

**TESTIMONY OF
Deirdre Gilbert
Department of Marine Resources**

**The Department of Marine Resources (DMR) is testifying
In Support of
LD 2025 An Act to Provide for Medical and Vessel Breakdown License Exceptions for
Commercial Menhaden License Holders
Before the Committee on Marine Resources
Sponsored by Senator Moore
Date of Hearing: January 25, 2024**

Senator Reny, Representative Hepler and members of the Joint Standing Committee on Marine Resources, my name is Deirdre Gilbert, Director of State Marine Policy, Department of Marine Resources, and I am testifying on behalf of the Department in support of LD 2025. This is a Department bill, and we are grateful to Senator Moore for sponsoring this bill on our behalf.

As the committee is aware, beginning in 2023, commercial menhaden licenses were only available to individuals who met certain qualifying criteria established in law. Such fisheries are often referred to as "limited-entry" fisheries. Other examples of limited entry fisheries in Maine are lobster, scallops, urchins, and elvers.

In these other limited entry fisheries, there are typically provisions under which an individual who has an unexpected boat breakdown or a medical condition that prevents them from fishing can ensure that their license can still be used during this period. The specific details are different based on the limitations of the fishery, but there is always some flexibility provided to assist fishermen in dealing with unexpected events.

When the menhaden fishery became limited entry, these provisions were not created with the original law. However, the Department received multiple requests last season from individuals seeking boat breakdown or medical waivers. Based on those requests, we have crafted some statutory language that provides the parameters for what may be approved.

Specifically, for situations involving illness or disability, the commissioner would be able to authorize a license holder to have another license holder fish on their behalf. This could occur on either license holder's vessel without causing the daily or weekly vessel limit to be exceeded. Such medical waivers would be available for the duration of a single menhaden season.

For boat breakdowns (accidents or mechanical failure), this bill would authorize the commissioner to allow a fisherman to temporarily use a vessel other than the vessel listed on their license for a period of up to 2 weeks, with an additional 2-week extension available. Again, daily and weekly vessel limits would be waived.

In both of these situations, the Department is seeking to balance the need to provide sufficient flexibility to address legitimate, unfortunate circumstances, without creating a potential for abuse. That is the basis for the proposed time limitations for each situation proposed in the bill.

Thank you for your consideration, and I would be happy to answer any questions you might have.