



Joseph E. Martin  
Senator, District 19

THE MAINE SENATE  
132nd Legislature

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Augusta, Maine 04333

**Joint Standing Committee on Environment and Natural Resources on  
LD 795, An Act to Exempt Pegmatite Mining from the Maine Metallic  
Mineral Mining Act and Establish a Permit-by-rule Process  
March 24, 2025**

Senator Tepler, Representative Doudera, and esteemed colleagues on the Joint Standing Committee on Environment and Natural Resources. I am Joe Martin and I proudly represent the citizens of Senate District 19, which includes much of Northern Oxford County and communities in Franklin County. I am here to present LD 795, *An Act to Exempt Pegmatite Mining from the Maine Metallic Mineral Mining Act and Establish a Permit-by-rule Process*.

Maine has a rich tradition of rockhounding and small-scale mining—hands-on activities that connect people to our land, our geology, and our history. LD 795, *An Act to Exempt Pegmatite Mining from the Maine Metallic Mineral Mining Act and Establish a Permit-by-rule Process*, celebrates and supports that tradition by creating a simplified path for responsible hobby and recreational pegmatite mining.

Pegmatite formations often contain beautiful and collectible minerals like gemstones, feldspar, mica, and lithium-bearing rocks. This bill recognizes that small-scale mining of these materials—especially on sites 20 acres or less—is fundamentally different from large-scale industrial mining and should be regulated accordingly. It provides a streamlined, permit-by-rule process that maintains strong environmental and safety standards while cutting unnecessary red tape for responsible enthusiasts.

In addition, I intend to offer an amendment to LD 795 to establish a recreational exemption from commercial insurance requirements—specifically for the State Fire Marshal to consider when licensing mineral hobby operations that involve blasting. This commonsense change will make it easier for small, non-commercial dig sites to meet safety requirements without the prohibitive cost of commercial-level insurance.

LD 795 is about encouraging education, recreation, and responsible stewardship of Maine's natural resources—keeping our outdoors open, accessible, and productive for generations to come.

I urge you to vote “ought to pass as amended” on LD 795. Thank you for your consideration. I would be happy to answer any questions.

Committee: ENR  
Drafter: DT  
File name:  
LR (item)#:  
New Title?: NO  
Add Emergency?: NO  
Date: 3/20/2025

**LD 795**  
**Proposed amendment, Senator Martin**

*Amend the bill by inserting before Section 1 of the bill the following section:*

**Sec. 1. 25 MRSA §2473-A** is enacted to read:

**§2473-A. Waiver of permit requirements for recreational or hobby mining**

Notwithstanding section 2473, and in accordance with the requirements of this section, a person intending to conduct recreational or hobby mining activities may request and the commissioner may approve a waiver from the permit requirements of section 2473 for the possession, use, storage and transportation of explosives for use in the recreational or hobby mining activities.

**1. Criteria for approval.** The commissioner shall approve a waiver under this section if the commissioner determines that:

A. The person requesting the waiver has not committed any violations of this chapter or the rules adopted pursuant to this chapter or any other violations of law or rules relating to public safety;

B. The person requesting the waiver has demonstrated to the commissioner's satisfaction that compliance with the requirements of this chapter is impractical with respect to the recreational or hobby mining activities the person intends to conduct;

C. Approving the waiver will not compromise public safety or pose a risk to public or private property; and

D. The person requesting the waiver has agreed to implement alternative safety measures for possession, use, storage and transportation of explosives as directed by the commissioner.

**2. Rules.** The commissioner may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

As used in this section “recreational or hobby mining activities” means mining activities that are not required to obtain a permit under the Maine Metallic Mineral Mining Act and that are conducted for a non-commercial purpose.

## SUMMARY

This amendment adds to the bill additional provisions that amend the laws regulating explosives and flammable liquids. Specifically, it amends those laws to provide that the Commissioner of Public Safety may approve a waiver from the requirement that a person possessing, using, storing or transporting explosives obtain a permit from the commissioner if the person is intending to conduct recreational or hobby mining activities and satisfies other specified criteria. The amendment defines “recreational or hobby mining activities” as mining activities that are not required to obtain a permit under the Maine Metallic Mineral Mining Act and that are conducted for a non-commercial purpose.