

Testimony of Ashley Luszczki
In Opposition to L.D. 1675, An Act to Provide Just Compensation in Cases of Taking by
Eminent Domain by Transmission and Distribution Utilities
Before the Energy, Utilities and Technology Committee
April 29, 2025

Senator Lawrence, Representative Sachs and members of the Joint Standing Committee on Energy, Utilities and Technology, my name is Ashley Luszczki. I am providing testimony on behalf of the Maine State Chamber of Commerce, which represents a network of more than 5,000 businesses. Thank you for the opportunity to provide testimony in opposition to L.D. 1675, An Act to Provide Just Compensation in Cases of Taking by Eminent Domain by Transmission and Distribution Utilities.

The Chamber believes that state policies should strike a balance that recognizes private property rights and the need for infrastructure investments that drive Maine's economy. At the same time, we are concerned that policies like L.D. 1675 would set a precedent for revenue-sharing mandates that would deter Maine's economic competitiveness – limiting infrastructure investments necessary for economic growth.

Last session, the Legislature passed L.D. 2087, which put parameters in place to ensure that when private property is taken by eminent domain for a high-impact transmission line, property owners shall receive compensation. L.D. 1675 introduces a new requirement where a transmission and distribution utility would be required to set aside one percent of revenue generated from the construction, rebuilding or relocation of a high-impact transmission line. That revenue would then be distributed – over the course of 20 years – to property owners impacted by eminent domain.

While one percent of revenue generated may appear to be modest, we believe this has the potential to significantly impact Maine's economic competitiveness. Maine already faces a challenge with rural connectivity issues and the need for interconnection as more renewables are developed. State policies should be reflective of the need for new developments rather than hindering growth. By mandating revenue-loss, it would disincentivize future transmission lines from being built, or existing lines from being rebuilt, in Maine. Rather, utilities could decide to invest in other states where mandates like L.D. 1675 aren't in place. Ultimately, the costs proposed would be borne by the contractual party and, as a result, this structure would not only add costs to project development in Maine, but also potentially add additional ratepayer costs.

Once more, if this bill were to become law we would be placing Maine at an economic disadvantage when our policies should be focused on attracting new businesses, improving the affordability of energy, and strengthening our workforce. While we recognize the intent of the bill's sponsor to provide compensation to property owners impacted, we believe there is a mechanism for doing so in statute today and that this new requirement would negatively impact Maine's economic competitiveness. For these reasons, we urge the committee to oppose L.D. 1675.