



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 271

S.P. 83

In Senate, January 22, 2019

**An Act Regarding a Transmission and Distribution Utility's Use of
the Right of Eminent Domain To Locate Its Transmission Lines**

Reference to the Committee on Energy, Utilities and Technology 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 MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and
Senator: DAVIS of Piscataquis, Representatives: BERRY of Bowdoinham, HUBBELL of Bar
Harbor, RISEMAN of Harrison, RYKERSON of Kittery.

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

2 **Sec. 1. 35-A MRSA §3136, sub-§2, ¶D**, as amended by PL 2001, c. 608, §2, is
3 further amended to read:

4 D. Lands or easements owned or used by railroad corporations, except as authorized
5 pursuant to section 2311; ~~and~~

6 **Sec. 2. 35-A MRSA §3136, sub-§2, ¶E**, as enacted by PL 2001, c. 608, §2, is
7 amended to read:

8 E. Lands or easements owned by the State; ~~and~~

9 **Sec. 3. 35-A MRSA §3136, sub-§2, ¶F** is enacted to read:

10 F. Lands or easements to be acquired for the purpose of an elective transmission
11 upgrade that is not required for reliability of service to customers in the State or the
12 ISO-NE region. For purposes of this paragraph, "ISO-NE region" has the same
13 meaning as in section 1902, subsection 3.

14 **SUMMARY**

15 This bill withholds the right of eminent domain from a transmission and distribution
16 utility for lands or easements to be acquired for an elective transmission upgrade that is
17 not required for reliability of service to customers in the State or the ISO-New England
18 region.