

By the Committee on Communication and Public Utilities; and  
Senator Bennett

319-1123-04

1                                   A bill to be entitled  
2           An act relating to natural gas companies;  
3           amending s. 361.05, F.S.; providing that  
4           chapters 73 and 74, F.S., which govern actions  
5           in eminent domain, apply to natural gas  
6           transmission pipeline companies that are  
7           subject to regulation under the federal Natural  
8           Gas Act; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12           Section 1. Section 361.05, Florida Statutes, is  
13 amended to read:

14           361.05 Right of eminent domain to natural gas  
15 companies.--Any corporation or other business entity organized  
16 under the laws of this state, or by virtue of the laws of any  
17 other state, and qualified to do business in this state, for  
18 the purpose of supplying any city, town, village or the  
19 inhabitants thereof, or any community with natural gas for  
20 domestic or industrial purposes, including any natural gas  
21 transmission pipeline company that has received certification  
22 under ss. 403.9401-403.9425 or is subject to regulation under  
23 the federal Natural Gas Act, 15 U.S.C. s. 717, shall have the  
24 right of eminent domain and may use the provisions of chapters  
25 73 and 74 to lay its pipelines and works; to cause such  
26 examinations and surveys for the proposed pipelines to be made  
27 as shall be necessary for the selection of the most  
28 advantageous routes; to enter upon any land, public or  
29 private, necessary to the business contemplated in its  
30 charter; to construct its pipelines across, over, under,  
31 along, and upon any stream of water, watercourse, canal, lake,

1 bay, gulf, road, street, highway, railroad, and transmission  
2 line; to take from any land most convenient to its pipelines  
3 and works, any timber, stone, earth, water, or other material  
4 which may be necessary to the construction, operation, keeping  
5 in repair, or preservation of its pipelines, works, and  
6 improvements, upon making due compensation according to law to  
7 private owners, with such reservation, if any, of oil, gas,  
8 and mineral rights as those owners may determine. If, in  
9 order to make repairs to or to relocate any tracks of any  
10 railroad or for the performance of any work of construction or  
11 reconstruction by any railroad upon its right-of-way, it  
12 becomes necessary to relocate temporarily or permanently any  
13 natural gas pipeline constructed upon any railroad  
14 right-of-way, such work incident to the relocation of such  
15 natural gas pipeline shall be performed, and the expense  
16 borne, by the company owning or operating that pipeline.

17 Section 2. This act shall take effect upon becoming a  
18 law.

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21 COMMITTEE SUBSTITUTE FOR  
22 SB 1070

23 The committee substitute corrects the reference of the  
24 citation to the federal Natural Gas Act to 15 U.S.C. from 17  
25 U.S.C.  
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