

1 SJR56
2 167931-2
3 By Senator Waggoner
4 RFD:
5 First Read: 07-MAY-15

8 CREATING THE ALABAMA ONE-CALL NOTIFICATION SYSTEM
9 STUDY COMMISSION.

10
11 WHEREAS, damage to underground utilities and
12 facilities increased considerably during the second half of
13 the 20th Century as a result of building trends to construct
14 utility infrastructure and services underground; and

15 WHEREAS, thousands of miles of underground
16 facilities were vulnerable to excavating machines and
17 resulting damage interrupted utility service, and threatened
18 life, health, and property; and

19 WHEREAS, the One-Call concept came about in the
20 early 1960s in an effort to protect underground facilities and
21 improve public safety; and

22 WHEREAS, the Alabama Line Location Center, which now
23 operates as Alabama 811, was established in January 1975 by a
24 group of utilities in the state; and

25 WHEREAS, Alabama's underground damage prevention
26 law, or One-Call law, was originally enacted in January 1995
27 to safeguard against injury and loss of life due to excavation

1 or demolition and to protect underground facilities from
2 costly damage and the interruption of utility or other
3 services to the general public; and

4 WHEREAS, Alabama's One-Call law established
5 standards for excavators to contact utility owners 48 hours
6 ahead of construction and required utility owners to respond
7 to those requests within that time frame; and

8 WHEREAS, existing law allows operators of
9 underground facilities to either participate in a One-Call
10 notification system or establish their own separate line
11 location service to meet the requirements of law; and

12 WHEREAS, Alabama's One-Call law was recently amended
13 to clarify certain requirements to perform excavation
14 activities in a safe manner that protects the general public,
15 the excavator, and underground facilities; and

16 WHEREAS, Alabama's One-Call law should be
17 continuously reviewed to make further improvements and updated
18 in a collaborative manner that includes all affected
19 stakeholders; now therefore,

20 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
21 HOUSES THEREOF CONCURRING, That the Alabama One-Call
22 Notification System Study Commission is established. The
23 commission is created to study and make recommendations to the
24 Legislature and Governor regarding: (1) The expedience and
25 validity of having a single One-Call notification system to
26 serve the entire State of Alabama; (2) the adequacy of the
27 enforcement provisions of current law; and (3) other items

1 related to the One-Call law that may increase the level of
2 safety of its citizens. The commission shall consist of the
3 following:

4 (1) One member who is a public service commission
5 gas pipeline safety subject matter expert appointed by the
6 President of the Public Service Commission.

7 (2) Three members from regulated utilities appointed
8 by the President of the Alabama Public Service Commission.

9 (3) Two members representing entities that operate
10 underground facilities appointed by the Governor.

11 (4) One member appointed by the Director of the
12 Alabama Department of Transportation.

13 (5) One member appointed by the Secretary of the
14 Alabama Law Enforcement Agency.

15 (6) One member appointed by the Executive Director
16 of the Association of County Commissions of Alabama.

17 (7) One member appointed by the Executive Director
18 of the Alabama League of Municipalities

19 (8) Two members appointed by the President of the
20 Alabama Rural Electric Association.

21 (9) Two members appointed by the Executive Director
22 of the Electric Cities of Alabama.

23 (10) One member appointed by the Executive Director
24 of the Alabama Cable Telecommunications Association.

25 (11) One member appointed by the President of the
26 Associated Builders and Contractors of Alabama.

(12) One member appointed by the Chief Executive Officer of the Alabama Associated General Contractors.

(13) One member appointed by the President of the Alabama Railway Association.

(14) One member appointed by the Executive Director of the Alabama Office of Prosecution Services.

(15) One member appointed by the Attorney General.

(16) The Executive Director of Alabama 911.

(17) Additional members as determined and appointed by the Speaker of the House of Representatives.

(18) Additional members as determined and appointed by the President Pro Tempore of the Senate.

(19) Additional members as determined and appointed

by the Governor.

All appointments shall serve at the pleasure of their appointing authority.

BE IT FURTHER RESOLVED, That the chair of the study commission shall be appointed by the President of the Public Service Commission from among the membership of the study commission. The commission shall adopt rules governing the times and locations of meetings and the manner of conducting its business. The commission, and any committee of the commission, may meet via teleconference. All commission members shall serve without compensation or reimbursement of expenses associated with serving.

BE IT FURTHER RESOLVED, That the commission shall study the options for amending Alabama's One-Call law in

1 furtherance of its objectives to safeguard against injury and
2 loss of life due to excavation or demolition and to protect
3 underground facilities, and shall make written recommendations
4 to the Legislature and the Governor. The recommendations shall
5 address, at a minimum, the following: (1) an analysis of
6 whether it is in the public's best interest to require
7 operators of underground facilities to participate in a
8 single, statewide One-Call notification system; and (2) a
9 review of the adequacy of the enforcement provisions of
10 current law. The commission's final report and recommendations
11 shall be presented to the Legislature and the Governor by
12 December 31, 2015, in order that any required legislation is
13 prepared for consideration during the 2016 Regular Session of
14 the Legislature.

15 BE IT FURTHER RESOLVED, That the commission be
16 organized immediately upon passage of this resolution and
17 shall remain in force until such time as it is modified or
18 rescinded by the Legislature.