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CHAMBER ACTION

Senate

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House

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1 Senator Saunders moved the following **amendment**:

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3 **Senate Amendment (with directory and title amendments)**

4 Delete line(s) 1205-1256

5 and insert:

6 (14) (a) If a public utility, regional transmission
7 organization, or natural gas company presents competent and
8 substantial evidence that its use of nonsovereignty state-owned
9 lands is reasonable based upon a consideration of economic and
10 environmental factors, including an assessment of practicable
11 alternative alignments and assurance that the lands will remain
12 in their predominantly natural condition, the public utility,
13 regional transmission organization, or natural gas company may be
14 granted fee simple title, easements, or other interests in
15 nonsovereignty state-owned lands title to which is vested in the
16 board of trustees, a water management district, or any other
17 agency in the state for:



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18 1. Electric transmission and distribution lines;

19 2. Natural gas pipelines; or

20 3. Other linear facilities for which the Public Service
21 Commission has determined a need exists or the Federal Energy
22 Regulatory Commission has issued a Certificate of Public
23 Convenience and Necessity.

24 (b) In exchange for less than a fee simple interest acquired
25 pursuant to this subsection, the grantee shall pay an amount
26 equal to the fair market value of the interest acquired. In
27 addition, for the initial grant of such interests only, the
28 grantee shall also vest in the grantor a fee simple interest to
29 other available land that is 1.5 times the size of the land
30 acquired by the grantee. The grantor shall approve the property
31 with a less than fee simple interest on its behalf based on the
32 geographic location in relation to the land relinquished by the
33 grantor agency and a determination that the economic, ecological,
34 and recreational value is at least equivalent to that of the
35 property transferred to the public utility, regional transmission
36 organization, or natural gas company.

37 (c) In exchange for a fee simple interest acquired pursuant
38 to this subsection, the grantee shall pay an amount equal to the
39 fair market value of the interest acquired. In addition, for the
40 initial grant of such interests only, the grantee shall also vest
41 in the grantor a fee simple title to other available land that is
42 2 times the size of the land acquired by the grantee. The grantor
43 shall approve the land to be acquired on its behalf based on a
44 determination that the economic and ecological or recreational
45 value is at least equivalent to that of the property transferred
46 to the public utility, regional transmission organization, or
47 natural gas company.

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48 (d) As an alternative to the consideration provided for in
49 paragraphs (b) and (c) above, the grantee may, subject to the
50 grantor's approval, pay the fair market value of the state-owned
51 land plus one-half of the cost differential between the cost of
52 constructing the facility on state-owned land and the cost of
53 avoiding state-owned lands, up to a maximum of twice the fair
54 market value of the land acquired by the grantee. The grantor may
55 use these moneys to acquire fee simple or less than fee simple
56 interest in other available land.
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