



# MAINE

## Lobstermen's Association, Inc.

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### **Testimony of Patrice McCarron Executive Director of the Maine Lobstermen's Association**

### **Neither for Nor Against LD 490 An Act To Extend the Legal Hours for Harvesting Lobster**

### **Before the Committee on Marine Resources March 18, 2015**

Senator Baker, Representative Kumiega, and members of the Joint Standing Committee on Marine Resources, my name is Patrice McCarron. I am the Director of the Maine Lobstermen's Association (MLA). MLA is Maine's oldest and largest fishing industry organization whose mission is to advocate for a sustainable lobster resource and the fishermen and communities that depend on it.

The MLA Board did not reach a consensus on LD 490, so I am testifying neither for nor against this bill. However, the Board asked me to share some of the feedback we heard on both sides of this proposal.

Currently, there are two closed periods in statute for Maine lobstermen. The first is the "Sunday law" which prohibits lobstermen from hauling from 4pm on Saturday until ½ before sunrise on Monday morning from June 1 through August 31. The second is "no hauling after dark" during which lobstermen cannot haul traps during the period ½ hour after sunset until ½ hour before sunrise from June 1st through October 31st. LD 490 would amend the "after dark" law by extending the legal fishing hours by an hour and a half during September and October to begin 2 hours before sunrise.

Feedback from the MLA Board as well as the recent round of zone councils meetings revealed that lobstermen along the coast are split on this proposal. While the idea originated at Zone B council, MLA's two board members from zone B were also split on the issue.

Supporters cite that as the days shorten in the fall, they cannot start their day early enough. In order to haul through their gear, they must stay on the water later in the day than they would like. Others have stated that as the days get shorter, many docks experience a bottle neck getting out in the morning and landing lobster at the end of the day. These lobstermen point out that now that boats are rigged with bright LED lights, it is much safer and easier to haul in the dark. Others in the downeast region have stated that extending the mornings in the fall would provide them more flexibility to work around the extreme tides.

Detractors argue that a change is not necessary and believe that there are still plenty of hours to fish. They don't really start to notice the loss of daylight until mid-October. There was a lot of concern

expressed around allowing more fishing activity in the dark, especially in inshore areas where there is a high density of gear. Hauling and setting gear in the dark often leads to gear being set over other gear causing snarls. And lobstermen fishing pairs and singles have stated that they when they get set-over by trawls, they can't get that gear hauled until the trawl is moved.

A universal concern is that fishing in the dark provides a cover for those who cheat and steal, but lobstermen differ in their opinion on how this proposal would impact illegal activity. The supporters of the change state that the cheaters are already cheating, so this won't matter. Others feel that moving the time back gives them more time to cheat. All lobstermen believe that we need better enforcement of our existing closed periods so that everyone has fair and equal access to the resource.

Finally, this is not the first time a bill of this nature has been introduced. Legislative proposals similar to LD 490 were debated in 2001 through a bill which sought to amend the no fishing after dark law to apply only to state waters, and another in 2005 which sought to end no fishing after dark a month early on Oct 1. Neither of these bills moved forward.

Thank you for your consideration of MLA's comments.