MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1925

S.P. 725

In Senate, January 4, 2006

An Act To Protect Maine's Groundwater Resources

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

JOY J. O'BRIEN Secretary of the Senate

Presented by President EDMONDS of Cumberland. Cosponsored by Representative: ADAMS of Portland.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 38 MRSA §404, sub-§1, ¶D is enacted to read:
4	• • • • • • • • • • • • • • • • • • • •
	D. "Reasonable use" means any socially or economically
6	beneficial use of ground water. "Reasonable use" does not
	include transporting the water off of the land for use
8	elsewhere or a use that is wasteful.
10	Sec. 2. 38 MRSA §404, sub-§4 is enacted to read:
12	4. Reasonable use. Except as provided in subsection 2, a
12	landowner may not make use of the ground water underlying the
14	landowner's land unless the use is a reasonable use.
7.4	Tandowner & Tand unless the use is a reasonable use.
16	
	SUMMARY
18	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
	The purpose of this bill is to establish a reasonable use
20	rule for groundwater withdrawals and to reject the common law
-	doctrine of absolute dominion. The bill permits a landowner to
22	make any reasonable use of the groundwater underlying the
	landarments land and defined Propagable use "