

1 SJR76
2 170175-3
3 By Senator Waggoner
4 RFD: Rules
5 First Read: 19-MAY-15

1 SJR76

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4 ENROLLED, SJR76,

5 CREATING THE ALABAMA ONE-CALL NOTIFICATION SYSTEM
6 STUDY COMMISSION.

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

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

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

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

22 WHEREAS, Alabama's underground damage prevention
23 law, or One-Call law, was originally enacted in January 1995
24 to safeguard against injury and loss of life due to excavation
25 or demolition and to protect underground facilities from

1 costly damage and the interruption of utility or other
2 services to the general public; and

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

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

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

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

19 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
20 HOUSES THEREOF CONCURRING, That the Alabama One-Call
21 Notification System Study Commission is established. The
22 commission is created to study and make recommendations to the
23 Legislature and Governor regarding: (1) The expedience and
24 validity of only having a single One-Call notification system
25 to serve the entire State of Alabama, including the

1 appropriate governance, legislative oversight, and membership
2 outreach practises of the organization; (2) the adequacy of
3 the enforcement provisions of current law; and (3) other items
4 related to the One-Call law that may increase the level of
5 safety of its citizens. The commission shall consist of the
6 following:

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

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

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

14 (4) One member appointed by the Director of the
15 Alabama Department of Transportation.

16 (5) One member appointed by the Secretary of the
17 Alabama Law Enforcement Agency.

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

20 (7) One member appointed by the Executive Director
21 of the Alabama League of Municipalities

22 (8) Two members appointed by the President of the
23 Alabama Rural Electric Association.

24 (9) Two members appointed by the Executive Director
25 of the Electric Cities of Alabama.

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

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

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

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

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

11 (15) One member appointed by the Chairman of the
12 Alabama Water and Wastewater Institute.

13 (16) One member appointed by the Attorney General.

14 (17) The Executive Director of Alabama 811.

15 (18) Additional members as determined and appointed
16 by the Speaker of the House of Representatives.

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

19 (20) Additional members as determined and appointed
20 by the Governor.

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

23 BE IT FURTHER RESOLVED, That the chair of the study
24 commission shall be elected by majority vote of the membership
25 of the study commission at its first meeting, which shall be

1 called by the President of the Public Service Commission by
2 July 1, 2015. The commission shall adopt rules by majority
3 vote governing the times and locations of meetings and the
4 manner of conducting its business. The commission, and any
5 committee of the commission, may meet via teleconference. All
6 commission members shall serve without compensation or
7 reimbursement of expenses associated with serving.

8 BE IT FURTHER RESOLVED, That the commission shall
9 issue a report and recommendations to the Legislature and the
10 Governor by December 31, 2015, in order that any required
11 legislation is prepared for consideration during the 2016
12 Regular Session of the Legislature.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR76

Senate 21-MAY-15

I hereby certify that the within Act originated in and adopted the Senate.

Patrick Harris
Secretary

House of Representatives
Amended and adopted 02-JUN-15

Senate concurred in House amendment 03-JUN-15

By: Senator Waggoner