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**Testimony re: SB 20
Senate Utilities Committee
Presented by Ronald R. Hein
on behalf of
Associated Builders & Contractors Heart of America Chapter
January 18, 2007**

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I represent the Associated Builders and Contractors Heart of America Chapter (ABC). The ABC is a professional association of builders and contractors concerned with labor management and other issues effecting the commercial construction industry.

In today's world of construction, most all utilities – gas, electricity, water, sewer, communications, data, cable TV – are expected to be installed underground. Contractors are charged with the responsibility of installing them and the contractor chosen is usually selected based on low bid.

Competitive forces in the market dictate that we perform this work as efficiently and quickly as possible. As part of this process, contractors must be prudent in trying to make sure they do not run into existing facilities causing delays, expensive repairs, down time and potential safety risks.

The One Call system works well in providing them a resource to avoid these situations, but as you have already seen, not all utilities are covered. Contractors are, pretty much, flying blind when it comes to the location of some water and gas lines.

Contractors do their best to compensate for these gaps in the system, but when you work in many different cities and counties it is almost impossible to know every utility that might possibly have facilities in a given area.

If damage is done to a utility line that is not a part of the One Call system, contractors are responsible for the damages even if they had no way of knowing it was there. This can be a very expensive proposition in terms of dollars and lost time.

Contractors consider the situation serious as it is today. More and more facilities are being installed under ground every day. If the Legislature doesn't do something now to

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start addressing these issues, the problem will be even greater in the future. Either all utilities need to be brought under the One Call system, or the law must be changed so that the responsibility for personal and property damage resulting from excavation is on the utility which doesn't participate in the One Call system, rather than the contractor who has no control over the situation.

Associated Builders and Contractors urges you to support of SB 20.

I would be happy to yield to any questions.