

MESSAGE FROM THE GOVERNOR

May 17, 2021

Alabama House of Representatives  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

Enclosed please find a message from the Governor returning House Bill 220 without the Governor's signature and with a proposed executive amendment.

Respectfully submitted,

WILLIAM G. PARKER, JR  
General Counsel.

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Ladies and Gentlemen:

I received House Bill 220 and believe that the bill should be amended to provide for further study of the bill's public-safety impacts before it goes into effect

I understand the need to improve oversight of education-related construction projects in our state, and I am committed to enacting legislation that will accomplish this end. But I have also heard the warnings of design, construction, and building-safety professionals that immediate implementation of House Bill 220 will jeopardize public safety.

As such, the bill should be amended to establish a group to study the bill's impact on public safety, to ensure an orderly implementation of the bill across multiple state and local agencies, and to make recommendations for revisions to the bill. In addition, the bill's effective date should be delayed to facilitate completion of the group's work and consideration of the group's recommendations.

For these reasons, I am returning House Bill 220 to you, the body in which it originated, without my signature and with the below executive amendment.

Executive Amendment to House Bill 220

Please amend House Bill 220 on page 14, by deleting lines 21-23 in their entirety and inserting in lieu thereof the following:

"Section 8. (a) There is established the House Bill 220 Study Group comprised of the following members:

"(1) One member appointed by the Governor.

"(2) Two members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be a member of the minority party.

"(3) Two members of the Senate appointed by the President Pro Tempore of the Senate, one of whom shall be a member of the minority party.

"(4) One member appointed by the State Superintendent of Education.

"(5) One member appointed by the Association of School Superintendents of Alabama.

"(6) One member appointed by the Alabama Association of Fire Chiefs.

“(7) One member appointed by the American Council of Engineering Companies of Alabama.

“(8) One member appointed by the Associated Builders and Contractors of Alabama.

“(9) One member appointed by the Alabama Council of the American Institute of Architects.

“(10) One member appointed by the Alabama Associated General Contractors of America.

“(b) The first meeting of the study group shall occur not later than July 15, 2021. At the first meeting, the study group shall elect a chair and vice-chair. Members may participate by telephone, video conference, or by similar communications equipment so that all individuals participating in the meeting may hear each other at the same time. Participating by such means shall constitute presence in person at a meeting for all purposes. Notice of meetings shall be provided in accordance with the Alabama Open Meetings Act, and telephone or video conference or similar communications equipment shall also allow all members of the public the opportunity to simultaneously listen to or observe such meetings.

“(c) Non-legislative appointees who are not state employees shall receive the same per diem and travel allowance as is paid by law to state employees for each day actively engaged in the duties of their office. Legislative members of the study group shall be entitled to their regular legislative compensation, per diem, and travel expenses each day they attend a meeting of the study group in accordance with Amendment 871 to the Constitution of Alabama of 1901, now appearing as Section 49.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended. These payments shall be paid out of any funds appropriated for the use of the Legislature by means of warrants drawn by the Comptroller on the State Treasury.

“(d) The study group shall do all of the following:

“(1) Schedule and hold a minimum of two meetings including public hearings to hear from individuals, organizations, and stakeholders who have interests or concerns regarding the construction, maintenance, and renovation of publicly owned buildings in the state.

"(2) Examine federal laws and regulations and other states' laws and legislation, as well as the laws of this state, relating to the construction of publicly owned buildings and oversight thereof. The study group shall specifically consider issues relating to building codes, life safety requirements, and any other issues relevant to the construction, maintenance, and renovation of publicly owned buildings.

"(3) Make recommendations to the Governor and the Legislature relating to the construction, maintenance, and renovation of publicly owned buildings in the state. These recommendations shall include, but are not limited to, best practices in public works from other jurisdictions, policies and procedures to ensure public safety and to ensure uniformity in construction, procedures for an orderly implementation of this bill across multiple agencies, and necessary revisions to this bill. The study group shall report its findings and draft legislation to the Governor, the Speaker of the House, and the President Pro Tempore of the Senate by December 1, 2021.

"(e) The study group shall be dissolved on the last day of the 2022 Regular Session, unless extended by act of the Legislature.

"Section 9. This act shall become effective on February 1, 2022, following its passage and approval by the Governor or its otherwise becoming law; provided, however, that Section 8 of this act shall become effective immediately and all provisions of the act that effect a change in law as to the Alabama Community College System shall become effective on the first day of the third month following its passage and approval by the Governor or its otherwise becoming law."

Adoption of the above suggested executive amendment will remove my objection to this bill.

Respectfully,

KAY IVEY  
Governor