

CHAMBER ACTION

1 The Committee on Business Regulation recommends the following:

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3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the right of eminent domain to natural
7 gas companies; amending s. 361.05, F.S.; expanding eminent
8 domain provisions to include additional business entities;
9 authorizing use of certain eminent domain provisions of
10 law; providing an effective date.

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

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14 Section 1. Section 361.05, Florida Statutes, is amended to
15 read:

16 361.05 Right of eminent domain to natural gas
17 companies.--Any corporation or other business entity organized
18 under the laws of this state, or by virtue of the laws of any
19 other state, and qualified to do business in this state, for the
20 purpose of supplying any city, town, village or the inhabitants
21 thereof, or any community with natural gas for domestic or
22 industrial purposes, including any natural gas transmission
23 pipeline company that has received certification under ss.

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24 | 403.9401-403.9425 or any entity that is subject to regulation
25 | under the federal Natural Gas Act, 15 U.S.C. s. 717, shall have
26 | the right of eminent domain and may use the provisions of
27 | chapters 73 and 74 to lay its pipelines and works; to cause such
28 | examinations and surveys for the proposed pipelines to be made
29 | as shall be necessary for the selection of the most advantageous
30 | routes; to enter upon any land, public or private, necessary to
31 | the business contemplated in its charter; to construct its
32 | pipelines across, over, under, along, and upon any stream of
33 | water, watercourse, canal, lake, bay, gulf, road, street,
34 | highway, railroad, and transmission line; to take from any land
35 | most convenient to its pipelines and works, any timber, stone,
36 | earth, water, or other material which may be necessary to the
37 | construction, operation, keeping in repair, or preservation of
38 | its pipelines, works, and improvements, upon making due
39 | compensation according to law to private owners, with such
40 | reservation, if any, of oil, gas, and mineral rights as those
41 | owners may determine. If, in order to make repairs to or to
42 | relocate any tracks of any railroad or for the performance of
43 | any work of construction or reconstruction by any railroad upon
44 | its right-of-way, it becomes necessary to relocate temporarily
45 | or permanently any natural gas pipeline constructed upon any
46 | railroad right-of-way, such work incident to the relocation of
47 | such natural gas pipeline shall be performed, and the expense
48 | borne, by the company owning or operating that pipeline.

49 | Section 2. This act shall take effect upon becoming a law.