

SENATE CONCURRENT RESOLUTION NO. 69

BY SENATOR ALLAIN AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To establish the One Call Agricultural Study Group to study the Louisiana Underground Utilities and Facilities Damage Prevention Law as it relates to agriculture and the needs of the agricultural industry and make recommendations in a written report to the Senate Committee on Commerce, Consumer Protection and International Affairs, and the House Committee on Commerce not later than February 1, 2021.

WHEREAS, the Louisiana Underground Utilities and Facilities Damage Prevention Law was enacted to promote the protection of property, workmen, and citizens in the immediate vicinity of an underground facility or utility from damage, death, or injury and to promote the health and well-being of the community by preventing the interruption of essential services which may result from the destruction of, or damage to, underground facilities or utilities; and

WHEREAS, the Louisiana Underground Utilities and Facilities Damage Prevention Law does not provide any exemption for an agricultural operator; and

WHEREAS, neighboring states with laws similar to the Louisiana Underground Utilities and Facilities Damage Prevention Law grant exemptions to the agricultural industry; and

WHEREAS, a review and study of the laws of other states relating to underground utilities and facilities and their impact to the agricultural industry may bring about recommendations beneficial to the agricultural industry while maintaining and preserving the intent of the Louisiana Underground Utilities and Facilities Damage Prevention Law.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby establish the One Call Agricultural Study Group to study the Louisiana Underground Utilities and Facilities Damage Prevention Law as it relates to agriculture and the needs of the agricultural industry and make recommendations as to whether the law should be amended to make exemptions for the agricultural industry.

BE IT FURTHER RESOLVED that the study group shall be comprised of the

following members:

(1) The chairman of the Dig Advisory Committee of Louisiana One Call or his designee.

(2) Three representatives of the Dig Advisory Committee of Louisiana One Call, designated by the committee.

(3) The president of the American Sugarcane League or his designee.

(4) The executive director of the Louisiana Forestry Association or his designee.

(5) The president of the Louisiana Farm Bureau Federation, Inc. or his designee.

BE IT FURTHER RESOLVED that the chairman of the Dig Advisory Committee shall be the chairman of the study group.

BE IT FURTHER RESOLVED that the members of this study group shall serve without compensation, except per diem or expenses reimbursement to which they may be individually entitled as members of the constituent organizations.

BE IT FURTHER RESOLVED that a majority of the total membership shall constitute a quorum of the study group and any official action by the study group shall require an affirmative vote of a majority of the quorum present and voting.

BE IT FURTHER RESOLVED that the names of the members designated as provided herein shall be submitted to the chair of the study group by July 15, 2020, and the chair shall thereafter call the first meeting of the study group no later than August 15, 2020.

BE IT FURTHER RESOLVED that the commissioner of the office of conservation, Department of Natural Resources, shall be responsible for designating staff from the office of conservation to assist the study group in performing its duties.

BE IT FURTHER RESOLVED that not later than February 1, 2021, the study group shall report its findings and recommendations in a written report to the Senate Committee on Commerce, Consumer Protection and International Affairs and the House Committee on Commerce and such recommendations shall include whether exemptions to the Louisiana Underground Utilities and Facilities Damage Prevention Law should be made for the agricultural industry.

BE IT FURTHER RESOLVED that the study group shall terminate on February 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the commissioner of the office of conservation, Department of Natural Resources, and the entities named in the Resolution to be represented on the study group.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES