locations are taking place. I'd urge you to support the amendment.

PRESIDENT MOUL: Thank you, Senator Withem. We will now vote on this section of the Withem amendment to the committee amendments. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Madam President, on adoption of Senator Withem's amendment to the committee amendments.

PRESIDENT MOUL: The amendment is adopted. Before we proceed, I would like to call the senators' attention again to the south balcony. Special guests today of Senator Bohlke are 30 fourth grade students from Wood River Elementary, and their teacher. Would you please rise and be recognized. Welcome to the chamber. Thank you. We'll now take up the final portion of these amendments. Senator Withem.

SENATOR WITHEM: Yes, Madam Chair, members, we are now down to the real contentious part of the bill, I think, and that is the question of whether the membership in the one-call is voluntary or whether it is mandatory. If you vote for this amendment, you will be voting to make membership by utility companies in the state one-call center to be mandatory. We are debating this primarily...this was the issue primarily debated this morning, and we got off a little bit with other parts of the divided amendment but we are now back to it. The basic policy question is, I think well...articulated very well, as it often times is by Senator Lynch, and that is if you put stuff in the ground that may, ultimately, some day need to be found for purposes of repair of that service or of at least so people can avoid it when they start putting in other improvements, should you have an obligation to go out and help locate where that is for the betterment...for the safety of society, for continuation of service of customers and to expedite whatever the improvement process that is going on? I believe you should. I believe the concept of...of mandatory participation in a one-call center is,