

Good afternoon,

To the co-chairs of the Marine Resources committee:

Senator Tepler and Representative Hepler and members of the joint standing committee of Marine Resources.

My name is Kelsey Fenwick.

I am testifying against LD 553.

I am here today as a stern man, working year-round in the lobster fishery, and a contractor for Protect Maine's Fishing Heritage Foundation.

I believe this bill was submitted with the best of intentions but could have some unintended consequences as it relates to home rule.

Protect Maine has worked with communities that support moratoriums and ordinances on aquaculture. Some communities welcome this help. Other communities have wanted to design and develop their own plans- like Gouldsboro. They do this under home rule.

While this bill addresses a lack of substantial herring quota, it has been a long-standing problem for Maine and the process of herring quota allocation is indeed flawed. Maine has already attempted to exercise jurisdiction beyond the 3 nautical mile limit. The US Supreme Court ruled decisively against the state of Maine (and the Atlantic coastal states), in seeking to extend state waters out to the 12-mile territorial limit. It is highly unlikely the highest court in the land would be willing to vacate their earlier ruling.

LD 553's proposed expansion of Maine state waters would increase the risk associated with the Maine lobster fishery by allowing more of the fishing efforts to move offshore, which could create a higher co-occurrence with right whales.

LD 553 would also create new and unwanted responsibilities for DMR, requiring a steep budget increase to account for the expansion of fishery management area, search and rescue efforts, and criminal jurisdiction

Given the language in LD 553 and the addition of language from the attorney general's office, I would not want to see any weakening of home rule that amounted to a power grab by the state as it relates to home rule.