



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1458

S.P. 599

In Senate, April 3, 2025

**An Act Regarding Compensation Fees and Related Conservation  
Efforts for Solar and Wind Energy Development and High-impact  
Electric Transmission Lines Under the Site Location of  
Development Laws**

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.  
Cosponsored by Senators: BLACK of Franklin, CURRY of Waldo, HARRINGTON of York,  
TIMBERLAKE of Androscoggin, Representative: WADSWORTH of Hiram.

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

2 **Sec. 1. 38 MRSA §482, sub-§1-B** is enacted to read:

3 **1-B. Average value of undeveloped land.** "Average value of undeveloped land" has  
4 the same meaning as in Title 36, section 578, subsection 1, paragraph C, subparagraph (3).

5 **Sec. 2. 38 MRSA §482, sub-§9** is enacted to read:

6 **9. Undeveloped land.** "Undeveloped land" has the same meaning as in Title 36,  
7 section 578, subsection 1, paragraph C, subparagraph (2).

8 **Sec. 3. 38 MRSA §484, sub-§3, ¶K** is enacted to read:

9 **K.** In making a determination under this subsection regarding the impact to existing  
10 natural resources, the department may consider only the impact on the following  
11 wildlife habitats, as defined in rules adopted by the department:

12 (1) High-value and moderate-value deer wintering habitat;

13 (2) The habitat of any species declared by the Commissioner of Inland Fisheries  
14 and Wildlife or the director of the United States Fish and Wildlife Service to be  
15 threatened or endangered;

16 (3) Seabird nesting islands;

17 (4) Significant vernal pools;

18 (5) High and moderate value inland waterfowl and wading bird habitat; and

19 (6) Shorebird nesting, feeding and staging areas.

20 The department may not include large undeveloped habitat blocks, as defined in rule,  
21 as a wildlife habitat.

22 **Sec. 4. 38 MRSA §484-D, sub-§2**, as enacted by PL 2023, c. 448, §2, is repealed  
23 and the following enacted in its place:

24 **2. Calculating compensation fee.** The department shall establish a compensation fee  
25 amount equal to the average value of undeveloped land occupied by a renewable energy  
26 development. A portion of the fee may be used to cover the cost of administering the receipt  
27 and deposit of compensation fees pursuant to subsection 3.

28 The fee may not include compensation for an area:

29 **A.** As defined by section 480-Z, subsection 7;

30 **B.** Located in a designated growth area in a municipal comprehensive plan in  
31 accordance with Title 30-A, section 4349-A, subsection 1, paragraph A; or

32 **C.** On a brownfield or a property contaminated by PFAS, as defined in Title 32, section  
33 1732, subsection 5-A.

34 **Sec. 5. 38 MRSA §484-D, sub-§3**, as enacted by PL 2023, c. 448, §2, is repealed  
35 and the following enacted in its place:

36 **3. Disposition of compensation fees.** The department shall deposit compensation  
37 fees received under this section in the Land for Maine's Future Trust Fund established in  
38 Title 5, section 6203-D.

