

ADOPTED

Senators Jeffares of the 17th and Hill of the 4th offered the following amendment:

1 *Amend HB 434 by replacing lines 1 and 2 with the following: "To amend Title 22 of the*
 2 *Official Code of Georgia Annotated, relating to eminent domain, so as to provide for an*
 3 *exception to the"*

4 *By inserting between "procedure;" and "to" on line 4 the following: "to change certain*
 5 *provisions relating to the exercise of power of eminent domain by petroleum pipeline*
 6 *companies; to provide for legislative findings; to provide for the reconstitution of the State*
 7 *Commission on Petroleum Pipelines and the date of its abolishment; to extend the temporary*
 8 *moratorium on the use of eminent domain;"*

9 *By deleting "Chapter 1 of" and "general" on line 8; by deleting "provisions relative to" on*
 10 *line 9; by replacing "chapter" with "title" on line 57; and by inserting between lines 124 and*
 11 *125 the following:*

SECTION 2A.

12 Said title is further amended in Code Section 22-3-80, relating to legislative findings, by
 13 striking the word "and" at the end of paragraph (5), revising paragraph (7), and adding a new
 14 paragraph to read follows:
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16 "(6) Neighboring states are studying the implications of new pipeline construction and the
 17 use of eminent domain for such projects. South Carolina has implented a three-year
 18 moratorium on for profit pipeline companies; and

19 ~~(6)(7)~~ A temporary moratorium on the exercise of eminent domain powers of pipeline
 20 companies through June 30, ~~2017~~ 2020, would provide the General Assembly with time
 21 to study the need for any additional changes to land use controls or restrictions related to
 22 pipeline companies seeking to deliver petroleum to residents of this state or other states,
 23 including but not limited to those related to siting of pipelines, to evaluate the measures
 24 considered and adopted by other states, ~~and~~ to assess various proposals relating to the
 25 eminent domain powers that pipeline companies presently enjoy; relating to existing
 26 pipelines, and the issuance of certain environmental and other permits to pipeline
 27 companies, and to recommend the enactment of any additional laws to ensure the
 28 consistency of pipeline development and operation with the state's land use goals and
 29 standards."

SECTION 2B.

Said title is further amended in Code Section 22-3-82, relating to the State Commission on Petroleum Pipelines, by designating the existing language as subsection (a) and by adding a new subsection to read as follows:

"(b) The commission created in subsection (a) of this Code section is hereby reconstituted. The members serving on the commission as it existed on December 31, 2016, shall serve on such reconstituted commission at the pleasure of the appointing authority. The members of the commission serving as cochairpersons of the commission on December 31, 2016, shall continue to serve as cochairpersons at the pleasure of the appointing authority."

SECTION 2C.

Said title is further amended by revising the introductory language of subsection (a), paragraph (7) of subsection (a), and subsection (d) of Code Section 22-3-83, relating to duties of the commission, compensation, meetings, and termination, as follows:

"(a) The commission shall perform the following by ~~December 31, 2016~~ June 30, 2020:"

"(7) ~~Prepare a report summarizing the findings of the commission and submit such report to the President of the Senate and the Speaker of the House of Representatives and to the chairpersons of each of the standing committees of the Senate and of the House of Representatives which regularly consider proposed legislation related to transportation, energy, or natural resources; and~~ Evaluate the measures considered and adopted by other states relating to new pipeline construction and the use of eminent domain by pipeline companies; and"

"(d) The commission shall stand abolished on ~~January 1, 2017~~ June 30, 2020."

SECTION 2D.

Said article is further amended by revising paragraph (1) and the introductory language of paragraph (2) of subsection (a) of Code Section 22-3-85, relating to temporary moratorium on use of eminent domain for construction of petroleum pipelines and study, as follows:

"(a)(1) The powers of eminent domain granted by this part to pipeline companies shall be temporarily suspended starting from May 3, 2016, through and including June 30, ~~2017~~ 2020, in order to allow the commission to complete its report work and make recommendations and to allow the General Assembly to act on those recommendations ~~during the 2017 legislative session~~."

(2) Between May 3, 2016, and June 30, ~~2017~~ 2020:"