

live. What the DCERA seeks today is not the full value of the rights and remedies due us and which we will never concede. Today, we seek enough relief from taxes to give us the only route to economic salvation for the city—a middle income tax base.

**SAFEGUARDS AGAINST UNNATURAL INCREASES
IN COST OF LIVING**

Requires Proof of D.C. Residency For 183 Days Annually

Applies Only to Wage and Salary Income Earned in D.C. or Metropolitan Region

Applies to Investment and Dividend Income Earned Within D.C. Only

Capital Gains Relief on D.C. Investments Only

Old IRS Rate on Investments Outside D.C. Annual Treasury Study to Protect Against Unintended Consequences

Stand-by Legislation Examples
Council Passed Legislation Freezing Property, Sales, and Income Taxes Effective Upon Enactment of DCERA

Cap on Property Tax Rates and Growth of Assessments (Similar to TRIM, P.G. County)

Surtax on Capital Gains Derived from Excess Profits

Revolving Fund for Zero Percent Interest Loans (Or Tax Credits) to Cover Unusual Increases in Home Prices

Maintenance of Rent Control

INTRODUCTION OF THE COMPREHENSIVE ONE-CALL NOTIFICATION ACT OF 1998

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1998

Mr. BAKER. Mr. Speaker, I rise today joined by the distinguished gentleman from New Jersey, Mr. PALLONE, in introducing the "Comprehensive One-Call Notification Act of 1998."

This is an industry initiated, self-help, pro-environment bill that places public health and human safety at the very top of the list of our concerns as this nation builds an underground infrastructure that we all rely on for the movement of goods and services across this country.

The introduction of this legislation addresses an important national public safety issue—the prevention of damage to this nation's underground infrastructure. My bill is aimed at improving state one-call notification, or "call-before-you-dig," systems. Participation in one-call programs saves lives and protects the environment by reducing the number of accidents caused by excavation near unmarked facilities.

These accidents are serious business—something my constituents know about firsthand. In May 1996, an underground petroleum pipeline near Grammercy, Louisiana, was hit, causing the release of 8,400 barrels of highly flammable gasoline into a nearby swamp. The accident killed hundreds of fish, six alligators, snakes and at least one deer. It caused the closure of U.S. Route 61, inconveniencing scores of re-routed drivers. It forced the shutdown of the Kansas City Southern Railroad. And finally, the bearer of the Olympic torch, who just happened to be passing through the area on the way to the opening of the Atlanta games, was forced to detour.

This accident was caused when an unknown excavator dug into the pipe, and failed

to report the damage. Mr. Speaker, my bill could prevent such terrible accidents.

Too often, laws are only changed as a result of a disaster, such as the one in Louisiana. In Louisiana, we learned from our experience. We passed a strong state one-call law. Now it is time for the rest of the nation to follow suit.

One-call programs work by giving excavators a clearinghouse to use prior to beginning a project. A contractor or other excavator calls a central number and notifies the one-call center of the location of the planned excavation. The one-call center then notifies all pipelines, utilities and phone companies in the area of the proposed excavation, so that all underground facilities can be located and marked. The excavator can then work around the underground utilities, and avoid the use of heavy equipment near such facilities.

Better communication is the answer, and better communication is what one-call centers are all about. But while 49 states have one-call statutes and programs, these programs vary widely in the level of required participation, and in the overall effectiveness of damage prevention. Some states exempt certain groups of excavators, and some states exempt certain underground facility operators. The result is an accident rate that is much too high. This is unacceptable.

We must improve the effectiveness of state one-call programs—before another disaster occurs. And that is precisely what this legislation does.

The idea is simple: prevent accidents by establishing an open line of communication. All excavators should call before digging. All underground facility operators should accurately mark their facilities. And states should enforce their own laws to discourage violations.

The answer to better one-call systems is not billions of dollars in federal money, or federal mandates on the states. The answer is national leadership on improving one-call systems nationwide, followed by more comprehensive and consistent programs in all 50 states.

Mr. Speaker, this bill does not try to write the perfect one-call statute. Those decisions need to be made at the state level, by those involved in looking at the unique problems within a particular state. What this legislation does do is encourage states to provide for a maximum level of one-call participation by all excavators and all underground facility operators. It also encourages states to develop more effective enforcement efforts.

On the question of exemptions, the bill advocates the use of a risk-based analysis to determine whether a party should be required to participate. Those entities which represent a potential risk to the public or the environment should be required to participate. On the other hand, those who represent only a de minimis risk can participate on a voluntary basis, if at all. The whole question of whether exemptions should be made, however, is still left to the states. Ultimately, it is the state governments which need to be examining the unique situations within their borders.

My legislation is based on incentives, not mandates. If a state feels that its one-call program provides the level of coverage and enforcement envisioned in this legislation, then it can apply to the Department of Transportation for a one-time grant. We are, in essence, rewarding the "A" students and encouraging the

others to do better. States are not compelled to apply for a grant, and they are not punished if they chose not to participate. This legislation does give the advocates of stronger one-call programs one more tool to use in their efforts at the state level.

Let me be clear. This legislation is not a federal "takeover" of state one-call programs. To the contrary, the goal of my legislation is to support states in their efforts to improve the quality of underground damage prevention. After this becomes law, states will continue to exercise exclusive jurisdiction over one-call programs within their borders. I view this type of legislation as an example of the kind of responsible federalism that should be supported by this Congress, and extended to other programs as well.

Similar legislation has already passed unanimously in the other chamber. That legislation, S. 1115, was sponsored by Majority Leader TRENT LOTT and Minority Leader TOM DASCHLE, as well as a host of other Republicans and Democrats. The bipartisan support of the Senate bill is something I believe will happen in the House as well.

Improving public safety is not a partisan issue. All of us want to do a better job in preventing life-threatening accidents. I want to encourage my Republican and Democratic colleagues to join me in supporting this legislation.

Mr. Speaker, I look forward to working with my colleagues on both sides of the aisle to move the process forward here in the House and send this common sense initiative to the President for his signature. The Comprehensive One-Call Notification Act provides a public policy statement which is long overdue. My state of Louisiana learned its lesson the hard way. It's time for the rest of the country to follow our example. Let's not wait for another accident. Let's improve One-Call programs today.

**THE COMPREHENSIVE ONE-CALL
NOTIFICATION ACT OF 1998**

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1998

Mr. PALLONE. Mr. Speaker, four years ago, I introduced H.R. 4394, the Comprehensive One-Call Notification Act, in response to a terrible pipeline accident that occurred in my district. In Edison, NJ, a rupture in a natural gas pipeline caused an explosion that demolished eight apartment buildings and left hundreds of people homeless. The explosion produced a fireball so great that it could be seen in three States, and a fire so intense that it melted the cars parked at the apartment complex.

Four years later, I am still trying to pass a Comprehensive One-Call Notification Act. Four years later, I am still working to improve One-Call systems. I am pleased today to join my colleague from Louisiana, Mr. BAKER, in introducing the Comprehensive One-Call Act of 1998. This legislation is a modified version of my 1994 bill, designed to encourage the development of better One-Call programs. This bill does not contain any state mandates with regard to One-Call programs. It does encourage states to adopt comprehensive programs to maximize safety assurances for all citizens.