

SB0955_RichardKaplowitz_FAV
03/06/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0955 – FAVORABLE
Overhead Transmission Lines - Eminent Domain

TO: Chair Feldman, Vice Chair Kagan and members of the Education, Energy and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#0955, Overhead Transmission Lines - Eminent Domain

This bill seeks to protect property rights for persons whose property is encumbered by a conservation easement from an electric transmission line violating that easement. This is both an environmental protection and property rights enforcement mechanism.

This bill prohibits a person constructing an overhead transmission line from exercising a right of condemnation to acquire property encumbered by a conservation easement. It recognizes that action by an electricity transmission company can harm a protected environment. It will provide legal protection by authorizing a certain property owner to bring an action for damages incurred as a result of a certain condemnation proceeding. That action is further strengthened by requiring that reasonable counsel fees be awarded to counsel for the defendant in a condemnation proceeding and that certain court costs be charged against the plaintiff under certain circumstances.

I respectfully urge this committee to return a favorable report on SB#0955.