

# MAINE STATE LEGISLATURE

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L D 1363

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Date 6/20/23

(Filing No H- 601)

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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131ST LEGISLATURE

7

FIRST SPECIAL SESSION

8

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 877,  
9 L.D. 1363, "An Act to Support Extraction of Common Minerals by Amending the Maine  
10 Metallic Mineral Mining Act"

11

Amend the amendment by inserting after the title the following:

12

'Amend the bill by striking out the title and substituting the following

13

**'An Act to Amend the Definition of "Metallic Mineral" in the Maine Metallic Mineral  
14 Mining Act'**

15

Amend the amendment by striking out everything after the first instructional paragraph  
16 and inserting the following.

17

'Sec. 1. 38 MRSA §490-MM, sub-§8, as enacted by PL 2011, c. 653, §23 and  
18 affected by §33, is amended to read.

19

8. **Metallic mineral.** "Metallic mineral" means any ore or material to be excavated  
20 from the natural deposits on or in the earth for its metallic mineral content to be used for  
21 commercial or industrial purposes. "Metallic mineral" includes spodumene but does not  
22 include thorium or uranium.

23

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
24 section number to read consecutively.

25

SUMMARY

26

This amendment amends Committee Amendment "A" to replace the bill and change  
27 its title. The amendment amends the definition of "metallic mineral" in the Maine Metallic  
28 Mineral Mining Act to include spodumene.

29

SPONSORED BY: 

30

(Representative O'NEIL, M.)

31

TOWN: Saco

**FISCAL NOTE REQUIRED**  
(See attached)

**HOUSE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 1363

LR 420(05)

## An Act to Support Extraction of Common Minerals by Amending the Maine Metallic Mineral Mining Act

Fiscal Note for House Amendment 'B' to Committee Amendment "A" (H-601)

Sponsor: Rep. O'Neil of Saco

Fiscal Note Required: Yes

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### Fiscal Note

Potential biennium revenue increase - General Fund  
Potential biennium cost increase - Other Special Revenue Funds  
Potential biennium revenue increase - Other Special Revenue Funds  
Potential biennium revenue increase - Municipalities

#### Fiscal Detail and Notes

This amendment changes the definition of "metallic mineral" in the Maine Metallic Mineral Mining Act (MMMMMA), to include spodumene. Any activities related to the extraction or mining of this material would now fall under the provisions of the MMMMA, which may result in additional mining permit applications. DEP may incur costs related to approving applicants for a mining permit and engaging in certain oversight activities. The extent of costs to DEP will depend on the number of applicants and the activities they engage in, but these costs are expected to be covered by mining fees. Under current statute, applicants are required to pay an initial processing fee not to exceed \$500,000 and an annual license fee between \$20,000 and \$50,000 that will be directed to the Metallic Mining Fund within DEP. No estimate is made at this time on the number of mining applicants.

If applicants are approved, mining excise tax revenues will be received. Under current statute, the revenue reimburses municipalities and unorganized territories for at least 50%, and if sufficiently available 100%, of the property tax revenue loss suffered by that municipality or unorganized territory as a result of property tax exemptions created under the mining excise tax statute. 25% of any remaining revenues would be paid to DEP for oversight of mining activity and 75% would be credited to the General Fund. The amount of mining excise tax revenue that might be generated is not estimated at this time.