

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

**The Department of Marine Resources (DMR) is testifying
In Support of
LD 214 An Act to Create a For-hire Charter Boat Operator License and to Require
Individuals Recreationally Fishing for Halibut in Coastal Waters to Register with the Saltwater
Recreational Fishing Registry
Before the Committee on Marine Resources
Sponsored by Representative Hepler
Date of Hearing: March 6, 2025**

Senator Tepler, Representative Hepler, and members of the Joint Standing Committee on Marine Resources, my name is Deirdre Gilbert, I am the Director of State Marine Policy for the Department of Marine Resources and I am testifying on behalf of the Department in support of LD 489. This is a Department bill and we are grateful to Representative Hepler for sponsoring it on our behalf.

To provide some context for this proposal, I want to briefly describe the history of the saltwater registry requirement in Maine. Back in 2011, the federal government established a "National Saltwater Fishing Registry". The primary purpose of the registry requirement was to establish a "phonebook" of recreational anglers, that could be used to conduct a survey to collect data on recreational fishing effort. Saltwater anglers were required to register, except that if a State created its own registry, its anglers were exempted from the federal registry requirement.

Like many states, Maine created its own saltwater registry requirement to avoid Maine anglers being subject to the federal registry requirement and the associated \$15 fee. Maine's registry has no registration cost, although there is a \$1-2 agent fee, depending on how the registration is obtained. In addition, there is a broad range of exemptions to the registry requirement.

At the time the registry was created, there was concern that the registry requirement might negatively impact Maine businesses providing saltwater fishing opportunities for their clients in that the need to register might present a hurdle for the prospective client that might deter them from the activity. For this reason, an additional license type was created so that a "recreational operator" could obtain a license that covered his or her unregistered clients, provided that they provided the information on their clientele to the Department for the purposes of the registry. By the definition in law, saltwater operators include: captains of vessels licensed to carry passengers for hire for saltwater recreational fishing, persons operating businesses that rent smelt fishing camps, persons who own private docks, piers, and wharves used for recreational fishing as part of a commercial enterprise, and tidewater guides. The saltwater operator's license is available at no charge.

Because neither the saltwater registry nor the saltwater operator's license have a fee, we are seeing increasingly that members of the public are erroneously obtaining the saltwater operator's license. In 2024, over 900 people obtained the saltwater operator's license even though the majority of the

activity covered by that license is by charterboat operators and in reality there are closer to only ~200 of them. DMR staff have tried to use that license list to contact people who are legitimately charter boat operators to collect the information on their activity, but it has become so unwieldy, it is not longer useful for that purpose and we are maintaining other lists as best we are able, for that purpose. For that reason, this license currently serves no useful function.

With this bill, the Department is proposing to retain the existing saltwater operator's license for only those individuals operating smelt camps, and wharves being used for recreational fishing as a commercial endeavor. The newly proposed "for hire charter boat operator's license" would be needed specifically for individuals taking paying clients saltwater recreational fishing on the coastal waters of the State. Only individuals licensed by the US Coast Guard or holding a tidewater guide's license from the Department of Inland Fisheries and Wildlife would be eligible for the for-hire charter boat operator's license. A modest license fee of \$25 is proposed, all of which would be deposited into the existing Marine Recreation Fishing and Management Fund. Based on the estimated number of license holders, it is anticipated that this would generate approximately \$5,000 annually, which would be available for research and conservation efforts related to saltwater recreational fishing.

In addition to the proposed licensing changes, the bill would also specify that individuals fishing recreationally for halibut are not exempt from the registry requirement. This is because fishing for halibut requires the individual to obtain tags for the fish they retain, and tags must be associated with a registration or license.

With this proposal, the Department is seeking to create a mechanism that will allow for an accurate list of the individuals who are engaging in the activity of taking clients recreationally fishing on the coastal waters of the state. The purpose of having this information is so that we can survey them directly, in lieu of having their clients be subject to the registry requirement. We have discussed this proposal with the Maine Charter Boat Captains Association over its development and believe that the rationale for advancing this proposal is understood. We are open to further refinements of the details, if there is agreement that the fundamental objective is a worthy one.

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