

**Testimony of Patrick Keliher, Commissioner
Maine Department of Marine Resources**

**Before the Joint Standing Committee on Appropriations and Financial Affairs and
The Joint Standing Committee on Marine Resources**

LD 206: "An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023."

Senator Rotundo, Representative Sachs and the Honorable members of the Joint Standing Committee on Appropriations. Senator Reny, Representative Hepler and the Honorable members of the Joint Standing Committee on Marine Resources. I am Patrick Keliher, Commissioner of the Department of Marine Resources. I am here today to testify on behalf of the Administration in support of the LD 206, specifically the portions of the supplemental budget pertaining to the Department of Marine Resources (DMR).

DMR is proposing initiatives comprised of a net increase of \$928,737 in General Fund and a net increase of \$14,820 in Other Special Revenue Funds over the biennium. The General Fund requests would provide funding to repair and redesign the Maine State Aquarium, address shortfalls in funding for Marine Patrol's fuel budget, and to provide funding for several position reclassifications in the Bureau of Public Health.

BUREAU OF MARINE SCIENCE 0027

The Department of Marine Resources is requesting one initiative within the **Bureau of Marine Science** which can be found on **page A-35**.

This initiative provides \$800,000 in one-time funding for repairs and updates to the Maine State Aquarium, which has been closed since 2020 due to Covid-19. Historically, this educational facility draws over 20,000 visitors annually and been self-funded through admission revenues of approximately \$190,000 per year.

As the Department was preparing to reopen the Aquarium this year, significant damage from extensive seawater use was discovered. Wall studs were rusted out, electrical system faults were revealed indicating a high fire risk and requiring substantial upgrades to meet current electrical and safety codes. Corrosion of floor drains and water penetration through tiles caused water damage to the facility's fire suppression tank and Department archives. Black mold was also discovered around displays and in staff-only access areas.

This is no doubt a substantial renovation, but after 25 years of use the corrosive saltwater environment within the facility has finally won out. Taking the "glass half full" view of this situation we now have an opportunity to not only address the damage but update and enhance the

educational and display features of the Aquarium. The initial demolition required previous tanks, stands and displays to be removed, so an additional one-time appropriation is needed to complete repairs and develop new exhibits in order to open the Aquarium in 2023. This funding will provide an enhanced educational experience for visitors using engaging technology and immersive experiences in a safe and updated facility that will serve students, educators, and visitors to the State for years to come.

BUREAU OF PUBLIC HEALTH Z154

The Department of Marine Resources is requesting one initiative within the Bureau of Public Health which can be found on **page A-35**.

This initiative provides funding the approved reorganization of 4 Marine Resources Scientist I positions to Marine Resources Scientist II in the growing area and water quality program in the **Bureau of Public Health (Z154)**. These reclassifications have been approved by the Bureau of Human Resources. There is a long-standing process in place to evaluate proper classification of positions and determine through a functional job analysis whether a position meets the requirements for reclassification, including pay adjustment. The State's collective bargaining unit agreements include negotiated language related to this process. Reclasses may be employee or management initiated. Approved employee-initiated actions include a retroactive pay component back to the date the request was signed. Only approved reclasses are included in the supplemental. This initiative is to request funding for the approved action, which is required before the reclassification can be processed and paid.

BUREAU OF MARINE PATROL 0029

The Department of Marine Resources is requesting one initiative within the Bureau of Marine Patrol which can be found on **page A-35**.

The last initiative provides \$125,000 to address increased fuel costs facing the **Bureau of Marine Patrol (0029)**. The Department of Marine Resources Bureau of Marine Patrol maintains a fleet of more than thirty watercraft used for patrol, enforcement, and search and rescue work in Maine's coastal waters. Marine Patrol Officers operate these vessels to patrol from the head of tide to areas of the Gulf of Maine more than forty miles offshore. They operate year-round and in all weather conditions. The Maine Marine Patrol is the only statewide law enforcement agency on the coast of Maine with year-round response capabilities for enforcement and search and rescue needs. As with many agencies, the Bureau of Marine Patrol has been impacted by significant fuel cost increases over the last year. As an example, diesel fuel prices at a fuel dock used by Marine Patrol in Rockland were \$2.96 per gallon on August 30, 2021; on July 25, 2022, diesel fuel prices at the same Rockland fuel dock were \$5.19 per gallon. This price per gallon difference for diesel fuel represents a 75% per gallon increase over eleven months. Even after realigning available funds to help cover this increased cost, the Bureau can't maintain its current presence on the water without this additional General Fund request.

This concludes my testimony. I would be happy to answer any questions you have.