

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2674

S.P. 1072

In Senate, April 3, 2000

An Act to Protect Maine Jobs and Natural Resources.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in black ink that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President LAWRENCE of York.

Cosponsored by Representative HATCH of Skowhegan and

Senators: DOUGLASS of Androscoggin, TREAT of Kennebec, Representatives: BOLDUC of Auburn, SHIAH of Bowdoinham.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, certain geological formations, particularly sand
6 and gravel and fractured bedrock aquifers, contain large amounts
of high-quality groundwater; and

8 Whereas, the continued availability of clean drinking water
10 from such formations is necessary to protect the health, safety
and general welfare of the people; and

12 Whereas, the economic and social well-being of the citizens
14 of the State depends upon the wise and judicious use of our
scarce natural resources; and

16 Whereas, scarce and valuable groundwater resources in the
18 State have and will continue to be developed for private gain; and

20 Whereas, the public has a clear interest in the development
and use of such resources; and

22 Whereas, many jobs are dependent upon the continued
24 availability of such resources; and

26 Whereas, current developments threaten to deny employment
opportunities to certain Maine workers; and

28 Whereas, Maine workers must be provided a fair opportunity
30 to obtain the employment generated through the use of that
resource; and

32 Whereas, in the judgment of the Legislature, these facts
34 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
36 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

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

42 1-B. Developer of groundwater resources. "Developer of
44 groundwater resources" means any public water system that
develops a significant groundwater aquifer primarily for the
46 distribution and sale of bottled water.

48 **Sec. 2. 38 MRSA §482, sub-§§4-G** is enacted to read:

2 4-G. Public water system. "Public water system" has the
3 same meaning as in Title 22, section 2601, subsection 8.

4 **Sec. 3. 38 MRSA §489-E is enacted to read:**

6 **§489-E. Obligations of developers of groundwater resources**

8 1. Obligations to existing Maine workers. An employer who
9 operates an existing public water system, has employees in the
10 State and proposes to become a developer of groundwater resources
11 may not discriminate against its current employees when hiring
12 for the newly developed facility. When positions in the new
13 facility become available, the employer shall offer existing
14 employees in good standing the opportunity to transfer to the
15 same or a similar position at the same or a similar wage.

16 2. Applicability. This section applies to all developers
17 of groundwater resources that commence the distribution and sale
18 of bottled water from a new facility on or after January 1, 2000.

19 **Emergency clause.** In view of the emergency cited in the
20 preamble, this Act takes effect when approved.

24 **SUMMARY**

26 This bill amends the site location of development laws to
27 place certain restrictions on companies developing a significant
28 groundwater aquifer for the purpose of selling bottled water. It
29 requires that an employer who operates an existing public water
30 system, primarily distributes bottled water, has employees in
31 this State and develops a significant groundwater aquifer may not
32 discriminate against its current employees when hiring for the
33 newly developed facility. The employer shall offer existing
34 employees in good standing the opportunity to transfer to the
35 same or a similar position, at the same or a similar wage, in the
36 new facility.