

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1675

H.P. 1110

House of Representatives, April 17, 2025

### **An Act to Provide Just Compensation in Cases of Taking by Eminent Domain by Transmission and Distribution Utilities**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FLYNN of Albion.

Cosponsored by Representatives: COLLINS of Sidney, FOSTER of Dexter, MCINTYRE of Lowell, MORRIS of Turner, RUDNICKI of Fairfield, SHAGOURY of Hallowell.

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 35-A MRSA §3136, sub-§1**, as amended by PL 2023, c. 644, §3, is further amended to read:

**1. Land necessary for location of transmission lines carrying 5,000 volts.** Subject to approval by the commission under subsection 4 and the requirements of subsection 6 ~~6-A~~, if applicable, a transmission and distribution utility may take and hold by right of eminent domain lands and easements necessary for the proper location of its transmission lines that are designed to carry voltages of 5,000 volts or more and of necessary appurtenances, located within the territory in which the utility is authorized to do public utility business, in the same manner and under the same conditions as set forth in chapter 65. Notwithstanding section 6501, subsection 1 and section 6507, subsection 4, owners are entitled to damages for all property taken by eminent domain in accordance with subsection 5 ~~6-A~~.

**Sec. 2. 35-A MRSA §3136, sub-§5**, as enacted by PL 2023, c. 644, §5, is repealed.

**Sec. 3. 35-A MRSA §3136, sub-§6**, as enacted by PL 2023, c. 644, §6, is repealed.

**Sec. 4. 35-A MRSA §3136, sub-§6-A is enacted to read:**

**6-A. Owner entitled to damages.** The owner of a property taken by eminent domain by a transmission and distribution utility for the construction, rebuilding or relocation of a transmission line is entitled to damages to be paid by the transmission and distribution utility in the form of an annual installment over the course of 20 years from the operation date of the transmission line. The transmission and distribution utility shall set aside 1% of the total revenue generated from the construction, rebuilding or relocation of a transmission line annually to be paid as damages to the owner of a property taken by eminent domain for the construction, rebuilding or relocation of that transmission line. The 1% of the revenue set aside for damages must be distributed to property owners based on the acres of property taken from that owner for the construction, rebuilding or relocation of the transmission line.

**Sec. 5. 35-A MRSA §3136, sub-§8**, as enacted by PL 2023, c. 644, §8, is repealed.

## SUMMARY

This bill updates the laws regarding damages paid to owners of property taken by eminent domain by a transmission and distribution utility for the construction, rebuilding or relocation of a transmission line. The bill requires a transmission and distribution utility to set aside 1% of the total revenue generated from the construction, rebuilding or relocation of a transmission line annually to be paid as damages to the owner of a property taken by eminent domain for the construction, rebuilding or relocation of that transmission line. The 1% of the revenue set aside for damages must be distributed to property owners based on the acres of property taken from that owner for the construction, rebuilding or relocation of the transmission line in the form of an annual installment over the course of 20 years from the operation date of the transmission line.