



Maine Lobstering Union

Local 207



211 Bar Harbor Rd., Trenton, ME. 04605

Good afternoon Senator Miramant, Representative McCreight, Honorable Members of the Marine Resources Committee:

My name is Virginia Olsen, I live and fish out of Stonington, ME in zone C. I sit on the Executive Board of the Maine Lobstering Union-Local 207 and work in the District 4 office. I present these comments on behalf of the Maine Lobstering Union Local 207.

We do not agree with the amendment to LD 391. We feel for the fishermen that are on the list and wish there were an easy answer to this problem however, this issue is a zone issue. The commissioner of DMR is the correct entity to direct this change within the zones that have large waiting lists. Zones have very few management tools to help them, this is one of them. Each zone is different from the amount of area they have to fish, the number of people fishing there, to the bottom they fish on. Matter of fact this is one of the reasons we filed a conservation equivalency in our whale plan based on our zones because we fish differently in each one.

We feel the legislature could not pick a worst time to look at this issue then now. We do not need headlines in news papers about letting 9000 new end-lines into the Gulf of Maine when we are looking at the steepest cuts our fishery has ever experienced from NOAA simply because we are the largest fixed gear fishery.

I personally could not have been more appalled at Senator Miramant wanting to limit our student program. This program was set up by zone councils and endorsed by the legislature when put into state statue. Most of our coastal communities survive because of lobstering and yes, these children many of them come from fishing families. These kids need access to keep our local town alive. We do not have the ability to transfer our licenses. We have a large population of out of state residents that move to our communities that want to lobster; they go on a list, after they have completed all the requirement of the apprentice program. I, our membership, and **Maine Supreme Judicial Court** feel you Senator Miramant are wrong. The

Maine Supreme Judicial Court already expressly rejected a claim that a statute enacted by the Maine Legislature that favors family fishermen, conferring special licensing privileges on lobster license holders and their immediate family members, violates Equal Protection and determined that such laws are constitutional. In 1997, in ***Daley v. Commissioner, Dept. of Marine Resources***, 698 A.2d 1053, 1055, 1997 ME 183 ¶¶ 4-5 (Me., 1997), the Maine Supreme Judicial Court upheld a statutory lobster licensing and operating requirement that conferred different standards based on and immediate family familial relationship determining such a family preference ***is permissible under the Equal Protection Clause of the Maine and U.S. Constitutions.***

We offer a way to enter this fishery, not all fisheries have that. It may not be perfect, but it exists. We suggest you have conversations with the commissioner to direct the zone councils to make changes. Maybe suggest a “Golden Highliner” license for seniors that have not fished for X number of years, which could be issued free, to pull them out of the active fishing pool but still allow them the identity of a fisherman. This may create some additional room in the zone for new entrants; but I suggest this as a zone discussion and not legislative. We strongly urge this committee to leave our student program the way it is, you would be doing more irrevocable damage to the economy of our coastal communities than you realize. Our students are not flooding the industry the way it was portrayed today, DMR testified to this fact.

Thank you for your time.

Respectfully,

Virginia Olsen
Maine Lobstering Union-Local 207
v.olsen@lobster207.com
207-240-0556