

1 SJR76  
2 167931-3  
3 By Senator Waggoner  
4 RFD:  
5 First Read: 19-MAY-15

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

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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26 law, or One-Call law, was originally enacted in January 1995  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 only having a single One-Call notification system  
26 to serve the entire State of Alabama, including the  
27 appropriate governance, legislative oversight, and membership

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12                   (17) The Executive Director of Alabama 911.

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

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

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

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

21                   BE IT FURTHER RESOLVED, That the chair of the study  
22 commission shall be elected by majority vote of the membership  
23 of the study commission at its first meeting, which shall be  
24 called by the President of the Public Service Commission by  
25 July 1, 2015. The commission shall adopt rules by majority  
26 vote governing the times and locations of meetings and the  
27 manner of conducting its business. The commission, and any

1 committee of the commission, may meet via teleconference. All  
2 commission members shall serve without compensation or  
3 reimbursement of expenses associated with serving.

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

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