

**TESTIMONY OF
Jon Cornish
Colonel, Maine Marine Patrol**

**The Department of Marine Resources (DMR) is testifying
in Opposition to**

L.D. 490 An Act To Extend the Legal Hours for Harvesting Lobsters

**Before the Committee on Marine Resources
Sponsored by Representative Kumiega
Date of Hearing: March 18, 2015**

Senator Baker, Representative Kumiega, and members of the Joint Standing Committee on Marine Resources, my name is Jon Cornish, Colonel of Maine Marine Patrol at the Department of Marine Resources, and I am testifying on behalf of the Department in opposition to LD 490.

Under current law, it is illegal for lobstermen to haul gear during the period from one half hour after sunset, to one half hour after sunrise, from June 1st to October 31st. This has been a long standing law. This bill would amend that law so that prohibition was in place only until August 31st. It proposes that from August 31st to October 31st, an individual would be able to begin hauling 2 hours before sunrise.

The Department's opposition to this bill is based on the enforcement problems we anticipate that it would create. When individuals are hauling in the dark, there is much more opportunity for gear conflict to occur – such as buoys getting run over, and gear becoming entangled. (fishermen setting over other fishermen, ect.) In addition, there is increased opportunity for individuals to take advantage of the cover of darkness to haul or "molest" another fisherman's traps. Marine Patrol Officers spend a considerable degree of time on surveillance whether from islands, points of land or boats. The cover of darkness only makes this work more difficult.

Some may argue that we allow for night hauling from November to May, so it should not make a difference to increase that opportunity to include September and October. But it is important to understand the dynamics of the lobster fishery. By November, a portion of the license holders have taken up for the year, and those who are still fishing have moved most of their gear further offshore, to deeper waters where there is more room to fish, resulting in less gear concentration. Furthermore, during the late fall and winter, most boats tend to fish on the same days, as the fishery is much more weather dependent, which makes it easier for fishermen to keep an eye on each other.

As you heard during the Department's presentation, at full complement Maine Marine Patrol has 50 officers policing the coast. Marine Patrol Officers work a 6:00AM to 6:00PM core. On average, officers work 10% to 15% of their time outside those hours, meaning that coverage before daylight is not as prevalent. Obviously, Patrol Officers and supervisors can change

officers' hours to focus on specific activity, but this results in a trade off as time is taken from the hours in core work. Alternatively, we can pay officers overtime to work earlier, but it is limited. It is a daunting task in the best of conditions, so we rely on certain conventions to help us do our job. Limiting hauling to daylight hours through the end of October has long been a mechanism that has helped to keep people honest, and minimize trouble. We strongly urge you to leave the existing law in place.

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