



Testimony of the Maine Municipal Association

In Opposition To

LD 1675 - An Act to Provide Just Compensation in Cases of Taking by Eminent Domain by Transmission and Distribution Utilities

April 29, 2025

Senator Lawrence, Representative Sachs and members of the Energy, Utilities, and Technology Committee, my name is Rebecca Lambert, and I am providing testimony in opposition to LD 1675 on behalf of the Maine Municipal Association's (MMA) elected 70-member Legislative Policy Committee (LPC). For reference, MMA is a nonpartisan, nonprofit member service organization and aims to help provide policy solutions that work for all residents in Maine and the LPC guides the advocacy efforts and establishes positions on bills of municipal interest.

LPC members were a bit unsure why this bill was brought forward when presented with it at their last meeting. Eminent domain is already subject to constitutional protections that require just compensation for any taking of private property, whose owners have clear legal pathways to challenge compensation if they believe the level is insufficient.

MMA members have questioned whether the mandatory 1% revenue payment will be separate from and above the constitutionally required compensation. If so, this would seem more about creating an arbitrary financial penalty that has no clear connection to actual damages, rather than making property owners whole.

Likewise, members have concerns that the proposal will drive up the cost of essential energy infrastructure projects, that will inevitably be passed on to ratepayers, which include residents, businesses, and municipalities. At a time when communities are working hard to promote energy resilience, modernize the grid, and support the transition to clean energy, this bill would add unnecessary financial barriers and delay transmission projects that are critical for economic growth and environmental progress.

Additionally, local leaders are concerned that LD 1675 would undermine the principle that eminent domain is an extraordinary tool to be used sparingly and judiciously. It sends the wrong message that every taking, regardless of circumstances or actual harm, is a windfall opportunity, rather than the legal mechanism it is designed to be to balance individual property rights with the public good.

In short, while municipal officials fully support fairness, transparency, and robust protections for property owners, they also feel that this bill is the wrong approach. It would create arbitrary, duplicative compensation mechanisms that increase costs for everyone without improving the fairness or efficiency of the eminent domain process.

Thank you for your time and for considering our perspective on this issue.

