



**SENATE AMENDMENT 4,
TO SENATE BILL 302**

January 29, 2014 – Offered by Senator KEDZIE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 6: after “approvals” insert “and nuisance actions for certain
3 groundwater withdrawals”.

4 **2.** Page 3, line 24: delete “65 business” and substitute “120”.

5 **3.** Page 4, line 5: delete “65 business” and substitute “120”.

6 **4.** Page 8, line 7: after that line insert:

7 “**SECTION 19m.** 281.945 of the statutes is created to read:

8 **281.945 Nuisance actions.** (1) A groundwater withdrawal may constitute
9 a nuisance if all of the following apply:

10 (a) The groundwater is withdrawn by a person who possesses the land from
11 which the groundwater is withdrawn or by a person who is authorized by the
12 possessor of land to withdraw groundwater from the land.

13 (b) The groundwater is withdrawn for a beneficial purpose.

