

February 2025

To: The Committee on Inland Fisheries and Wildlife

RE: LD 153 An Act to Prohibit the Unauthorized Mooring of Watercraft

Senator Baldacci, Representative Roberts, and members of the Committee on Inland Fisheries and Wildlife, my name is Stacey Keefer, Director for the Maine Marine Trades Association (MMTA), and a resident of Union. Today I am testifying on behalf of approximately 120 Maine businesses and an industry comprised of boatyards, boat builders, marinas, boat dealers, marine retailers, and more. I am not here to specifically testify on behalf of boaters or private mooring owners, however our industry does occasionally advocate on issues that impact the overall experience of boating and boat ownership pertaining to inland and coastal waters in Maine. Many of our members also provide or service rental moorings for their customers and/or transient boaters. In order to give interested parties an opportunity to participate, I have shared the information regarding LD 153 with the Maine Harbor Masters Association and in a social media forum for boaters who actively sail and cruise the Maine coast.

LD 153 addresses the legalities of boat operators securing a vessel to a mooring that is not their own. First, we would like to note that the majority of moorings in Maine are located in coastal waters and therefore within the enforcement jurisdiction of the Maine Marine Patrol, not enforced by the Inland Fish & Wildlife wardens. The Maine Marine Trades Association generally opposes this proposal, and we do not believe that there is a significant enough problem to warrant punishing a boater with a Class E crime if they pick up a mooring without permission. The reason for this is that we believe that in most instances where a mooring is picked up without permission, the boater is simply looking for a place to have a picnic without having to set out an anchor. Much of the coastal zone is challenging for anchoring and a mooring can provide an easy place to "park" for lunch. The use of moorings can help minimize potential damage to the environment along the seafloor. Anecdotally we have heard from boaters who have expressed concerns about anchorages that historically had sufficient room for transient boats to anchor but are now clogged with what they call "mooring pollution." An increase in private moorings (which sadly go unused most of the season) are starting to prevent public access to certain anchorages.

The Maine Marine Trades Association would consider supporting language changes in LD 153 if the prohibition in section 2 were changed to apply only to **unattended** watercraft. We also strongly believe section 6B should only apply to unattended watercraft. As written, a boater would be required to notify authorities during any passing storm or minor medical events that may make picking up a vacant mooring a prudent and safe decision. In general, we believe that mariners tend to abide by many unspoken rules of etiquette and traditionally offer assistance to each other as needed. That assistance could come in the form of providing use of a mooring. If a mooring owner has strong convictions about others using their equipment, they can mark the mooring accordingly or provide a phone number to call to request permission.

We recommend that the Committee verify if restitution requirements as outlined in section 4 are already covered in existing statute. It might also be helpful to verify if the Recreational Limited Liability statute in Title 14 covers this topic. Otherwise, we do not see the need for this overly restrictive statute. We would be happy to answer any questions now or prior to the work session.

Respectfully,

Stacey Keefer
Maine Marine Trades Association, Executive Director

