

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

**The Department of Marine Resources (DMR) is testifying
In Opposition to
LD 1341 Resolve, Directing the Department of Marine Resources to Evaluate How to Effectively Allow
2 Licensed Individuals to Fish for Lobsters or Scallops from a Single Vessel
Before the Committee on Marine Resources
Sponsored by Senator Grohoski
Date of Hearing: April 10, 2025**

Senator Tepler, Representative Hepler, and members of the Joint Standing Committee on Marine Resources, my name is Deirdre Gilbert, Director of State Marine Policy for the Department of Marine Resources, and I am testifying on behalf of the Department in opposition to LD 1341.

LD 1341 is a resolve directing the Department of Marine Resources to evaluate how 2 licensed individuals may fish for or take lobsters from a single vessel, or fish for or take scallops from a single vessel, without this resulting in an increased harvest. The department must convey findings and recommendations to the Atlantic States Marine Fisheries Commission (ASMFC) as part of the department's review. The department is directed to submit a report to the Joint Standing Committee on Marine Resources no later than January 14, 2026 and the committee is authorized to report out a bill based on the report to the Second Regular Session of the 132nd Legislature.

This legislation is directed at both lobster and scallops, but the challenges are distinct, so I will speak first to this concept with regard to lobster.

Under current law, lobster is an "owner-operator" fishery, meaning that a license holder may only designate a vessel on their license that is owned by the license holder, or by a family member who is also a lobster license holder. In addition, although the individual trap limit is 800 traps, the vessel trap limit is also 800 traps, so even if two license holders list the same vessel on their license, they are limited to 800 tags total fished from that vessel. This can be done by each license holder fishing 400 traps separately, or by both license holders double-tagging the same 800 traps (in which case either license holder may haul those traps without the other license holder present). The vessel limit of 800 traps is in both state law and the current ASMFC Interstate Fishery Management Plan for American lobster. Changing the vessel limit in the FMP would require approval through the Commission process, in the form of a new Addendum to the FMP.

Given the goal specified in the Resolve of not increasing harvest, advancing the concept of two, potentially non-related license holders fishing from the same vessel would require resolving a number of questions. First, in order to avoid activating currently latent effort into the fishery, you would have to determine an amount and a timeframe of past landing activity to demonstrate that the license holders who are going to combine their activity onto a single vessel have been independently active prior to combining their activity onto a single vessel. Given the wide range of landings by license

holder along the coast, in prior conversations it has been difficult to generate consensus on what is an appropriate poundage for such a purpose. You would also want to determine if someone who has previously been fishing less than 800 traps should be limited to that lower level.

In addition, the 800 trap vessel limit is viewed as a conservation measure that limits the amount of gear that is fished. If two license holders were allowed to fish from the same vessel, it is very likely that to win approval for such a change through the ASMFC process, a more conservative approach would need to be proposed. For example, that instead of two 800 trap license holders being able to fish 1600 traps from a single vessel, that they could only fish 1200 traps, or something less than that. The Department would need industry input to determine what new vessel trap limit would achieve a conservation objective, while also being sufficiently desirable from the perspective of the license holder.

The Department is aware that the Maine's Lobstermen's Union has discussed this concept and is interested in its potential for advancement. The Department's recommendation would be that it is next discussed by the Zone Councils and would be happy to add this topic to the next round of Zone Council meetings. We feel it is premature to direct the Department to report any findings to ASMFC because it would be appropriate to do so only in the event that there is support for the concept. Should the industry NOT support the concept, there would be no reason to advance this discussion to ASMFC.

The next round of Zone Council meetings will likely take place this summer so no conversation could be initiated at ASMFC (if even necessary) until after that. Should it advance, Maine would first notify the Commission of its intent to pursue such a change. The development of an Addendum and process to determine whether or not it is adopted would take place in 2026. There would be no need for this committee to report out legislation in advance of a change in the FMP, and in fact would likely be counterproductive to do so. If a change is successfully made to the FMP, the Department would bring forward legislation to implement it in state law.

A final consideration regarding the feasibility of this change would be the Department's ability to administer such a program, which is not possible to comment upon until the specific details are known. Our recommendation would be that this topic is explored at the Zone Council level and the Department will commit to doing that. If the committee wishes to send us a letter directing us to report back, we would be happy to do so, but the need for any implementing legislation would be multiple years away.

Scallops is also an owner-operator fishery. In this case, the limit that prevents two license holders from designating the same vessel is the daily vessel limit of 200 lbs, which may not be exceeded even if there is more than one license holder designating that vessel. The vessel limit could be changed in regulation. This concept has not been discussed with the Scallop Advisory Council, to know whether there is any industry support. Again, the Department would be happy to take that step without the need for legislation.

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