

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

**The Department of Marine Resources (DMR) is testifying  
In Support of  
LD 2064 An Act to Amend the Laws Regarding Certain Advisory Councils and Boards  
Related to the Department of Marine Resources  
Sponsored by Representative Hepler  
Date of Hearing: February 1, 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 2064. This is a Department bill, and we are grateful to Representative Hepler for sponsoring this bill on our behalf.

LD 2064 proposes to make changes to two Councils that are advisory to the Department: the Aquaculture Advisory Council and the Lobster Research, Education, and Development (RED) Board.

The changes regarding the Aquaculture Advisory Council (AQAC) are brought forward at the request of the Council, and with the support of the Department. The Aquaculture Division has recently been moved within the Bureau of Public Health. As part of this change, staff have been working to reinvigorate the work of the AQAC. The current Council members have identified a number of changes that are expected to improve the functionality and effectiveness of the AQAC. Specifically, the bill proposes to make the following changes:

- It expands the membership of the Council from 5 to 7 members, and removes the commissioner or the commissioner's designee as an ex officio, non-voting member of the Council. Council membership is expected to ensure geographic representation, as well as representation of multiple sectors of the aquaculture industry. Of the 7 members of the Council, up to 2 seats may be held by members of the public with expertise in matters related to the work of the Council.
- It limits member to no more than 2 consecutive terms, to ensure periodic turnover in Council membership.
- It expands the purpose of the Council to also make recommendations to the Marine Resources Committee of the Legislature, as well as the Department. This is consistent with the purpose of the Shellfish Advisory Council. It also restructures and clarifies the purpose of the Council.
- It specifies officers for the Council, to include a Chair and Vice-chair.
- It increases the required minimum number of meetings from one to two per year. Recently, the AQAC has been meeting quarterly, similar to the Shellfish Advisory Council.
- It clarifies that members of the Council are eligible for compensation for mileage for travel to their meetings, and that those costs are covered by the Aquaculture Management Fund.

- Finally, the Chair of the AQAC would become an ex officio member of the DMR Advisory Council, and the current seat that is reserved to represent the aquaculture sector through nomination by the Governor would be eliminated.

The Lobster Research, Education, and Development (RED) Board was created in 2001 to advise on the Department on expenditures from the RED Fund, which is capitalized with funds from the sales of the lobster license plate. At the time the Board was created, the membership was described as representatives from various organizations representing different sectors of the lobster industry. Over time, several of these organizations have ceased to exist. This is the current statutory membership, and the organization referenced at the time:

- A. A statewide association representing the interests of persons who harvest lobster commercially;  
(At the time, this referred to the Maine Lobstermen's Association)
- B. An association representing the interests of persons who harvest lobster commercially in Washington and Hancock counties;  
(This referred to the Downeast Lobstermen's Association)
- C. A southern Maine association representing the interests of persons who harvest lobster commercially;  
(This referred to the Southern Maine Lobstermen's Association)
- D. A statewide import-export lobster dealers' association;  
(This referred to the Maine Import Export Lobster Dealer's Association)
- E. A statewide lobster pound owners' association;  
(At the time, this referred to the Lobster Pound Owner's Association, which no longer exists)
- F. A statewide lobster processors' association;  
(At the time, this referred to the Lobster Processor's Association, which no longer exists)
- G. The Maine Lobster Marketing Collaborative under section 6455-A;
- H. The Lobster Advisory Council established by Title 5, section 12004-I, subsection 58; and
- I. An international lobster institute. This member must be a resident of the State.  
(This referred to the University of Maine's Lobster Institute)

As you can see above, of the 9 existing seats, 2 are designated for organizations that no longer exist. Some of the other organizations are significantly less active than they were at the time the Board was created. Because this is always a possibility for organizations that are not statutorily created, the Department thought it would simplify things if the membership of this Board were changed to designate 3 seats for the representation of harvester interests, 3 seats for the representation of dealer interests, one seat for a lobster scientist, and retain the 2 seats for the two organizations that do exist in statute – the Lobster Advisory Council and the Maine Lobster Marketing Collaborative.

The Department has no intention of changing the Board membership based on this bill, but is only seeking to simplify the description of the seats to avoid confusion when regarding defunct organizations.

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