

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 148

BY REPRESENTATIVE STUART BISHOP

A CONCURRENT RESOLUTION

To create and form an Overhead Power Line Identification Work Group, led by the Department of Transportation and Development, to identify a solution to problems surrounding the identification of power lines for contractors prior to commencing work.

WHEREAS, R.S. 45:141 et seq., the Louisiana Overhead Power Line Safety Act, prohibits any work whatsoever within ten feet of a power line carrying in excess of six hundred volts and requires a contractor to notify the owner of overhead lines at least forty-eight hours prior to commencement of work; and

WHEREAS, there is a lack of information available for a contractor to readily identify a utility company or companies that must be notified of the risk of construction equipment coming into contact with, or in close enough proximity to cause arcing of electricity with accompanying injury to construction workers or bystanders; and

WHEREAS, power lines are often in close proximity to construction projects, and there is no process in place for identification of the operators of such lines nor are there any laws in place to require overhead power line operators to locate and provide height and voltage information about power lines; and

WHEREAS, the Louisiana Overhead Power Line Safety Act further requires that the parties come to a satisfactory and mutual agreement for safety procedures within a certain time frame; and

WHEREAS, the Louisiana Overhead Power Line Act also prohibits work from being commenced by contractors until a "satisfactory mutual agreement" is reached; and

WHEREAS, there is no procedure to address circumstances where a "satisfactory mutual agreement" is not reached and which party is then tasked with producing safety procedures or paying for the costs of those procedures; and

WHEREAS, there are often costly delays to the completion of construction projects due to the lack of the identification of overhead power lines; and

WHEREAS, contractors bear the responsibility and risk for working and operating cranes and other equipment in the vicinity of overhead power lines; and

WHEREAS, House Bill No. 487 of the 2013 Regular Session of the Legislature by Representative Stuart Bishop sought to require designers of projects to identify the location, wattage, and height of power lines; and

WHEREAS, House Bill No. 487 of the 2013 Regular Session of the Legislature sparked much discussion by contractors, utility companies, and design professionals; and

WHEREAS, all parties decided that the matter of identification of location, wattage, and height of power lines is a complex issue that will require further formal study and discussion to formulate an equitable and reasonable solution to a problem that currently has none.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby authorize and establish the Overhead Power Line Identification Work Group which shall report its recommendations regarding the identification of ownership, location, wattage, and height of power lines for contractors and related issues to the House and Senate committees on transportation, highways, and public works.

BE IT FURTHER RESOLVED that the work group created herein shall consist of the following members:

(1) The secretary of the Department of Transportation and Development or his designee.

(2) The director of the office of facility planning and control of the division of administration or his designee.

(3) The president of the Louisiana Associated General Contractors, Inc. or his designee.

(4) The vice president of regulatory and governmental affairs of Entergy Louisiana or his designee.

(5) The senior vice president of commercial operations of Cleco Power LLC (CLECO) or his designee.

(6) The vice president of external affairs for Southwestern Electric Power Company (SWEPCO) or his designee.

(7) One member appointed by The Association of Louisiana Electric Cooperatives, Inc.

(8) The president of the Police Jury Association of Louisiana, Inc. or his designee.

(9) The president of The Louisiana Municipal Association or his designee.

(10) The president of the American Council of Engineering Companies of Louisiana, Inc. or his designee.

(11) The president of the Louisiana Society of Professional Surveyors or his designee.

(12) The president of AIA Louisiana, The Louisiana Architects Association or his designee.

(13) The general manager of the Louisiana Energy and Power Authority or his designee.

BE IT FURTHER RESOLVED that the work group shall identify the issues surrounding the identification of location, wattage, and height of power lines by design professionals for contractors, as well as related issues, and make specific recommendations regarding legislation to be introduced to address the issues identified.

BE IT FURTHER RESOLVED that the work group shall convene its first meeting no later than August 1, 2013.

BE IT FURTHER RESOLVED that the work group shall notify the following persons of the time, date, and location of each work group meeting: the chairwoman of the House Committee on Transportation, Highways and Public Works, the chairman of the Senate Committee on Transportation, Highways and Public Works, the chairman of the House Committee on Commerce, the chairman of the Senate Committee on Commerce, Consumer Protection, and International Affairs, the senator representing Senate District Number 27, and the member of the House of Representatives representing House District Number 43.

BE IT FURTHER RESOLVED that the work group shall submit a written report of its findings and recommendations to the House and Senate committees on transportation, highways, and public works no later than January 1, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to the secretary of the Department of Transportation and Development, the director of the office of facility planning and control of the division of administration, Louisiana Associated General Contractors, Inc., Entergy Louisiana, Cleco Power LLC, Southwestern Electric Power Company, The Association of Louisiana Electric Cooperatives, Inc., Police Jury Association of Louisiana, Inc., The Louisiana Municipal Association, American Council of Engineering Companies of Louisiana, Inc., Louisiana Society of Professional Surveyors, AIA Louisiana, The Louisiana Architects Association, and the Louisiana Energy and Power Authority.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE