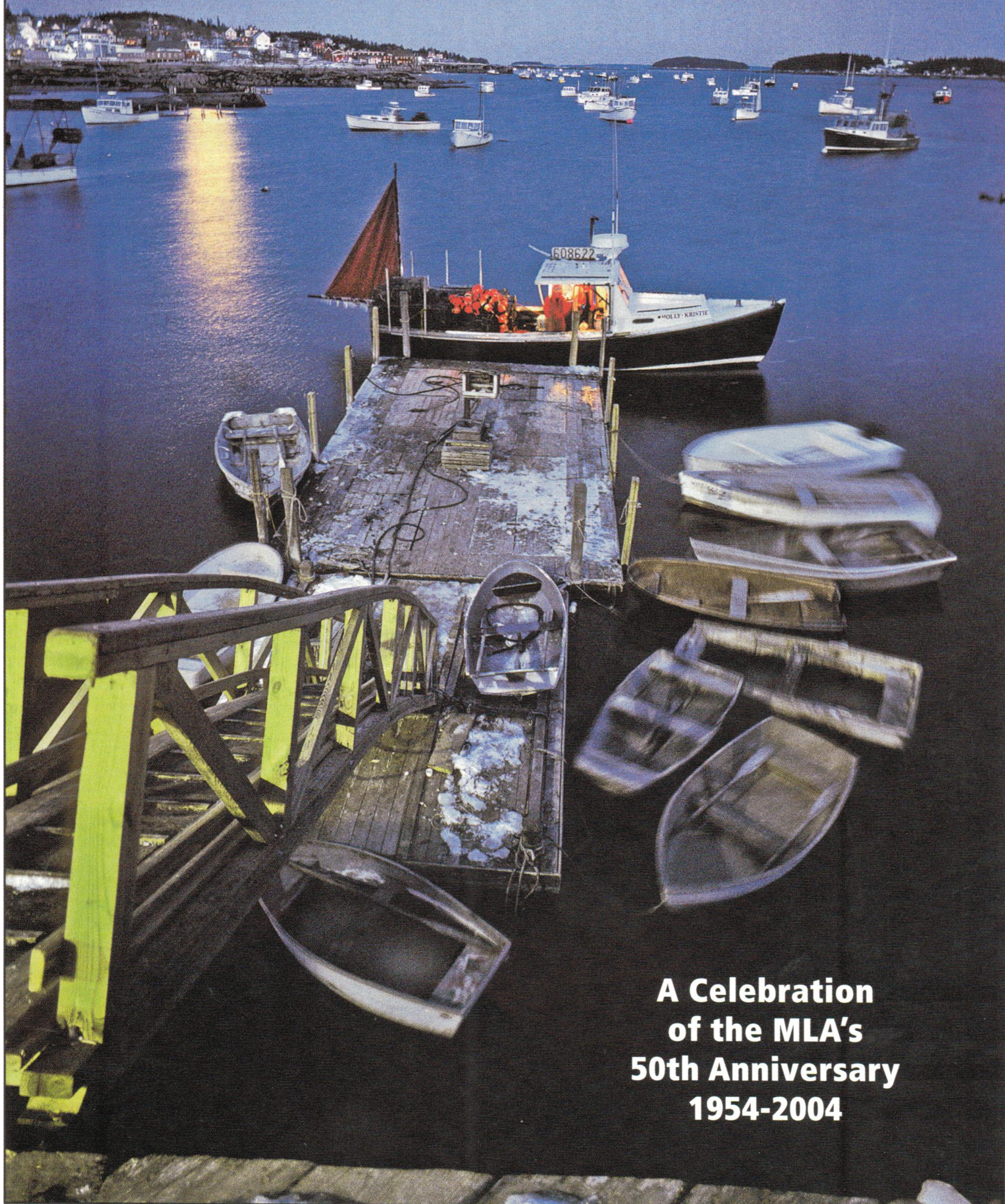


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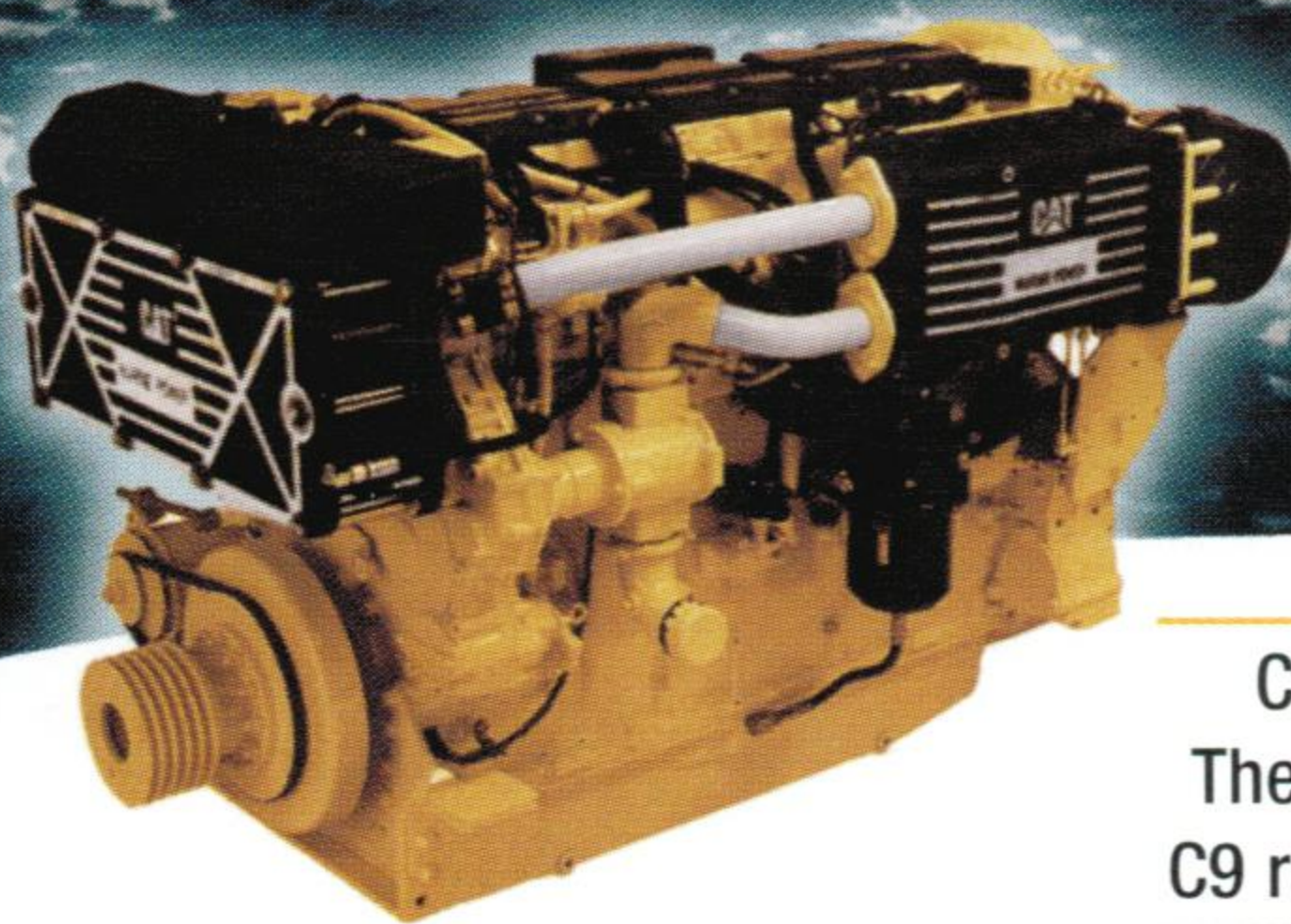
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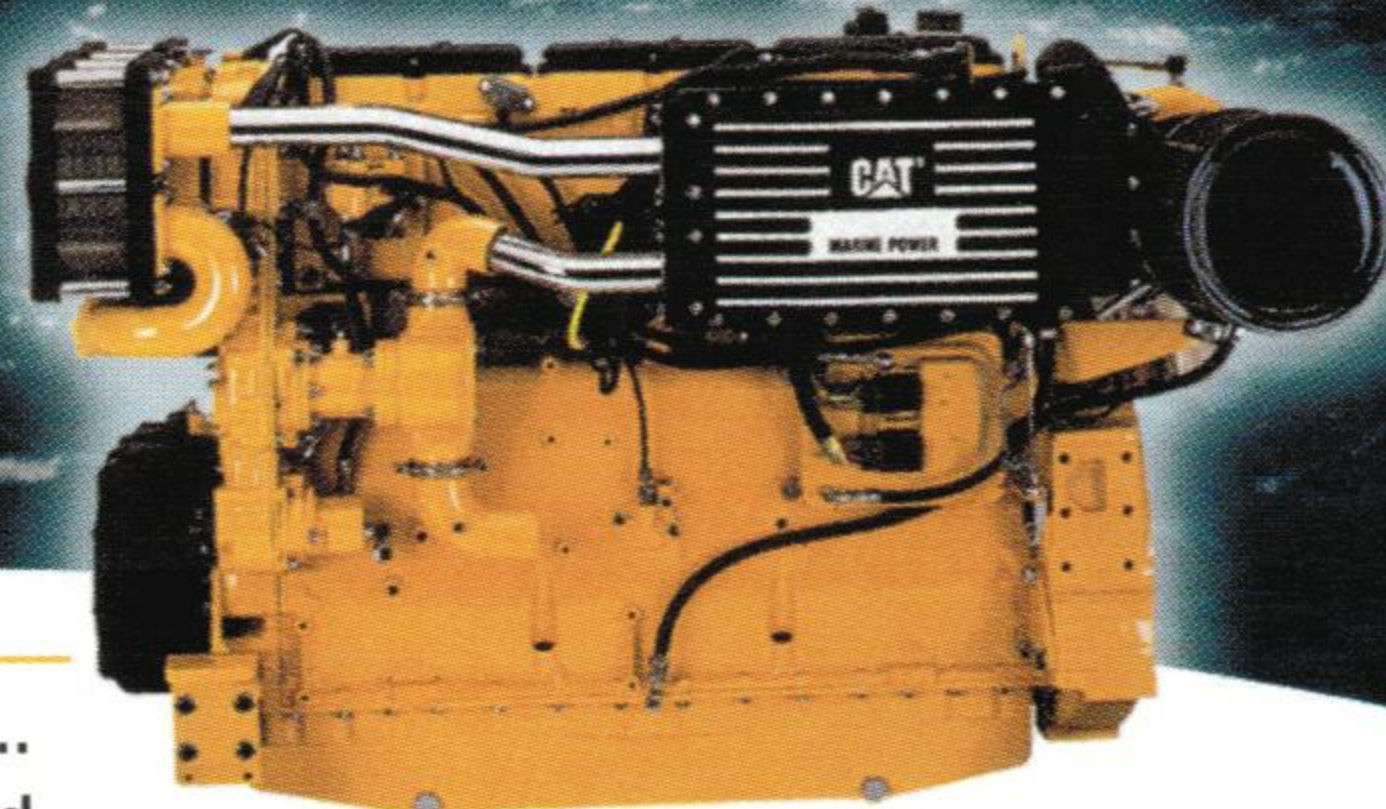
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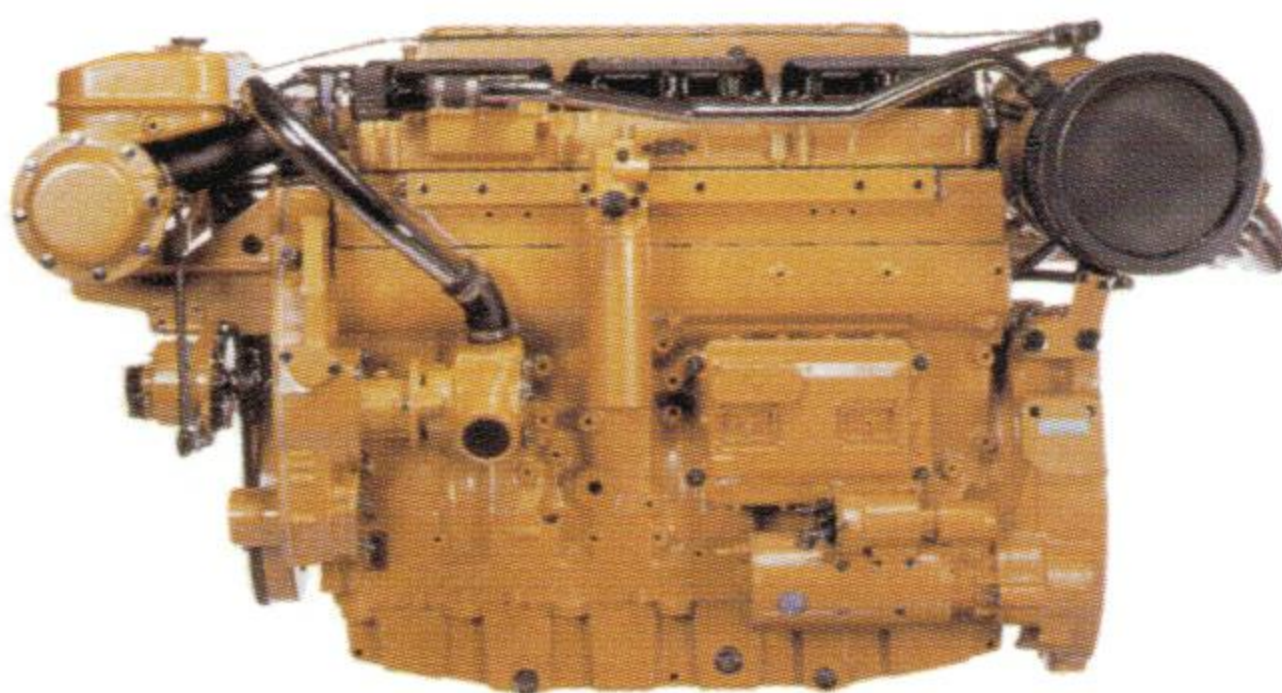


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THE FIRST 50 YEARS



A Celebration of the MLA's
50th Anniversary
1954-2004

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1 High Street • Suite 5 • Kennebunk, ME 04043
Phone: (207) 985-4544 • Fax: (207) 985-8099
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Introduction



In recognition of its 50th Anniversary, the Maine Lobstermen's Association is pleased to bring you this commemorative booklet, "The Maine Lobstermen's Association: The First 50 Years."

These pages capture a retrospective look back at many of the issues, challenges, and personalities that have defined the MLA over the last five decades. It is a rich and colorful history, with more memories and details than we have been able to recount here.

A commercial fishing organization that stays alive for 50 years is noteworthy. But the MLA has not simply survived, it has prospered, speaking on behalf of its broad membership with a unified and respected voice throughout its history.

The question that comes to mind is why has the MLA succeeded when so many groups seem to fall by the wayside? The explanation is complex. Part of it is about the times and the progression of Maine's lobster fishery. Mostly though, the answer lies in the committed people who stepped forward to lead the association. Starting from the beginning with the first president and moving to the current time, each chapter tells their special stories.

While the title says "The First 50 Years," this commemorative booklet closes with a look to the future and what may lie ahead for the association and all who have a vested interest in Maine lobstering.

This booklet was written and compiled by *Commercial Fisheries News* editors Janice M. Plante, Lorelei Stevens, and Susan Jones. It was designed, produced, and distributed by the staff of *Commercial Fisheries News*, and made possible by the generous support of the sponsors listed below.

Additional copies are available upon request to the MLA.

Thank you to the following generous sponsors for making possible the MLA 50th Anniversary Banquet and this 50-year commemorative publication.

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Chapter One

Leslie Dyer

Leslie C. Dyer served as president of the Maine Lobstermen's Association from its start in 1954 until 1966.

For hundreds of years, lobstering in Maine was a strictly local affair, prosecuted by generation after generation in scores of isolated harbors, each with its own heritage, tradition, and attitude.

In the 1950s, however, one man came along who looked at the lobster industry, the life's blood of much of coastal Maine's economy, from a very different perspective.

If lobstermen could get together and see themselves as a part of something bigger, Leslie Dyer reasoned, they could become a force to be reckoned with by lawmakers and, even more importantly, by the dealers who had a stranglehold on the dockside price and, in effect, their very livelihoods.

Born on Vinalhaven, Maine in 1898, Les Dyer did a lot of things during his life. He grew up in a fishing family and started fishing at age 11. In 1916, he enlisted in the Marines and served aboard the USS Texas in World War I. Later, he was a second lieutenant in the Marine Corps Reserves and a captain in the Coast Guard Auxiliary. He married the lovely Hazel Mae Rogers and fathered eight children, two daughters and six sons.

He went lobstering. He sold insurance for several insurance companies, including State Mutual in

Rockland, Maine. He worked out of the Rockland law office of his good friend, attorney A. Alan Grossman, and to this day Dyer's desk and chair are there as he left them, a tribute to the admiration and affection Grossman and his family had for the man.

Dyer even worked as an aide to Maine's US Rep. Stanley Tupper in the 1960s.

Still, one of the highline accomplishments in his 82 years of life was serving as the first president of the Maine Lobstermen's Association (MLA) from 1954 to 1966.

Through those turbulent years, Dyer, with the help of Grossman, who served as MLA legal counsel, stood up against unscrupulous dealers over price-fixing, defended himself and the association against the US government, which had charged both with violations of the Sherman Antitrust Act, and cajoled members of the state Legislature – both Republicans and Democrats – to see things the MLA way.

REPRESENTATION

Thanks to an interview conducted with Dyer in the fall of 1974 by David Taylor and archived and preserved by the Maine Folklife Center at the University of Maine, it's still possible to hear Les Dyer tell about those early days of the MLA in his own words, in his own way, starting with an observation about Maine lobstermen.

"The trouble with fishermen is that

they're like the old Indian tribes, like birds or animals of a certain range. When anyone comes into that range, he's an outsider. It's hard for them to see the big picture, the whole length of the coast," he said. "What might be good for one group might not work for another group. You couldn't get them to work together."

This parochialism made it difficult to get anywhere with state lawmakers and created the impetus for starting the MLA.

"The lobstermen as such never had a voice in the Legislature," he said, explaining that lobstermen in various harbors tended to have their own distinct take on how things should be done.

"There might be a group from Downeast and another group from Penobscot Bay or maybe another one from Casco Bay and they'd all have different ideas, so there was no representation," he said.

"So that's why we got the fellows together all along the coast so we could at least have some representation in the Legislature. Two years before that, (the dealers) tried to increase the minimum lobster size. The lobstermen, principally from this area, Penobscot Bay, we defeated that legislation. Another group saw that and said, 'We

need to have some representation.' And that's what started the MLA."

DEALER CONTROL

And then there was a major problem with the lobster dealers.

"The dealers absolutely controlled the price. What I mean is that they would arbitrarily call Boston and that'd be the price of lobster along the coast of Maine," Dyer said.

He told how fishermen would be getting pretty good production and about 50 cents a pound until the sheddars showed up.

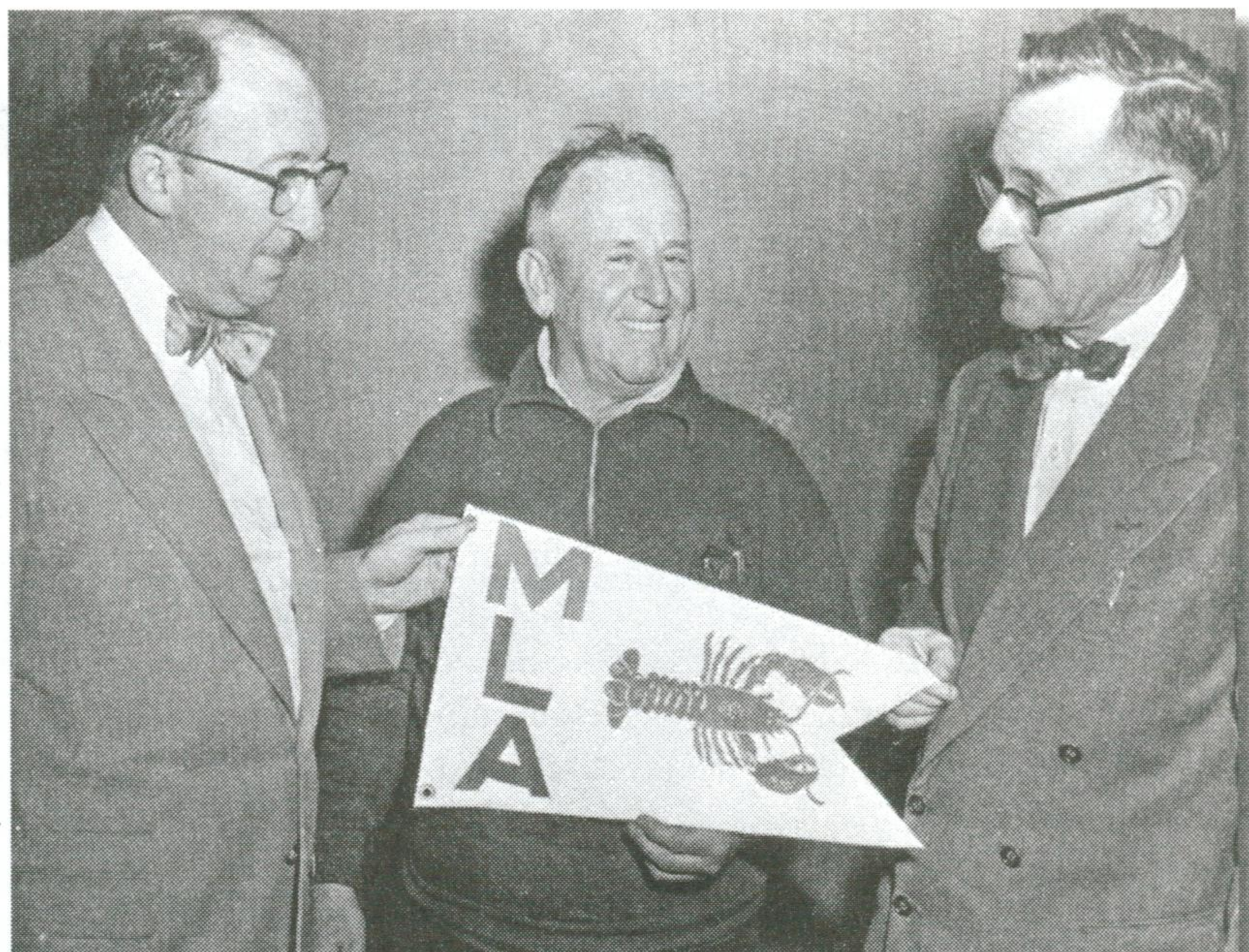
"The minute the sheddars came in, usually in Casco Bay ... one man would bring in his lobsters and have 10 new shells among them and the price would automatically drop to 30-35 cents a pound – and that was for all of us," he recalled.

The control by dealers extended beyond the boat price, according to Dyer. Lobstermen everywhere were so beholden to their local dealers that they were backed into a corner making barely enough money to survive but unable to do anything else.

"At that time, a lobsterman was more of the status of a sharecropper. Many of them were in debt to a dealer who bought their lobsters. A big majority owned no shore frontage so the only way they could get to load and unload was to tie up on the property of the dealer. The dealer was also their ship chandler where they bought their rope, supplies, gear, and bait. They were tied down.

"Some individual man might come into town (to buy lobsters) but they didn't dare sell to him. Few towns had town or public landings and they had no other place to get to shore," he said.

Photo courtesy of Adele Grossman Faber and Barry M. Faber, Esq.



From left, Judge A. Alan Grossman, Ote Lewis, and Leslie Dyer.

TAKING THE HELM

Living in Vinalhaven and lobstering when the MLA got up and running in 1954, Dyer was at the time a spokesman for a local lobstermen's group.

"A few came to me to head up (the MLA). I wasn't too keen. I knew it would be a hell of a sacrifice but they prevailed on me. It cost me a good deal of money," he laughed.

In fact, Dyer later suggested that he figured his donation of time and lost wages to the association had cost him about \$50,000.

But his background made Dyer well suited to the challenge of bringing together lobstermen from all along the Maine coast. During his years selling insurance, Dyer had spent much of his sales time on the road.

"I'd traveled up and down the coast," Dyer said. "I was brought up as a fisherman. My people were fishermen. I would talk to these boys. I knew how hard they were working as I had myself when I was a kid. I had a pretty good picture of the coast from Machias to Kittery Point."

The initial MLA membership consisted exclusively of licensed lobster fishermen. At Dyer's side were vice presidents from Cumberland and Washington counties and elected directors from the coastal counties.

"Then we appointed delegates from the different towns with the understanding that a meeting would be held in that town and members of the community could confirm or elect other delegates," he said. "We had pretty good representation from all the lobster-producing counties."

RECRUITING MEMBERS

Still, not everyone was in a hurry to join up, Dyer admitted.

"There was some slight opposition, no large amount. Some old-timers were afraid they were going to have to give up some individual rights," he said.

Dyer said he told the doubters, "This association is not a labor union. We couldn't enforce any votes taken. We couldn't take a strike vote, or (set) hours worked or who he sold to or

where he should fish. They were afraid that we'd go and vote to strike or tell a man to do thus and so."

In the end, doing something about the dealers was the best recruiting pitch the MLA could throw.

"The main thing was to convince these lobstermen that our industry was run by the monopoly of a half-dozen big dealers. The largest lobster company was Consolidated Lobster in Boston. They could actually control the price just by making a telephone call," Dyer recalled. "A little independent might try to buck them, but he couldn't do it. By the time he'd get that load of lobsters to Boston, (the other dealers) would have dropped the price to about what he paid for them down here. So he couldn't go against them."

OTHER BENEFITS

In addition to giving lobstermen hope of leveling the playing field between fishermen and dealers, the MLA managed to pull together an impressive package of benefits for its members, which was an added incentive to sign on.

Stores that served lobstermen in various towns were convinced to offer 10 percent discounts to MLA members and the MLA established several programs to offer accident, health, and hull insurance.

"We got the price of hull insurance from 10 percent down to 3-1/2 percent to 4 percent because I finally convinced the big marine insurance company that they insured yachts even though the man that operated it didn't know anything about the water," Dyer said. "I had statistics from every bad storm

and hurricane that showed one lobster boat lost for every 20 yachts. We convinced them and did get the price down."

The MLA also set up the Fishermen's Loan Corp., which provided low-interest loans for any purchase or need associated with actual fishing, including boats, engines, gear, and repairs. The loan corporation offered terms of up to 10 years.

"We had one or two hurricanes where we got disaster loans at around 3 percent," Dyer added. "We did actually improve the lot of the lobstermen."

POLITICS

Photos and written accounts show that Les Dyer was a trim, impeccably dressed gentleman, who often sported a bow tie, sometimes wore a Stetson hat, and almost always carried a pipe in his hand. And he was blessed with unsurpassed people skills.

"He was a firm, jovial, kind man. He could charm the skin off a cat," remembered attorney Barry M. Faber, Alan Grossman's son-in-law who joined Grossman's Rockland law firm in 1968 and always welcomed Dyer's visits to the office. "He was a wonderful human being, always joking. He always had stories to tell."

Those personal attributes undoubtedly helped the fledgling MLA fulfill its original mission – becoming a powerful force in state politics.

"For 10-12 years, every bill introduced (into the state Legislature), if we supported it, it passed, if we opposed it, it was defeated," Dyer said in the taped interview with David Taylor.

"We batted a thousand. I had just as many friends among Democrats as Republicans," he said.

The example might not be

technically accurate seeing as how there were only about three Democrats in the state Senate and 15-18 in the House, according to Dyer, but it was certainly correct in spirit.

"I always put my time in with the Democratic leaders. I'd talk it over with those fellows and take them out to lunch just the same as the others," he said.

The investment turned out to be a good one, Dyer added, especially after Lyndon Johnson won a landslide victory in the presidential election of 1964 when, he said, "the whole complexion of the Legislature changed."

HARVESTING COOPERATIVE

In 1958, after having learned a hard lesson during the antitrust trial, the MLA decided to organize a harvesting cooperative in Cape Porpoise as a way for lobstermen to band together legally to sell their lobsters. It didn't last but was worth the try, according to Dyer.

"We were quite successful in Cape Porpoise and started doing business with New York brokers. We got a young manager in there who did a good job," he said. "But we made a mistake by going into York County because the production was small down there, especially in the wintertime. But they were the only group with enthusiasm."

Dyer said that if the lobstermen could only have gotten together – "and stuck together" – to organize a harvesting co-op in the first place, they could have avoided the Sherman Antitrust litigation altogether, "but it was just impossible."

Photo courtesy of Adele Grossman Faber and Barry M. Faber, Esq.



In the Maine governor's office in June 1959, from left, Leslie Dyer, state Rep. Ed Maddox, Gov. Clinton Clauson, and state Sen. Coffin.

INDEPENDENT BREED

Getting lobstermen to work together remained a daunting challenge for Dyer throughout his time as MLA president.

"Lobstermen are the most independent breed of people on the face of the earth. They're so damned independent that anything you propose to them that's new or different, they want nothing to do with it," he said.

When asked why, he admitted he didn't know but offered this theory.

"They have their own way of doing things and it's been handed down from father to son for 200 years. In certain places, they build a certain type of trap with a certain fishing head. In

another area, they'll build a different trap with a different hang of the fishing head and they catch lobsters with that. Anything different from their own way of doing it is no good — that is, until you convince them that it is all right," he said.

WONDERFUL PEOPLE

Dyer knew firsthand what it felt like to be the object of lobstermen's distrust. Working with the association took up so much of his time that Dyer first tied up and then finally sold his boat and got his license to work as an insurance broker, a move that prompted some unflattering speculation.

"I sold my boat and bought a car

and everyone's saying how much money I'm making. I was accused of getting two cents on every gallon of gas sold or a cent a pound on every lobster sold. It was ridiculous," he said.

Although frustrated by that experience, Les Dyer still saw mostly the good in the men he served.

"Lobstermen are wonderful people. They may cut your throat today, but if you're broke down, they go 15 miles out of their way to help you. Or if a lobsterman has hard luck, his worst enemies will come to his aid," he said.

"I don't regret it," Dyer said. "I know I did help the lobstermen. No question about it."

Chapter Two

Price-fixing charges, trial

"United States of America vs. Maine Lobstermen's Association and Leslie C. Dyer,"

May 19 to June 4, 1958.

Fed up with having daily earnings decimated by arbitrary price cuts, members of the Maine Lobstermen's Association (MLA) voted during their June 1956 annual meeting to endorse a minimum price per pound – 35 cents for shedders and 50 cents for old shells.

Just after Labor Day of that year, Jack Willard of the Willard-Daggett Company, the man purported to control much of the New England lobster business, let it be known that the price was dropping to 30 cents. In a heartbeat, James Hook and Consolidated, two huge dealers with pounds in Maine, dropped their price to 30 cents, too.

With the post World War II advent of the short-wave radio, the news spread along the coast like wildfire and triggered a spontaneous tie-up of an estimated 4,000-4,500 Maine lobster boats.

The boats were back fishing a week later at the 35-cent price but it was a Pyrrhic victory as the incident began a series of events that culminated in the federal government flexing its muscle and prosecuting then-MLA President Leslie Dyer and the association itself for violations of the Sherman Antitrust Act.

The intensifying conflict with the dealers and subsequent trial are recalled

in fascinating detail in Ron Formisano's book "The Great Lobster War," which forms the basis of much of this account.

At the MLA's annual meeting in 1957, members once again voted to "stand by" a 35-cent minimum price. Yet, on July 16, 1957, without warning, dealers in Portland dropped the shedder price to 30 cents a pound, prompting a tie-up by many Casco Bay lobstermen. Other harbors followed suit a week later as the 30-cent price spread to the midcoast area.

Newspapers began to call the action a "strike."

INVESTIGATION

The "strike" tagline was a real problem for the MLA, which had been careful to emphasize that membership in the association was voluntary and that no one, including the MLA leadership, had any authority to tell any individual lobsterman what to do.

Adding to the appearance that some lobstermen might have been coerced into participating in the tie-up was the fact that threats had been made against those who didn't want to stay on the mooring.

As the days passed and the economic reality of not fishing hit home for more and more people, groups of men gathered at local docks and began taking informal votes among themselves to go back fishing. By Aug. 8, the tie-up was basically over even though the price was still

30-32 cents for shedders.

But the damage had been done. Jack Willard's brother and business associate, attorney Phil Willard, contacted the federal district attorney's office in Portland and suggested that the MLA's role in the tie-up was a violation of Sherman Antitrust Act restraint-of-trade prohibitions.

Phil Willard even offered to pay the substantial cost for federal District Attorney Peter Mills to place a phone call to his superiors in Washington, DC to discuss the matter.

On Aug. 9, the day after the tie-up fell apart, four Justice Department officials arrived in Portland and began a grand jury investigation, which included interviewing dozens of fishermen and dealers.

INDICTMENTS

On Oct. 15, indictments against the MLA and Les Dyer were handed down. The charge was conspiracy "to fix, stabilize, and maintain the prices for live Maine lobsters sold by MLA member and non-member lobstermen to dealers in unreasonable restraint of ... interstate trade and commerce."

With everyone already on edge because of the investigation, this news came as a terrible shock to fishermen.

"The grapevine started all along the coast that US Marshals were coming

Photo courtesy of Adele Grossman Faber and Barry M. Faber, Esq.



At the steps of the federal courthouse in Portland, including from left, John Knight, Esq., Rodney Cushing, Leslie Dyer, and Judge A. Alan Grossman.

into every harbor and confiscating lobster boats,” Dyer said in a 1974 interview. “I never got to bed for two weeks. I told the fellows, ‘What are you worried about? Hell, I’m indicted.’ People were scared to death.”

Interestingly, at the same time, indictments were also issued against seven Portland-area dealers, including Jack Willard, for conspiring to fix lobster prices and pressuring other dealers to do the same.

But the dealer case, which was later settled, paled against the sensational

public trial of the MLA and Les Dyer that preceded it.

RAISING FUNDS

The trial date was postponed twice and finally scheduled for mid-May 1958, which turned out to be a lucky break for the association. On Feb. 5, the MLA delegates voted to fight the charges. They vowed to raise money to pay for legal fees through donations, dues, dances, and raffles and began organizing community dinners that came to be called “mug-ups.”

The following is author Ron Formisano’s description of the most

publicized of these events – a mug-up in Owl’s Head organized by the Ladies Grange led by fisherman’s wife Elena Fredette.

“The Owl’s Head folk served three shifts of dinner in a school auditorium seating 200 and, in about two hours, dispensed 35 pounds of spaghetti, 10 gallons of sauce, 20 pounds of hamburger, 23 pots of baked beans, 24 brown breads, 1,000 rolls, 650 biscuits, 70 pounds of cabbage, 25 molded salads, 35 cakes, and uncounted gallons of coffee and milk.”

A local newspaper reported that the Feb. 22, 1958 event netted \$450 for the MLA's legal defense fund.

LAWYERS

Rockland attorney Alan Grossman, a close friend and associate of Les Dyer's and the association's legal counsel, was lined up to represent the MLA, while Boothbay Harbor attorney Stanley Tupper was drafted to represent Dyer. Both offered their services for free.

Later in their distinguished careers, Grossman became a judge and Tupper went on to become commissioner of the Maine Department of Sea and Shore Fisheries, the forerunner of today's Department of Marine Resources, and a US congressman. Both men were well respected, though Grossman in particular was known for relentless cross-examination techniques and his ferocious defense of "hardworking men of modest means."

The trial to decide "United States of America vs. Maine Lobstermen's Association and Leslie C. Dyer" began on May 19, 1958 at the federal courthouse in Portland.

The prosecution team consisted of District Attorney Peter Mills, Richard O'Donnell, chief of the US Justice Department's Antitrust Division, and four antitrust lawyers from the department's New York office headed up by John Galgay.

PRESIDING JUDGE

Presiding was Judge Edward Gignoux. Just 41 years old, Gignoux was already an impressive figure among those in the legal community who, Formisano noted, admired his charm, articulate manner, and intelligence,

often describing him as "Lincolnesque."

During a recent telephone interview, attorney Barry M. Faber, Alan Grossman's son-in-law, who still works out of the Grossman-Faber law office in Rockland, shared vivid memories of Gignoux.

"He was one of the great jurists of all time," Faber said, adding that Gignoux likely belonged on the US Supreme Court. "He was an impeccable person."

The judge was also familiar with Dyer, Grossman, and the lobster industry since he argued against them four years earlier. At the time, Gignoux had been representing a group of dealers at legislative hearings concerning a dealer-sponsored bill to increase the lobster minimum carapace size to 3-3/16". The idea was to bring the size in line with the minimum gauge in Massachusetts, where 60 percent of Maine-caught lobsters ended up. The lobstermen had opposed the bill.

OPENING REMARKS

Out of a large pool of potential jurors, Gignoux winnowed out most individuals with ties to the fishing industry and wound up with a panel of mostly retired people hailing from inland communities.

Responding to widespread print, radio, and TV news coverage in anticipation of the trial, most of which was sympathetic to the lobstermen, antitrust attorney Galgay used his opening remarks to stress to the jury that the morality of the lobstermen's actions was irrelevant. All the prosecution needed to show to justify a guilty verdict was that the fishermen had a price-fixing agreement.

Galgay said he intended to prove that the MLA, during various meetings in 1957, had decided on price-fixing. Specifically, the prosecutor said, the

association's delegates and directors unanimously agreed on July 19, 1957 that the MLA would cease fishing until the price went up to 35 cents.

Furthermore, according to a transcript of the trial quoted by Formisano, Galgay argued that MLA members had "agreed to do everything possible to stop non-members from hauling in order that their illegal scheme might be successful."

As absurd as it might seem, fishermen, who never had any power in the market, were being painted as the bad guys in this scenario, and, because of the way the Sherman Antitrust Act was written, the government had a very strong case from the get-go.

Grossman and Tupper declined to offer any opening remarks and the calling of witnesses began.

PROSECUTION WITNESSES

Among the government's first witnesses were David McKown, a state fishing market specialist, and Louis Cates, a statistician for the Department of Sea and Shore Fisheries.

Interestingly, some of the information they provided seemed to boost the lobstermen's argument that they – not the dealers – were the victims of price-fixing and collusion.

For example, the state staffers reported that the figures for 1956 were 20,572,000 lobsters landed valued at \$9,100,000. In 1957, fishermen landed significantly more lobsters – 24,402,000 – but they were worth less, only \$8,954,000.

FATAL BLOW

Early on in the trial, Judge Gignoux made a ruling that hit at the heart

of the defense. During a cross-examination, defense attorney Stan Tupper asked dealer Edward Palmer if he belonged to an association. The dealer answered yes, the Associated Fisheries of Maine. Then, according to the trial transcript quoted by Formisano, Tupper asked the following question.

"Mr. Palmer, could you tell the court ... how you set the price of lobsters each morning?"

Prosecutor John Galgay immediately objected.

Tupper asked for a conference with the judge and explained that the line of questioning was important to show that the MLA's and Dyer's "alleged conspiracy was in fact a defense mechanism."

The prosecution argued that the trial was about the fishermen's actions, not the dealers'.

Judge Gignoux, after running it by the antitrust lawyers, reiterated that moral justification was irrelevant under the law and was, therefore, immaterial to the case.

DOWNEAST HUMOR

Even though the core had been ripped out of the defense, the trial continued. The exchanges between the big city antitrust lawyers and a string of down-to-earth lobstermen witnesses were at times hilarious.

In one of many episodes chronicled in "The Great Lobster War," a lawyer for the prosecution had been struggling to get a lobsterman named Mike O'Reilly Jr. to answer basic questions about his association with the MLA.

When O'Reilly claimed to have trouble remembering exactly when he became a delegate, the exasperated lawyer asked if it had been in the

winter. To this, the fisherman responded, "Well, we had two winters that year."

But things really got out of hand when the lawyer asked O'Reilly to explain what he meant by the phrase "some of the boys from East."

The fisherman responded with a look of utter disbelief that ignited stifled snickers from the audience. The amusement only grew as the exchange went on and O'Reilly continued to describe what was meant by "Downeast" in ways relative to where he lived but meaningless to the lawyer. At one point, Judge Gignoux even turned away, his shoulders shaking, ostensibly to blow his nose, while the fishermen in the courtroom "howled" with laughter.

TRUE RELATIONSHIP

The parade of witnesses continued through a second week. As the third week of the trial began, Alan Grossman

used an interchange with a witness as a way to lay out for the jury the harsh reality of the lobsterman/dealer relationship.

Through intense questioning he established that a lobsterman was often denied the chance to buy bait unless he sold to the local dealer, that lobstermen often wound up owing dealers impossible sums of money, and that dealers who owned islands exacted a three-cent-a-pound "tribute" from the lobstermen who fished the waters around those islands.

Grossman also managed to establish that the MLA didn't set minimum prices but expected its officers to "negotiate" with dealers over price and that at least two dealers from the Portland area had encouraged the tie-up by urging fishermen to slow down their landings for a time.

Wrote Formisano, "Judge Gignoux

Photo courtesy of Adele Grossman Faber and Barry M. Faber, Esq.



The late A. Alan Grossman, in his judicial robe, as Knox County Judge of Probate.

allowed Grossman a latitude that the Rockland lawyer exploited to show that the MLA had been reasonable, legal, and willing to negotiate, while the dealers had been greedy and inflexible."

Following closing remarks by Galgay for the prosecution and Grossman for the defense, the jury deliberated for four hours and then returned at 7:50 pm on June 4, 1958 to deliver its verdict.

Both the MLA and Leslie Dyer were found guilty as charged.

Dyer's bail was set at \$1,000 and he was released on his own recognizance. Lobstermen and many other residents of coastal Maine were stunned at the outcome, though Formisano recorded that the *Portland Press Herald* "defended the government's actions – 'the law is the law' – and recommended that fishermen turn to marketing cooperatives for a remedy" to dealers unfairly controlling the price.

FRIENDS ALL AROUND

In what was perhaps one of the most remarkable aspects of this tabloid trial, both the defense and the prosecution wound up being on the same page when it came to making penalty recommendations to Judge Gignoux on June 10.

In fact, it turned out that the nearly three-week ordeal had cultivated an unusual respect and even friendship among the individuals on the two opposing sides as they came to see each others' points of view.

Prosecuting attorney John Galgay asked that fines be levied of \$5,000 against the MLA and \$1,000 against Leslie Dyer and that both fines be "remitted," which, in effect, meant canceled.

The judge agreed and the trial was officially declared over.

Everyone present in the courtroom that morning breathed a collective sigh of relief and adjourned to the courthouse steps for "handshakes, smiles, jokes, and laughter."

Formisano reported that Leslie Dyer later sent a "care package" of live lobsters to Galgay and "to each of the government lawyers a gift of MLA pennants, banners, and buttons."

DEALERS FINED

Of the seven lobster dealers charged with price-fixing as part of the initial grand jury investigation, two – E.C. Palmer Company and Samuel Armstrong – pleaded no contest in May and were fined \$750 and \$500 respectively.

Charges against Charles Olson were dropped by government prosecutors. The remaining dealers went before Judge Gignoux in August 1958, pleaded no contest, and were fined as follows:

- Maine Lobster Company – \$500;
- Benson Lobster Company – \$500;
- Willard-Daggett Company – \$1,000; and
- John Willard Jr. – \$250.

DAMAGE TO MEMBERSHIP

Formisano wrote that during 1958 and 1959, Maine representatives tried to push federal legislation through to allow lobstermen to organize along the same lines as labor unions and farm associations. But those efforts failed.

In the ensuing years, MLA membership suffered serious losses.

In the 1974 interview, Les Dyer said of the trial's effect on the association, "It was the worst thing to happen. The MLA never came back. By 1965, I don't think we had 200 members."

Ultimately, however, Dyer came to believe the worry, stress, and financial sacrifice were worth it, both for the lobstermen of his era and for the industry that has evolved into what it is today.

"We did a lot of good by going to court," Dyer concluded. "Since that time, there's never been an arbitrary price fixed on lobsters. The price now depends more on supply and demand than it ever did before in the state of Maine."

Judge Gignoux allowed Grossman a latitude that the Rockland lawyer exploited to show that the MLA had been reasonable, legal, and willing to negotiate, while the dealers had been greedy and inflexible.

—RON FORMISANO

Chapter Three

Ossie Beal

Ossie E. Beal served as president of the Maine Lobstermen's Association from 1967 to 1974.

The 1958 federal price-fixing trial took a heavy toll on the Maine Lobstermen's Association (MLA). While no fines to speak of were assessed, the government's zealous prosecution put real fear into lobstermen and many declined to be formally associated with the group.

By the time Beal's Island lobsterman Ossie Beal took over the presidency in 1967, MLA membership was only a fraction of what it had been in the pre-trial days. Yet, with his down-to-earth smarts, humor, and sheer determination, Beal managed to use the clout the association had banked over the years to secure important victories that continue to benefit lobster fishermen today.

Among those were opposing the construction of oil refineries in Washington County, securing a state ban on lobster dragging, and keeping scuba divers at bay.

Beal died in 2003 at the age of 79. But his voice is as clear today as it was during those earlier years thanks to a May 1971 *Down East* magazine article written by freelance journalist Nancy Skoglund – the woman who would later become his wife – and a 1972 interview taped by journalist Lynn

Franklin and archived by the Maine Folklife Center at the University of Maine.

Both offer a contemporary look at Beal's ideas about the MLA and his deeply felt concerns about the future of the Maine lobster industry.

NO REFINERIES!

Beal made national headlines in September of 1970 for his frank assessment of the oil refinery situation during a hearing before the US Senate Committee on Air and Water Pollution. The hearing was convened in Machiasport to discuss the relationship between economic development and environmental quality.

US Sen. Edmund Muskie (D-ME), who chaired the hearing, had been looking for ways to bring employment to the Downeast region and was

seriously considering endorsing oil industry proposals, which included building a refinery in Machiasport and a desulphurization plant in Penobscot Bay.

In his remarks before the committee, Beal left no doubt about the MLA's opposition to the idea.

"There is a very limited amount of this precious Maine coast for this and future generations to behold and enjoy," the MLA president said, according to a hearing transcript.

"It's unbelievable that public servants selected for ability, wisdom, and vision can be so shortsighted, so unwise, as to pronounce the death of the coast of Maine," Beal continued. "This is certainly a case of selling your birthright, and that of others, for a mess of pottage."

Nancy Beal cautioned people of today not to assume that Ossie opposed the oil installations on environmental grounds.

"Early in the 1970s, in his capacity as president of the MLA, he opposed them, not from an environmental standpoint but from an economic standpoint because of what it would do to the lobster industry," she said.

SUPPORT THE FISHERMEN

Beal was known for "pushing the



Ossie Beal.

50TH ANNIVERSARY HONORS, AWARDS, & RECOGNITION



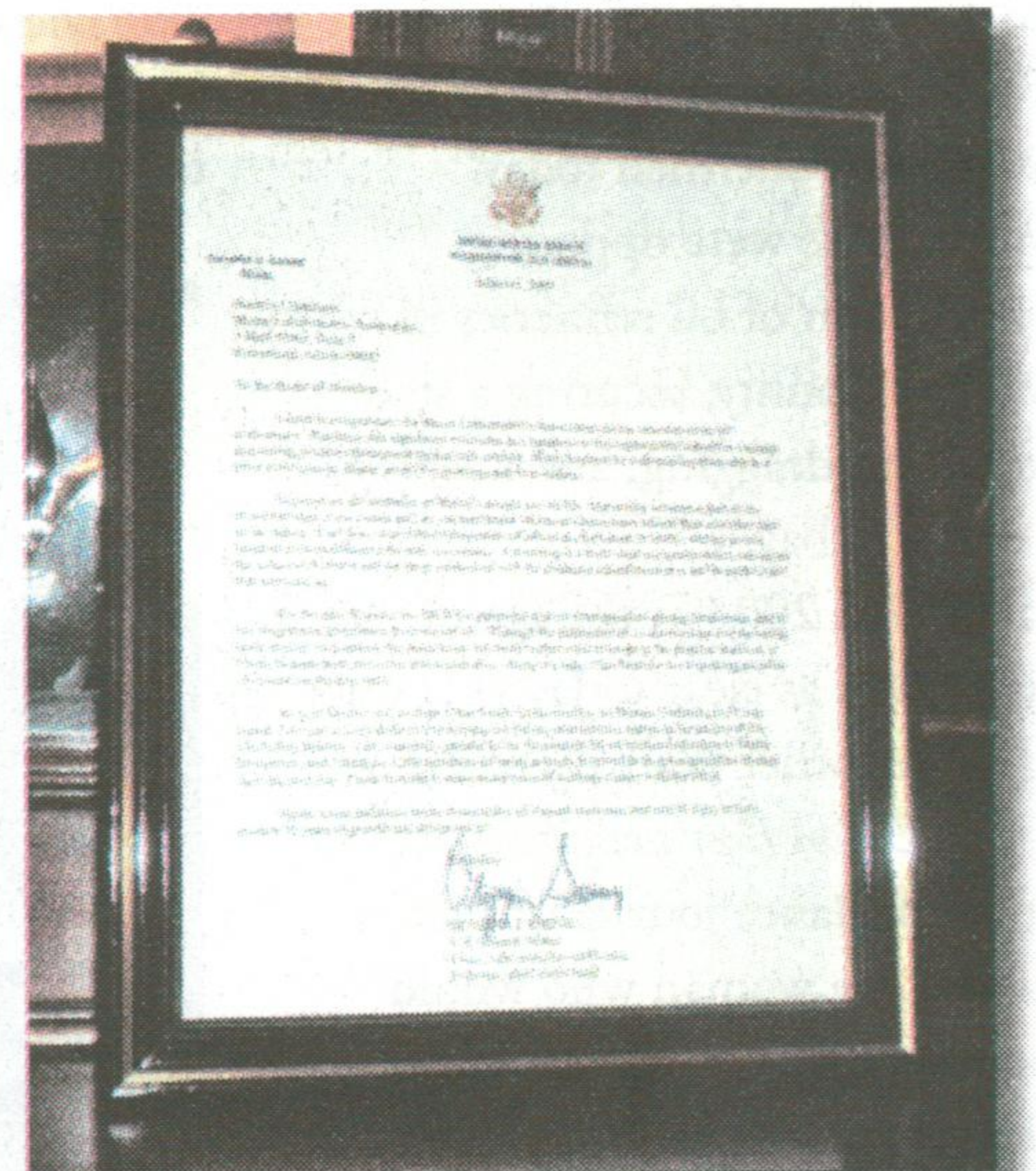
Accepting the lifetime achievement award on behalf of Ossie Beal were his widow, Nancy, above left, and daughter Diana Kelley, who is Nancy's step-daughter.



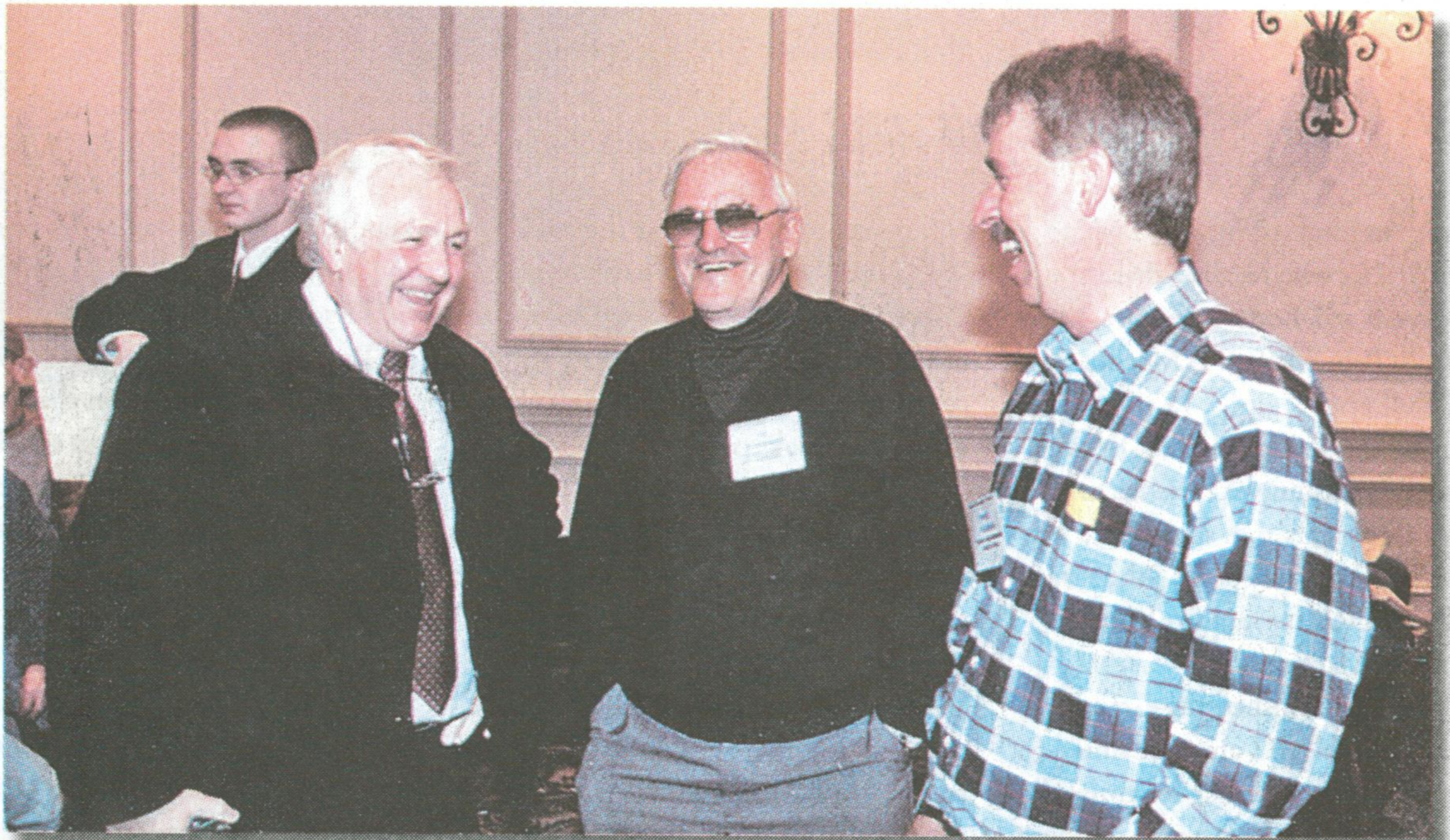
Accolades from Maine's congressional delegation.



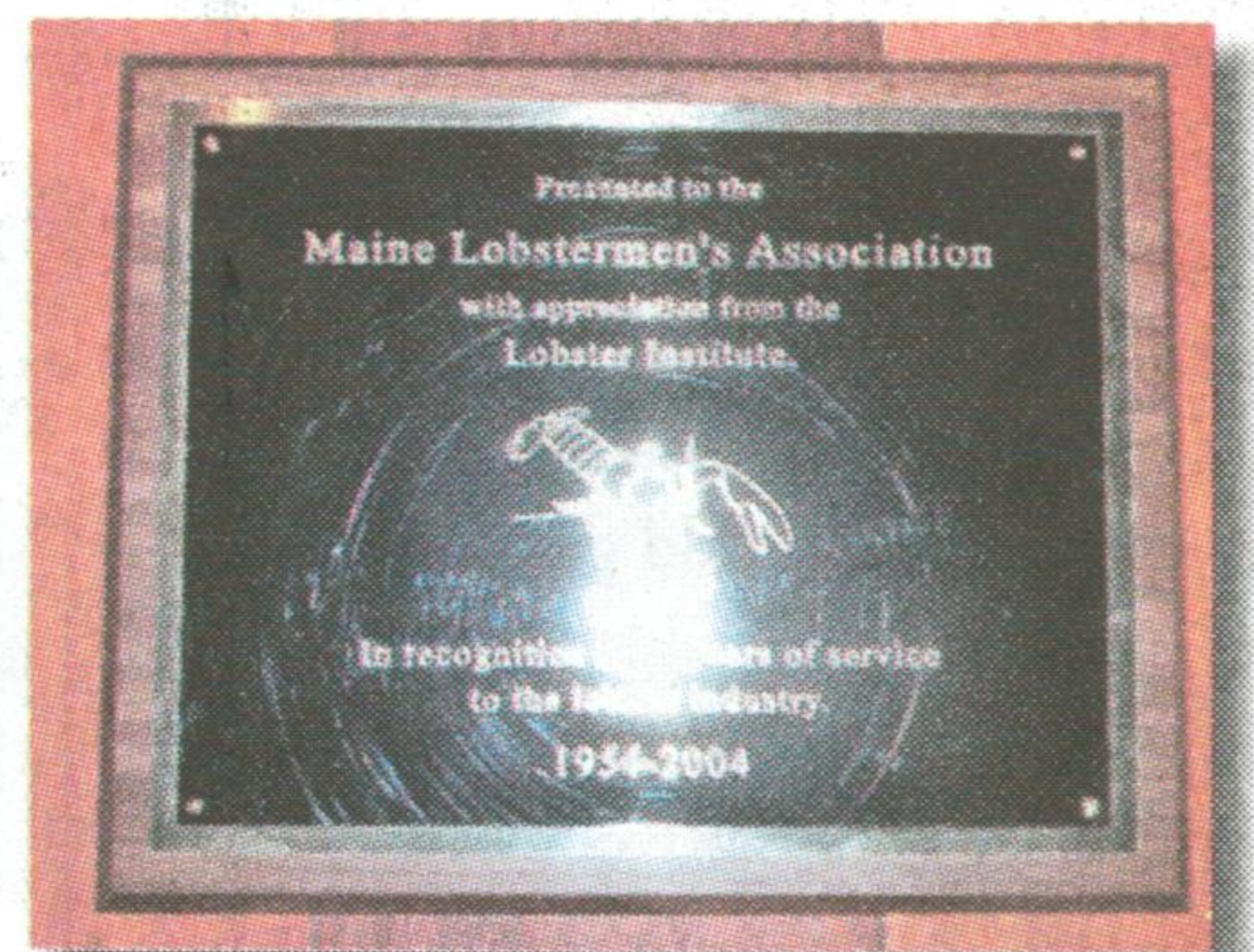
Recognition by the Maine Legislature.



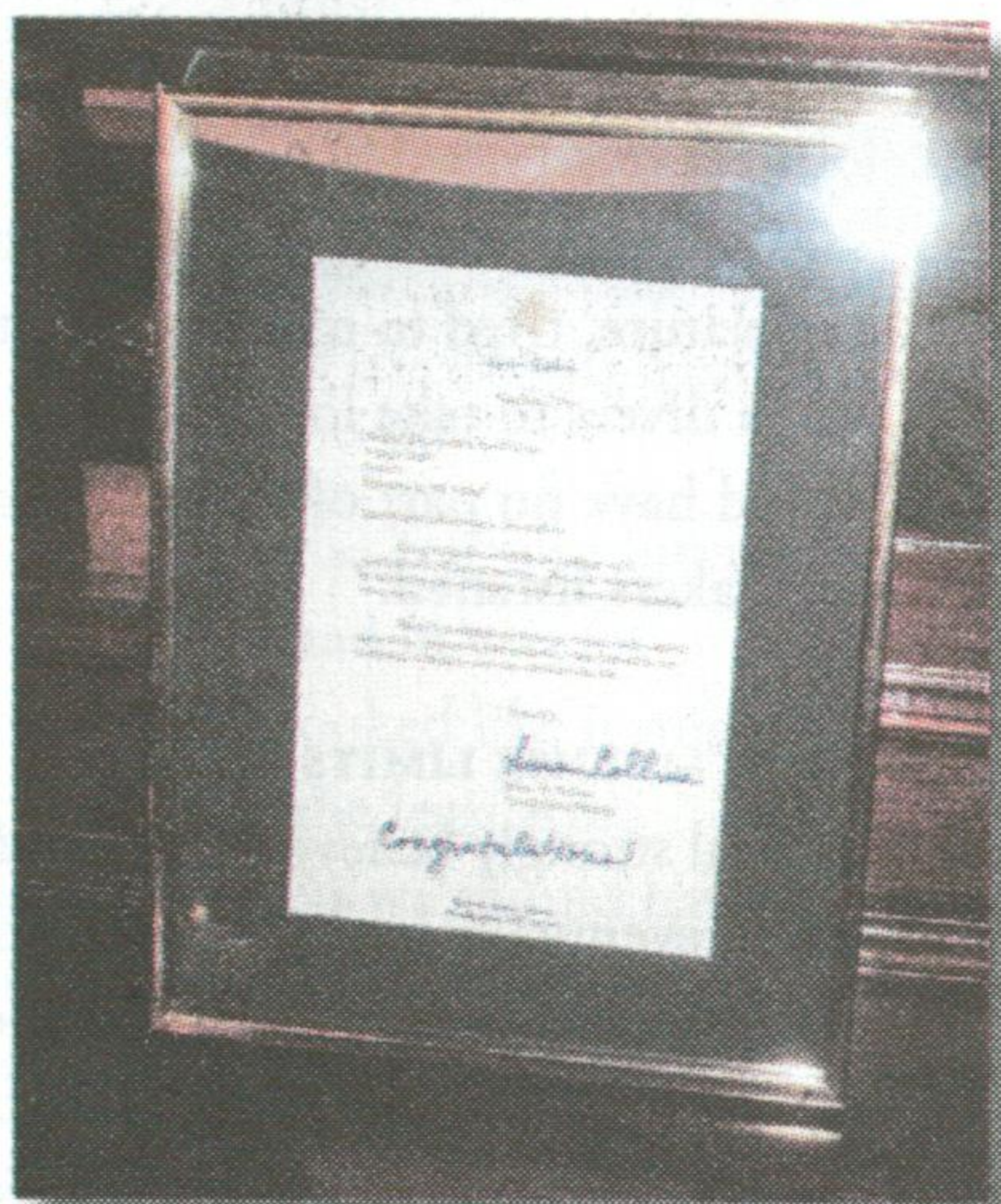
Letter of congratulations from US Sen. Olympia Snowe.



As part of the association's 50th anniversary celebration, the MLA honored its first three presidents with the presentation of lifetime achievement awards. Above, past-president Ed Blackmore, center, joined by longtime MLA attorney Clayton Howard, left, and association President David Cousens.



Commemorative plaque from the Lobster Institute.



Congratulatory letter from US Sen. Susan Collins.



Representing the Dyer family from Vinalhaven in accepting the lifetime achievement award for Les Dyer were his grandson Shannon and family, including from left, Ian, wife Dawne, Kaleb, and Adam.

envelope" in terms of how and where he fished. His wife recalled that though his backyard was Beals-Jonesport, he set traps from Petit Manan to Machias Seal Island.

During the Senate hearing, he used that extensive fishing experience to counter arguments that since there was already an oil refinery at St. John's in New Brunswick, it wouldn't hurt to have one in Machiasport.

"I have lobster fished the Grand Manan Channel, so I am acquainted with the area," he told the senators. "The ebb tides, the stronger of the two, run south-southwest out of the Bay of Fundy, which would carry an oil spill many miles outside our coast."

In contrast, he continued, "Our Maine coastline is a straight coast with the tides running with the coast, and a spill at Machiasport would go for miles along the coast."

When Muskie pressed Beal to suggest a realistic alternative "clean industry" for the region, the lobsterman had no easy answer, but he did offer a few strong recommendations. Build better highways and decent airports to improve access to the area, Beal said.

And he asked the government to help the Maine commercial fishing industry reach its economic potential by doing something about the big Canadian draggers that were regularly fishing up to and even inside the state's three-mile limit.

"Why don't our state and government officials put some regulations on this ocean out here where we can control our own (waters)?" he pointedly asked the senator.

In his 1972 interview with Lynn Franklin, Beal summed up his

argument against refineries this way.

"The association, the fishermen are 100 percent against oil on the coast. We've seen, we've read what it has done. This is our livelihood and we have a lot of money tied up in it. To have an oil company come in and oil refineries and unloading docks or whatever else they might have – we know there'll be oil spills because human nature is that we all make mistakes one way or another."

Muskie eventually withdrew his support for oil refinery construction, and the facilities were never built.

LOBSTERS ON DRAGGERS

During the Franklin interview, Beal described the MLA as "more or less a lobbying association" that

kept legislators informed on where the largest organized group of lobster fishermen in the state stood on bills.

Beal was proud of the 1967 state law backed by the association that made it unlawful for otter or beam trawlers to fish for, catch, take, or possess lobsters.

"We sponsored a bill that passed that prohibited a dragger or any boat rigged for dragging from taking lobsters to sell," he said.

"This was something that was coming to the point where boats were rigging up for dragging lobsters – altogether for dragging lobsters," Beal emphasized. "It wouldn't take very long to clean them up if everyone went dragging. It's bad enough that we've got so many traps that fish, let alone dragging."

He cited the MLA's role in defeating a bill that would have allowed canning companies to bring in meat from short lobsters from Canada.

Another bill, filed four times in the Legislature, tried to make it legal for scuba divers to take lobsters. The MLA would have no part of that and state lawmakers listened.

TRAP, LICENSE LIMITS

Beal strongly believed that overfishing would eventually lead to disaster for the Maine lobster industry. The conviction pushed him to work hard on two bills considered in several legislative sessions to limit licenses and traps.

The initial legislation backed by the MLA would have put a freeze on licenses and slashed the number of traps a man could fish.

"The first bill was put in for too small an amount of traps. It was put in for 150 traps and it didn't go at all,"

MAINE LOBSTER SIZE

1874 – First minimum size – 10-1/2" head to tail adopted.

1919 – Ban on mutilation to interfere with minimum size determination established.

1933 – First "double gauge" in the world – 3-1/16" minimum carapace and 4-3/4" maximum carapace adopted.

1935 – Maximum legal size amended to 5".

1958 – Minimum legal size set at 3-3/16" and maximum legal size set at 5-3/16".

1960 – Maximum legal size returned to 5".

1988 – Minimum size increased to 3-7/32".

1989 – Minimum size increased to 3-1/4".



Ossie Beal was a lifelong lobsterman, fishing the waters from Petit Manan to Machias Seal Island.

Beal said during the Franklin interview. "The last bill we had in was for 300 traps and it looked like it might have passed, but the legislators themselves felt that we should have a committee and meet with the legislative committee and (the Department of) Sea and Shore Fisheries and talk more about it."

The dual limit idea was still pretty new at the time and Beal made it clear that the freeze on licenses and the reduction in the number of traps had to go together as one bill.

"We had thought to freeze the licenses to the number of licenses issued the previous year," he explained. "Then as people went out of the business, as licenses were available, they'd be bought back by the state until we got down to a reasonable number of licensed fishermen."

OVERFISHING FEARS

The strategy was to cut back on the number of part-timers, he said.

"The trouble is there's 6,000 fishermen. Not so many in this area (Downeast), but in the western part of Maine there are a lot of

part-time fishermen who work a full week's worth in garages and shoe factories and fish nights or after work on weekends. That's created quite a problem in the area west of here.

"The fishing is getting to the point of where something's got to be done," he continued. "It's getting overfished and in only just a few years from now, we're really going to notice it. It's going to be hard fishing. Canada has it (limited licenses and traps) and it's worked real well there."

When asked how many traps he

fished, Beal responded, "600." And when asked if he could make a living with 300 traps, Beal answered, "Oh yes. We'd feel the effects of it the first year or two perhaps, but I think after that we'd be catching as many lobsters as we catch now, perhaps even more."

Although Beal estimated that 75 to 80 percent of the association's membership was for it, the legislation never passed. Membership had dwindled to just about 400 fishermen and that wasn't enough to convince legislators to take such a drastic action.

But the consideration of limits on traps and licenses was far from over in the state, and the MLA's effectiveness at shaping state legislation would reassert itself in the years ahead.

EVENTS OF '73

A noteworthy change that took place as a result of legislation passed in the spring of 1973 was the formation of the Department of Marine Resources (DMR). Created from the Department of Sea and Shore Fisheries as part of a general state government reorganization undertaken by Gov. Kenneth Curtis, the scope of the new agency was broader than its predecessor and its standing in relation to other state departments and the Legislature was strengthened.

The new DMR was responsible for research, comprehensive long range planning, and conservation of the state's marine resources. The DMR commissioner gained the authority to make regulations, though that power didn't include changes to existing laws. Further, the commissioner could act

only with the advice and consent of the Advisory Council. Expanded from five to nine members, the advisory council's role was to represent the interests of the fishing industry.

Gov. Curtis appointed Spencer Apollonio as the first DMR commissioner.

Also in September 1973, *Maine Commercial Fisheries*, which later became *Commercial Fisheries News*, began publication.

Ossie Beal wrote a column in that first issue called, "High Line, Monthly News from the Maine Lobstermen's Association," which was a regular feature in the newspaper in the 1970s and early 1980s.

In his first newsletter, Beal reported the recent start of a group life/health insurance plan for members through Blue Cross and Union Mutual. He named all of the MLA officers, trustees, and delegates, and urged all lobstermen to join, "for the sake of lobster fishing."

MEMBERSHIP CHALLENGE

Drawing fishermen back into the association was one of the most difficult challenges Beal faced during his



Clayton Howard.

1967-1974 term as the MLA's leader.

"Some years we've had good membership. Other years we're down. In the years that things in Augusta are kind of getting hard on the fishermen and there's bills that get them riled up a little, then, of course, we get a big membership," he said.

But to Ossie Beal's way of thinking, there was no reason whatsoever that every serious lobster fisherman in Maine shouldn't belong to the MLA, regardless of the political climate of the day. And he didn't buy the argument that fishermen were too independent to come together to look out for their common interests.

"I can't see any reason for not joining the association. The only thing I can say is the lobster fishermen are real independent. They think they are anyway," Beal observed.

"They don't want anyone telling them what they can and what they can't do. But they lose their independence the day they start lobster fishing," he continued.

"When you say the word independent, that means you're dependent on no one. But if I go and haul my traps today, I go and try to sell my lobsters and I take the price that dealer pays me for them. If he says bait is \$1.25 or \$2 a can, I pay it. If the price of gasoline has gone up today, I pay it. So I haven't got my independence," he concluded.

"The only thing I've got is that I can go out in my boat and work all day or half a day if I want to and come home. That's actually the only independence I have," Beal said.

Interested in economic development for the Downeast region of Maine, US Sen. Edmund Muskie chaired a field hearing in Machiasport to talk about oil refineries. Ossie Beal made national headlines for his frank opposition.



IRS AUDIT

Beal couldn't have known it during the 1972 interview, but his words describing MLA membership growing when there were issues to "rile up" lobstermen were prophetic.

In 1973, the Internal Revenue Service (IRS) audit division in Maine launched a detailed, wide-ranging investigation of the income tax filing practices of the state's commercial fishing industry. Many of the audits were conducted in person at IRS offices or temporary sites set up by the IRS to handle the volume of people being investigated.

While there were complaints about IRS techniques, "education through investigation," one application of law affected the tax returns of most lobstermen, causing them to owe money to the government. That was the IRS interpretation that sternmen

were employees of the boat owner and that Social Security, withholding, and unemployment taxes were owed by the boat owner on the wages paid to them, for the past three years, the audited period.

Ossie Beal called a "special" membership meeting in May, 1974 to talk about the audits and communication problems with the IRS. At that meeting, members voted to retain Damariscotta attorney Clayton Howard as the MLA lawyer and lobbyist for a yearly fee of \$1,000. Howard, who had already been representing audited fishermen in the western part of the coast for over two years, was also known to many of the lobstermen because of his involvement with fishing co-ops along the coast.

Beyond the audits, however, doing something to reclaim the sternman traditional practice became a rallying cause for the MLA in the years to come.

CO-OPS

Although not directly affiliated with his work as MLA president, Beal was a real believer in the power of harvesting co-ops to improve fishermen's lives.

Nancy Beal documented in her 1971 *Down East* article how the sell-out of a major buyer on Beals Island to the Dead River Co. finally convinced more than half the full-time lobster fishermen in Moosabec Reach to take Ossie's advice and join him in forming the Beals-Jonesport Cooperative.

Eventually, Beal also helped out with the organization of co-ops in Corea and Bucks Harbor.

The bottom line, Beal argued, was that there was an awful lot of money being syphoned off between what the consumer paid and what the lobsterman got.

"I think we should have some of

Chapter Three - Ossie Beal



In June 1974, Ossie Beal, left, had decided he was ready to pass along the gavel. Ed Blackmore moved into the presidency.

that," he said in the Franklin interview. "Someone, somewhere in the middle is making a whole lot more out of it than the fisherman is making and perhaps never even looks at the lobster more than to write a check for it."

BROADER ROLE

As fishermen started seeing the success of the Beals-Jonesport Co-op, others started getting organized. Beal dreamed that someday this would lead to even bigger things.

"Eventually, I hope there'll be a lot of co-ops along the coast where we can, if we see fit, join them into one large co-op headed by one group and be able to market our lobsters for a better price," he said.

Fourteen fishing co-ops in the state

came together for a period in the mid-'70s, creating the Maine Association of Cooperatives (MAC) in April, 1973. The MAC Credit Union evolved from that organization late in 1973.

Ed Blackmore, who was first vice-president of the MLA at that time, was also the president of the board of directors of the Stonington Lobster Co-op, a MAC founding member.

The co-op movement "was a definite byproduct of the MLA," Nancy Beal said. "A lot of people were involved in both things. We were networking."

SERVICE

Besides his service to the MLA, Ossie Beal spent a lot of time during his life in other meeting rooms. He served for 13 years as first selectman in his town. He was also president of the Washington County Municipal

Officials Association, a member of the Maine Municipal Association executive and advisory boards, and a member of the founding board of the Maine Coast Heritage Trust.

Through it all, he continued fishing. He even helped finish off two of his lobster boats in the 1960s and, in 1980, finished the Nancy Anne with help from his sons-in-law.

In Ossie Beal's own words, his life's goal, as recorded by Nancy Beal in her 1971 article, was to make the Maine fishing industry "the best thing there is on the coast."

Few would argue that his commitment – his work for the MLA and his community, his life as a lobsterman, and his family – helped to make that so.

Chapter Four

Edward Blackmore

Edward A. Blackmore served as president and executive director of the Maine Lobstermen's Association from 1974 to 1991.

Ed Blackmore took on the presidency of the MLA at a time when membership was at an all time low, the treasury was empty, and the industry was under stress from a coastwide tax audit.

Over the next 17 years, he built an effective and successful organization with a strong financial base. With a membership numbering more than 1,200, the MLA became a respected part of the political process at both the state and federal levels.

The lobster industry faced an onslaught of issues during Blackmore's tenure, and he and the MLA can point to a string of accomplishments owing to their involvement, such as the Sternmen's Act of 1976, fostering the start of The Lobster Institute, securing protection for v-notch lobsters, and the list goes on.

"I always believed that if they said we were part of the problem, then we were going to be part of the solution," he said.

Blackmore is the first to admit that he didn't do it alone. He's generous with praise and acknowledgment of the MLA and those who fought alongside him, people like trustees and officers Earl Briggs Jr., Harold Crowley, and

Joe Vachion from the earlier days; later David Cousens, Bill Anderson, and Jack Merrill. And, of course, Ruth Lane, who served as secretary-treasurer during most of his time as president.

The distinction between Blackmore and the association becomes blurred as he talks about the thousands of miles of travel to legislative hearings and committee work sessions, trips for meetings out of state, occasional flights to Washington, DC, and the countless hours of phone time, speaking for MLA members and for the lobster industry.

"I found out quick that you have to be there, you have to be available. It's what running the association is all about," he said.

It's why Blackmore asked the MLA

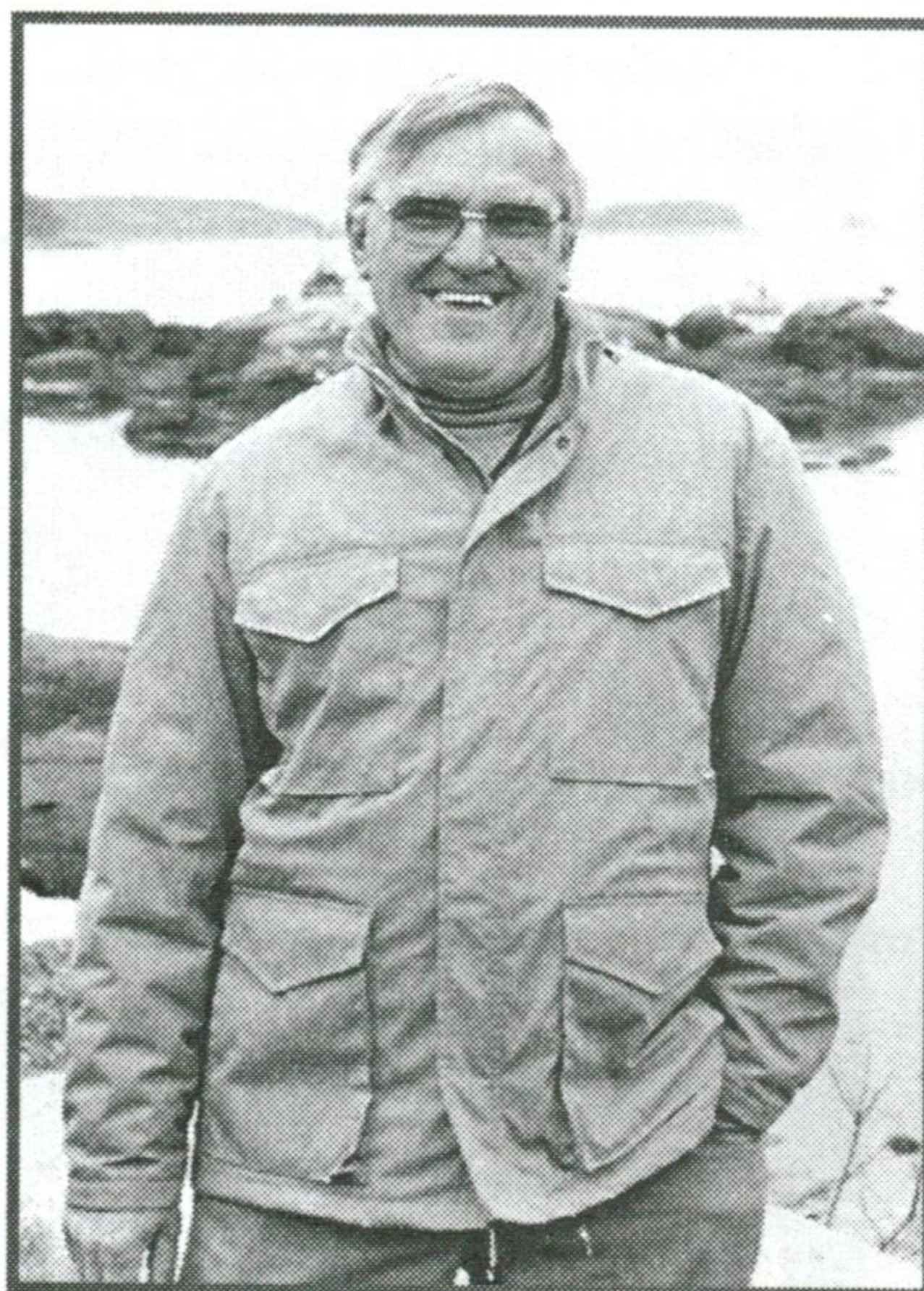
trustees to create the full-time executive director position in 1979.

"I was split between fishing and being president, and I wasn't doing either job well," he said. "The association needed more. We had to be able to represent the lobstermen at every level of fisheries management."

The trustees endorsed the change, and the association turned the corner into the grown up world of credible fishing organizations in the county. Blackmore was hired by unanimous membership vote, an agreement renewed annually along with his election as president at the group's annual meetings.

Early on, he set his style, often combining humor and a good story to help make his point. And he never gave up, at least not without a good fight or a compromise that was a partial victory and a crack in the door to be back again.

By all accounts, he worked exceptionally hard for the Maine Lobstermen's Association and the lobster industry in general. When he retired in 1991, he was able to step down with the peace of mind of knowing he was leaving a sound organization in the capable hands of its new leaders.



Ed Blackmore.

"I was satisfied with the time I'd put in and the results. There was more to be done. But the vehicle was there. All I did was turn over the steering wheel to someone else."

EARLY DAYS

Blackmore grew up in the Deer Isle community of Stonington, in a family of lobstermen.

"I liked lobstering, but I didn't like the situation lobstering was in. People back then looked down at lobstermen as second-class citizens. They looked down their noses at us and it wasn't right," he said.

"When the MLA first started in 1954, I was a member. I started off as a delegate. I was always a believer in it. The association had to be done though I was somewhat limited as to what I could put into it at first. I was young and I had bills to pay."

But his involvement grew, first to the vice-presidency, and then into the presidency.

At the time the group numbered less than 250 members, who were mostly located in Downeast Hancock and Washington counties. Blackmore said his goal was to increase membership, particularly encouraging new participation in the western coastal areas.

He set about his job with a basic philosophy: the role of the association was to provide representation and services for its members. He started work immediately on expanding a group medical insurance plan as well as the merchandise discount programs with local stores.

He continued the practice started by Ossie Beal of communicating with

members through the newsletter he ran regularly in *Maine Commercial Fisheries*.

But what lobstermen found most appealing at that time was the offer by MLA to help members in their dealings with the Internal Revenue Service (IRS). Attorney Clayton Howard had just been retained by the group. The members agreed to increase their annual dues to \$15 from \$10 to help pay for Howard's services, both generally with the IRS as well as a part-time lobbyist during the state legislative session.

AUDITS

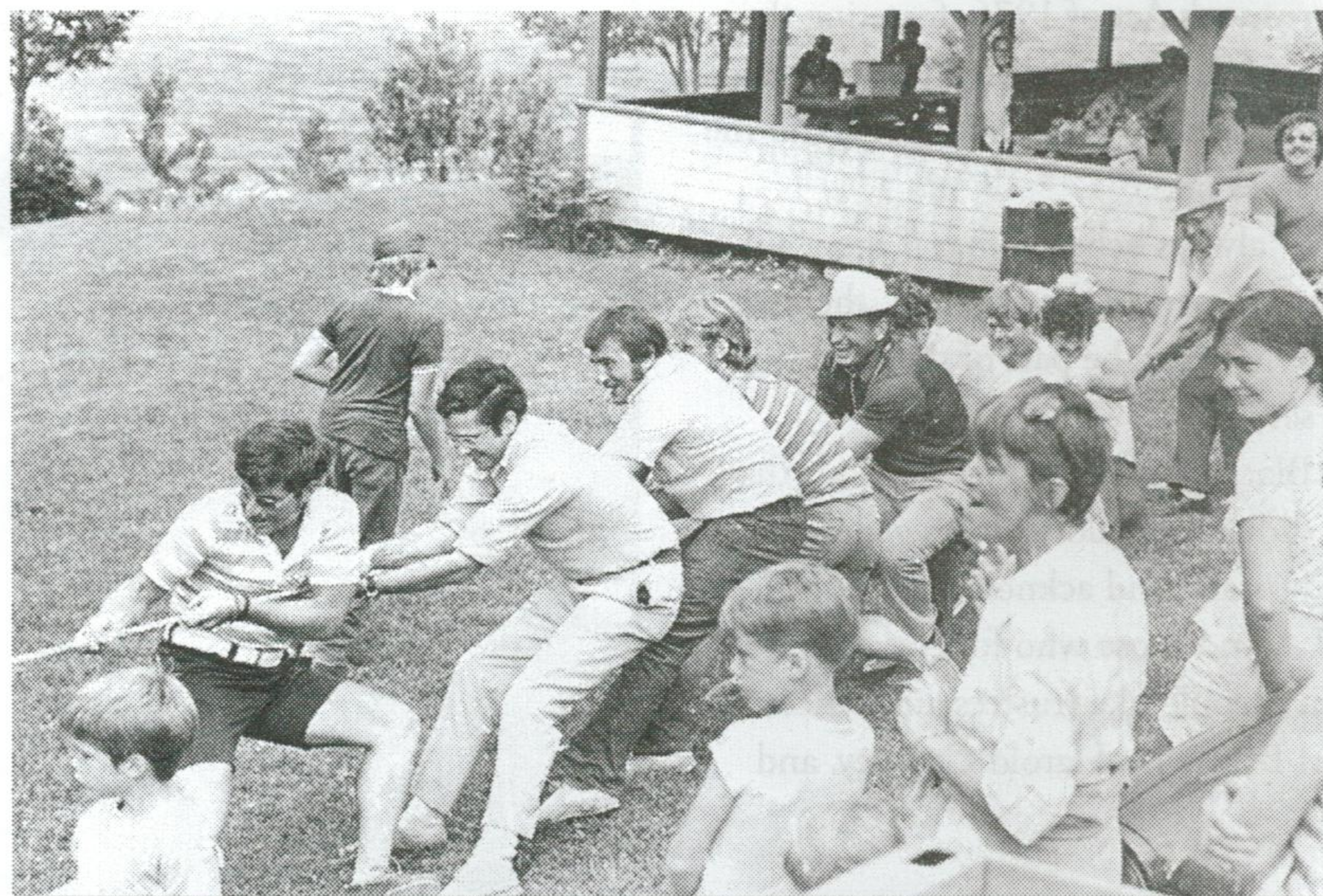
In 1974, many small fishing communities were reeling from both the emotional impacts and financial consequences of the ongoing IRS audits of the lobster industry. Starting in the western part of the coast and moving Downeast, hundreds and hundreds of lobstermen had had their tax returns examined for a previous two-year period.

Many families ended up owing additional income taxes along with interest and penalties. Regardless of

how a lobsterman made out on his income/expense examination, though, there was one common complaint among all of the boat owners: the IRS determined that the relationship between a lobsterman and his sternman was, in fact, that of employer and employee.

The long-standing tradition was that sternmen, who received only a share of the day's catch for pay, were self-employed and responsible for their own tax obligations. But the IRS found boat owners liable for failing to withhold federal income tax from sternmen's earnings and for failing to pay the employer/employee share of Social Security taxes. And it charged interest and, initially, penalties on the overdue bills.

Blackmore immediately went to work, getting MLA delegates to circulate a petition the length of the coast. It was addressed to the state's congressional delegation, asking that the IRS justify the scope and intensity of the audit, which had come to be



Lobstermen face off in a tug-of-war at the MLA- and MAC-sponsored Fishermen's Frolic on June 29, 1974 in Belfast.

called the "lobster project," and seeking legislative relief for the interpretation of sternmen as employees.

By year's end, the petition with over 700 signatures was presented to Maine's US Sen. Edmund Muskie, who said he was trying to have sternmen classified as independent contractors by using the administrative approach with the IRS. If that didn't produce results, Muskie said he would introduce legislation.

Blackmore told Muskie that sternmen would lose their jobs because of the added cost to the small lobstering operations if they were classified as employees.

IRS CHALLENGE

At a January 1975 meeting in Ellsworth, 150 fishermen and their wives voted to have the MLA challenge the IRS in a two-pronged project, which came to be called Save our System/Sternman, or SOS/Sternman. The MLA would back a test case court challenge of the IRS ruling that sternmen were employees, and, at the same time, work to pass legislation to change the law. Over \$1,200 was raised in contributions at that meeting.

Despite the huge cost and odds against either approach, Blackmore told the audience, "If we don't fight, we don't have a chance. If we do, we have some."

The MLA launched a fund-raising campaign, as well as a letter and phone effort reaching out to other fishing organizations, some of which had also already had similar experiences with the IRS.

"We enlisted the help of every major fishing organization in the country, in Alaska, the Gulf of Mexico, the Maryland watermen, in Florida. The



Ed Blackmore, left, presents a petition to US Sen. Edmund Muskie asking for a review of the IRS's lobster project audit.

Massachusetts Lobstermen's Association had been in touch. We were working to shove that whole thing through Congress," Blackmore said.

Essential to the MLA effort, Blackmore credits the help of Maine's US Sens. Muskie and Bill Hathaway and then US Rep. Bill Cohen.

"There had been a sternman exemption bill to amend the revenue code, but it didn't seem to get anywhere on its own. Bill Cohen said he would try to get it attached to a bill that the president was going to sign," Blackmore said.

That legislation was the Tax Reform Act of 1976, signed by President Gerald Ford in October of that year. The MLA's sternman language exempted commercial fishing vessel owners from Social Security and federal income tax withholding requirements if they

carried nine or fewer crew who receive a shared of the catch as their pay.

That original language did not include exemption from paying federal unemployment taxes on crewmembers. US Sens. George Mitchell and Bill Cohen doggedly fought for that change, which was not signed into law until 1986.

With strong support from state legislators, the MLA had also secured revenue code changes codifying the self-employed status of sternmen for state tax purposes starting in 1976.

LEARNING ON THE JOB

The sternman project and its ultimate success provided a boost for MLA's membership recruitment and the group's standing. But for

Chapter Four - Edward Blackmore

Blackmore, it was an important learning experience.

"We went head-to-head with the IRS. We changed a federal law," he said. "It took a lot, but it showed that the association could do anything as a group."

He made some friends along the way, too.

One was Lucy Sloan, the executive director of the National Federation of Fishermen (NFF). Sloan, who was among a group of fishing representatives working to pass the 200-mile-limit legislation, helped lobby fishing groups across the county for the sternman cause. The MLA became a dues-paying NFF member and Blackmore attended some NFF regional meetings where he learned about the impacts of the 200-mile limit.

The Fishery Conservation and Management Act passed in 1976. The first Maine Fishermen's Forum was held that year at the Samoset Hotel. Its purpose was to explain opportunities and changes Maine fishermen would see as a result of the expanded US jurisdiction.

Blackmore urged MLA members to attend, saying "every fisherman in this state will be affected by the decisions made as it (the 200-mile limit) goes into operation."

Lobsters weren't on the immediate radar screen of the new federal management structure, so the MLA had little to say in those early years as the New England Fishery Management Council was organized and worked on its first fishery management plans. Former Department of Marine Resources (DMR) Commissioner

Spencer Apollonio was hired as the first council executive director.

SALES TAX EXEMPTION

Familiar with the independent and frugal character of lobstermen, Blackmore always believed one key to growing the membership was focusing on the services that "put a dollar back in a guy's ass pocket." Besides his tireless effort to expand the discounts to members provided by local businesses, he saw another opportunity.

In 1977, Blackmore started work on two additional tax savings for fishermen: sales tax exemption similar to what was given to farmers and reform of the inconsistent assessment of personal property tax on fishing boats.

"Nowadays," Blackmore said in an interview during the MLA's 50th anniversary celebration, "it's hard for young fishermen to understand that these benefits haven't always existed. But they didn't just fall out of the heavens. We had to fight for them every step of the way."

The first break in the sales tax went into effect in 1978. Fishermen received a refund of the state sales tax they'd paid on depreciable machinery and

equipment. New and used boats were included.

Fishermen were required to show proof such as a tax return that they were engaged in commercial fishing, and the application for a refund had to be made within 15 months of the date of purchase.

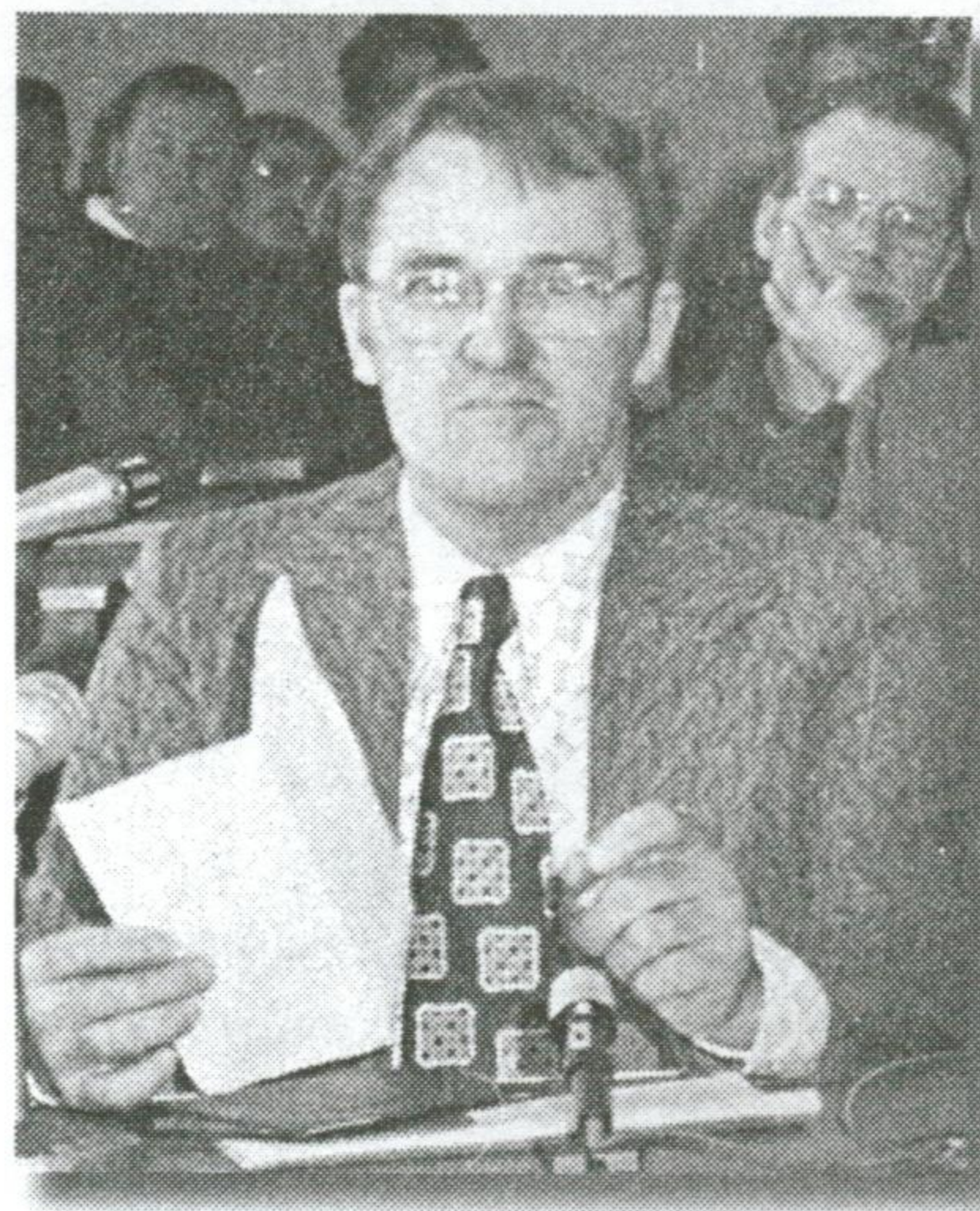
In 1979, the Legislature added a provision to exempt fishermen from paying sales tax on the purchase of a single item of machinery or equipment with a sales price in excess of \$5,000. The certificate of exemption had to be obtained in advance of the purchase and it was valid for only that single purchase.

That led the way to the eventual exemption from paying sales tax on all equipment and machinery purchases by fishermen.

BOAT TAX REFORM

The boat tax reform took a little longer. Serving on a tax policy committee in 1977, Blackmore said the subject of the property taxes that communities levy on fishing boats was put on the table. It was quickly apparent that there was great inconsistency from one community to another, with some towns charging no property tax at all, and others assessing boats at their full market value so owners were paying substantial annual taxes.

In 1983, the size of their property tax bills caused the owners of some large boat fleets to threaten to leave the state if there wasn't a resolution to the problem. Emergency legislation was passed in that year that established a uniform excise tax on boats, based on length rather than value. But it



Ed Blackmore testifies before a Senate Small Business Committee in 1975.

was only a two-year stopgap solution since a constitutional amendment was also required to make the change permanent.

Ed Blackmore served as co-chairman of a coalition of marine industry groups including MLA that lead the public relations campaign urging voters to support the uniform excise tax on boats, which became permanent in 1985.

INSURANCE

But the abiding reason for membership growth and renewal, Blackmore said, was the group health insurance program offered by the association.

Ruth Lane, who worked for MLA attorney Clayton Howard, became secretary-treasurer in 1977. She and Blackmore became a very effective administrative team, promoting MLA membership and working to provide the services.

Lane, from an MLA-office in Damariscotta, took on the task of handling all the Blue Cross/Blue Shield insurance details, from signing up members to being sure there was timely and fair payment of claims.

"Ruth was just the best," Blackmore said. "She ran a tight ship and always looked out for the association members and me, too. She stuck up for what I was trying to do."

MLA administration of its group health insurance program began to pay important financial benefits as participation grew. The association had also added the availability of hull insurance at a competitive members-only price. Blackmore became the surveyor for boats joining the group.

In 1985 the association decided to



The MLA rallies support for a challenge to the IRS sternman ruling at a meeting in Ellsworth in January 1975. From left, attorney Clayton Howard at the podium; Ed Blackmore, president; Stephen Robbins Jr., vice-president; and Susan Jones, secretary-treasurer.

put some of that money to work by constructing its own office building in Nobleboro. The project, which cost about \$78,000, was completed the following year. Lane moved to the building, which also housed the Fishermen's Credit Union.

Raffles contributed about \$11,000 to the project, but the new building was made possible by the money paid for the insurance program administration. It contributed over 60 percent of the MLA's annual income in that year, according to Lane's income report.

That revenue held up as long as there was a large group. By the 1990s, however, Blue Cross/Blue Shield rates began to increase dramatically and participation started dropping off. By the time state rules changed in 1994 and the MLA was no longer able to administer a group health program, its financial contribution had already dropped dramatically.

TRAP LIMITS/LIMITED ENTRY

Through the years of Blackmore's tenure, many times the lobster industry

debated proposals for broad changes to state lobster management. Coastal legislators initiated various plans, which in some years were far-reaching in their scope. The MLA also offered its own plans along the way.

Reoccurring issues included: trap limits, license classes to distinguish full- and part-time effort, seasons, limits on fishing time by hours or days, limits on entry, apprentice licenses, and tags for traps.

The MLA was consistent in its position that any kind of trap limit had to include a limit on entry.

The legislative hearings were well attended, and the marine resources committee always ended up unsure of what to do. There were strongly held, often totally opposite opinions from industry, which revealed sharp differences in the fishery from one end of the coast to the other. In the end, the proposals were never enacted, though MLA members learned a lot in the ongoing process, which would become valuable later.

TRAP VENTS, BIODEGRADABLE PANELS

Maine's first trap vent law went into effect on Jan. 1, 1979. That was a time in the industry when the use of coated wire was gaining in acceptance but had not replaced wooden lathes for trap construction. The DMR provided four options to legally achieve the 1-3/4" vent opening. The original law had a one-year sunset.

The MLA supported the vent measure, with Blackmore adding that it was something many members already did voluntarily.

Longtime MLA trustee Earl Briggs of Corea said in that first year, "It took us 10 years to get it through the Legislature and we finally succeeded. It's one of the best conservation laws."

There was also industry support for requiring traps to have a "biodegradable panel" that would "rot out," thus preventing ghost traps from continuing to fish. A regulation requiring traps to have a biodegradable panel was passed in 1982, with implementation set for March 1987, a delay intended to give lobstermen time to gear up for the change.

As that deadline neared, however, lobstermen sought another delay in the implementation date. The MLA led the way, arguing that panel fasteners were not yet available that stayed intact for one season of fishing.

The state's newly appointed DMR Commissioner Bill Brennan approved a postponement until January of 1988, and, when that deadline approached, the Legislature interceded with a bill to delay implementation until 1990. By then, hog rings had been perfected.

OVERSIZE MEASURE

Through the years, there have been legislative proposals to repeal the oversize lobster measure, which was set at a 5" carapace length in 1960, though it was first instituted in 1933 at 4-3/4".

A bill in 1977 was withdrawn despite support from two lobster associations in the southern part of the state. At the time, Blackmore had surveyed MLA members, who strongly supported protection for oversized females, though slightly less than half had no objection to the taking of oversized males.

Discussion at the time centered on whether there were two stocks, offshore and inshore, since oversized lobsters seemed to be found only in offshore catches.

Legislation to repeal the oversize measure was back again in 1979. Speaking in opposition, Ed Blackmore told the marine resources committee at the public hearing, "This is a bill whose time should never come. The MLA is 80 to 90 percent opposed to this."

Spencer Apollonio, who was back as DMR commissioner following the election of Joe Brennan as governor in 1979, agreed the 5" measure should

stay as a precautionary move. "We know nothing about our offshore lobster resources. We have no idea of stock migratory patterns, larval drift," he said of whether the big lobsters played a role in sustaining the inshore stock.

In the end, that bill was withdrawn by its sponsor.

1985 CHALLENGE

The most contentious of the oversize measure legislative battles was waged in 1985, when the Maine Import-Export Lobster Dealers Association had a bill introduced to eliminate the state's prohibition on possession of lobsters 5" and larger. In the same session, DMR-sponsored legislation proposed an increase in the 3-3/16" minimum size by two 1/16" increments over a four-year period.

Elimination of the oversize measure had strong support among the state's lobster dealers and some harvesters. They argued that they suffered an economic disadvantage in the marketplace since possessing larger lobsters was allowed in every other state and Canada.

Opponents, led by the MLA, said that it was not clear whether there was a connection between the inshore and offshore lobster stocks and therefore it wasn't known what taking the larger lobsters would do to the resource.

Blackmore pointed to a lobster migration study underway with University of Maine Sea Grant, DMR, and MLA, saying no changes should be allowed until results from the study were known. Offshore lobstermen

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—ED BLACKMORE

countered by saying there were very few v-notched lobsters from inshore in their catches.

Along with the campaign by Blackmore and other members, MLA directors voted to hire two professional lobbyists to help defeat the oversize repeal, and they were successful.

"I was criticized for hiring professionals," Blackmore said later, "not by the association but (others) who thought we shouldn't change how politicking was done. 'Lobstermen don't hire lobbyists,' they said. My answer, 'You do if you want to win.'"

The lobbying effort, which included over \$6,000 paid to the professionals, cost the MLA \$10,000, but the group was still able to finish the year with money in its treasury. And, Blackmore said the success was helping to attract new members.

The bill to increase the minimum size was held over until the Legislature's second session in 1986. The huge turmoil created by the debate of both lobster size measures prompted the marine resources committee to call for an independent study to evaluate existing biological and economic data on the impacts of the v-notch program and minimum and maximum sizes among several other things.

The study, which became known as the Botsford Report, was funded by \$40,000 taken from the seed lobster fund, a change of use for money from that dedicated fund that was approved in 1985.

The findings of the Botsford Report were to have a significant effect on how Maine's position would play out in the federal management arena, a process that got started many years earlier.



At the MLA's annual meeting in 1983, from left, Clayton Howard, MLA member Dick Black, David Mills of the Oceanarium in Southwest Harbor, MLA director John Kirk, secretary-treasurer Ruth Lane, and Bruce Fernald in the foreground.

FEDERAL MANAGEMENT

During a seminar at the Maine Fishermen's Forum in March 1978, Maine lobstermen were told that the National Marine Fisheries Service (NMFS) was working on a federal management plan for lobsters through a so-called State/Federal Lobster Project. The effort, which started long before the passage of the 200-mile limit, was an attempt to get uniform lobster laws in all of the states.

By September, a draft lobster fishery management plan was discussed at public meetings along the Maine coast. The measures in that plan included establishing a 3-3/16" minimum carapace length for lobsters in all areas by 1980, followed by annual 1/16" increases until reaching a minimum size of 3-1/2". It also included: a moratorium on entry into the fishery; protection for egg-bearing females; a prohibition of landing lobster parts and meat; and an escape vent requirement.

Maine fishermen, however, wanted no part of the proposed plan, especially the gauge increase. They pointed to the conservation already in place in

the state, including the double gauge, v-notching of berried females, the prohibition of landing parts or meat, and mandatory escape vents due to become effective Jan. 1, 1979. Maine should do nothing until the other states did as much for conservation, they said.

While any federal plan was expected to be limited to federal waters, the meetings sparked renewed interest in comprehensive state lobster management. The MLA also drafted its own management plan. Ed Blackmore was convinced that if the state didn't come up with a plan to manage lobsters, "the feds will and it won't be to our liking."

DMR Commissioner Apollonio, fresh from his stint as council executive director, said that with 95 percent of lobster landings from within state waters, federal pre-emption was not likely. And, during legislative hearings, lobstermen opposed most all of the proposals.

The one measure to survive was the MLA's idea for creating a lobster

MARINE PATROL OFFICERS OF THE YEAR

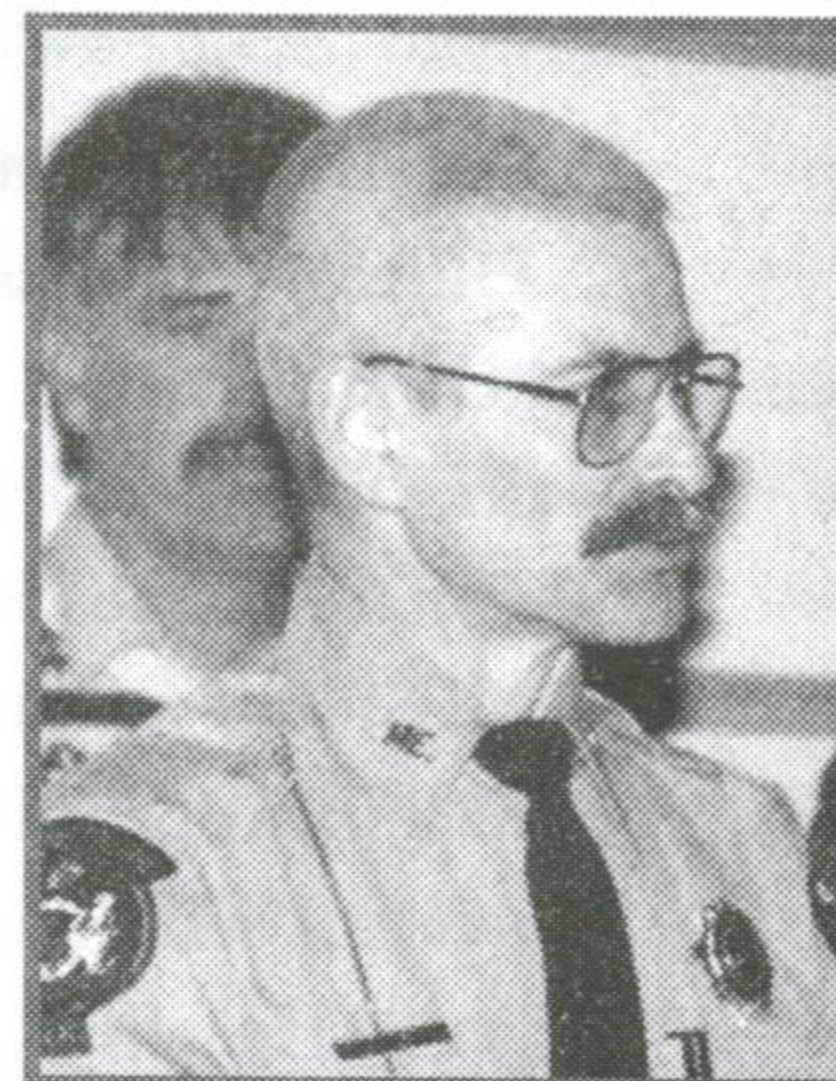
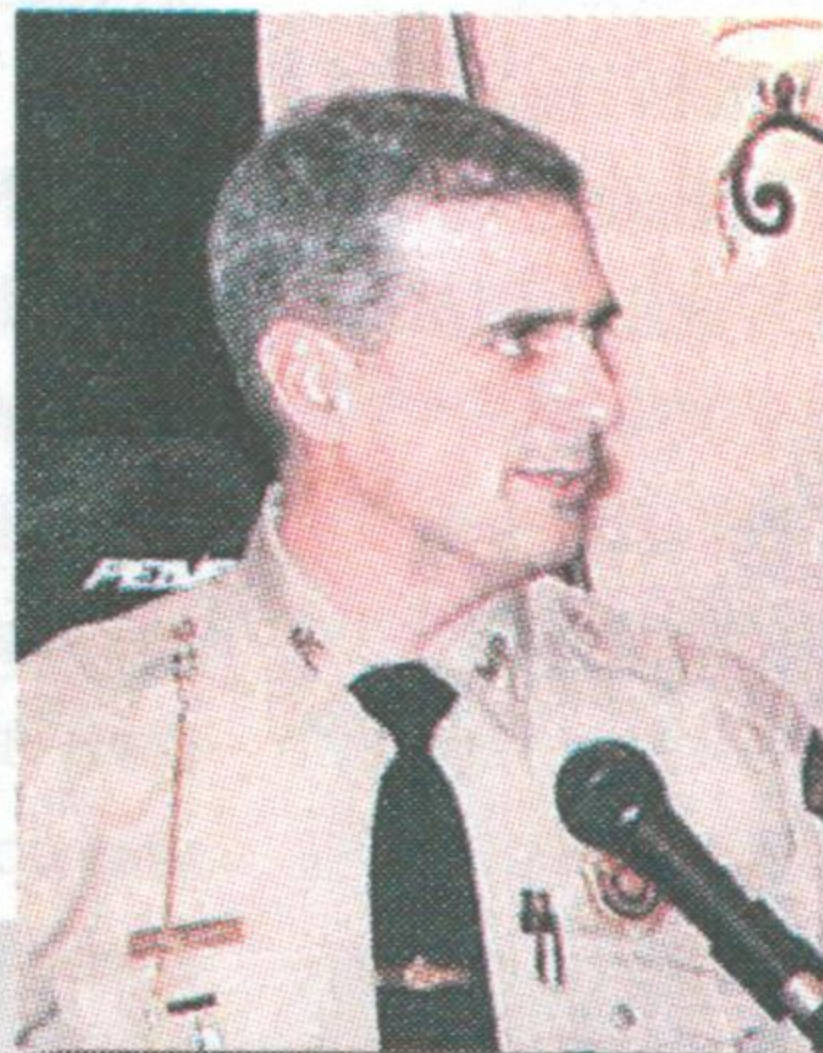
In recognition of the much-appreciated work enforcement does for industry, the MLA presents an annual Marine Patrol Officer of the Year award to an outstanding MPO.



Recipient Daryen Granata, with David Cousens, above.

Jim Princiotta, right.

Col. Joe Fessenden and Rene Cloutier, below.



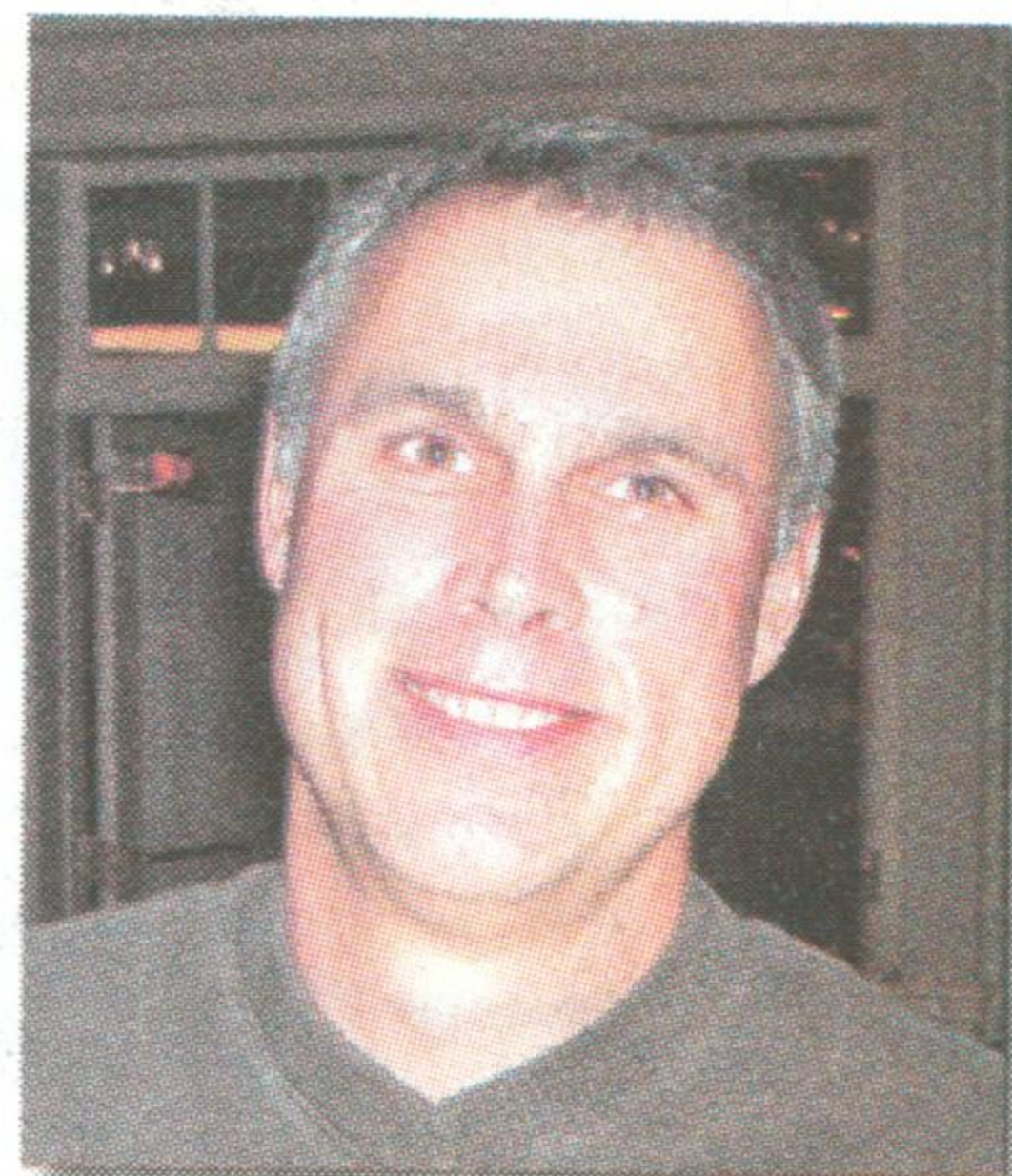
David Cousens and Tim Carroll, top. Dale Sprowl, above left, and Marlow Sonksen, above right.

Recipients of the MLA MPO of the Year Award to date:

2004	Daryen Granata
2003	Jim Princiotta
2002	Tim Carroll
2001	Daniel Morris
2000	Rene Cloutier
1999	Dale Sprowl
1998	Jim Salisbury
1997	Marlow Sonksen
1996	Jonathan Cornish
1995	Michael Pinkham
1994	David Mercier

GOLDEN V-NOTCH AWARD RECIPIENTS

"For tireless effort to maintain a healthy resource and fishery for Maine lobstermen."



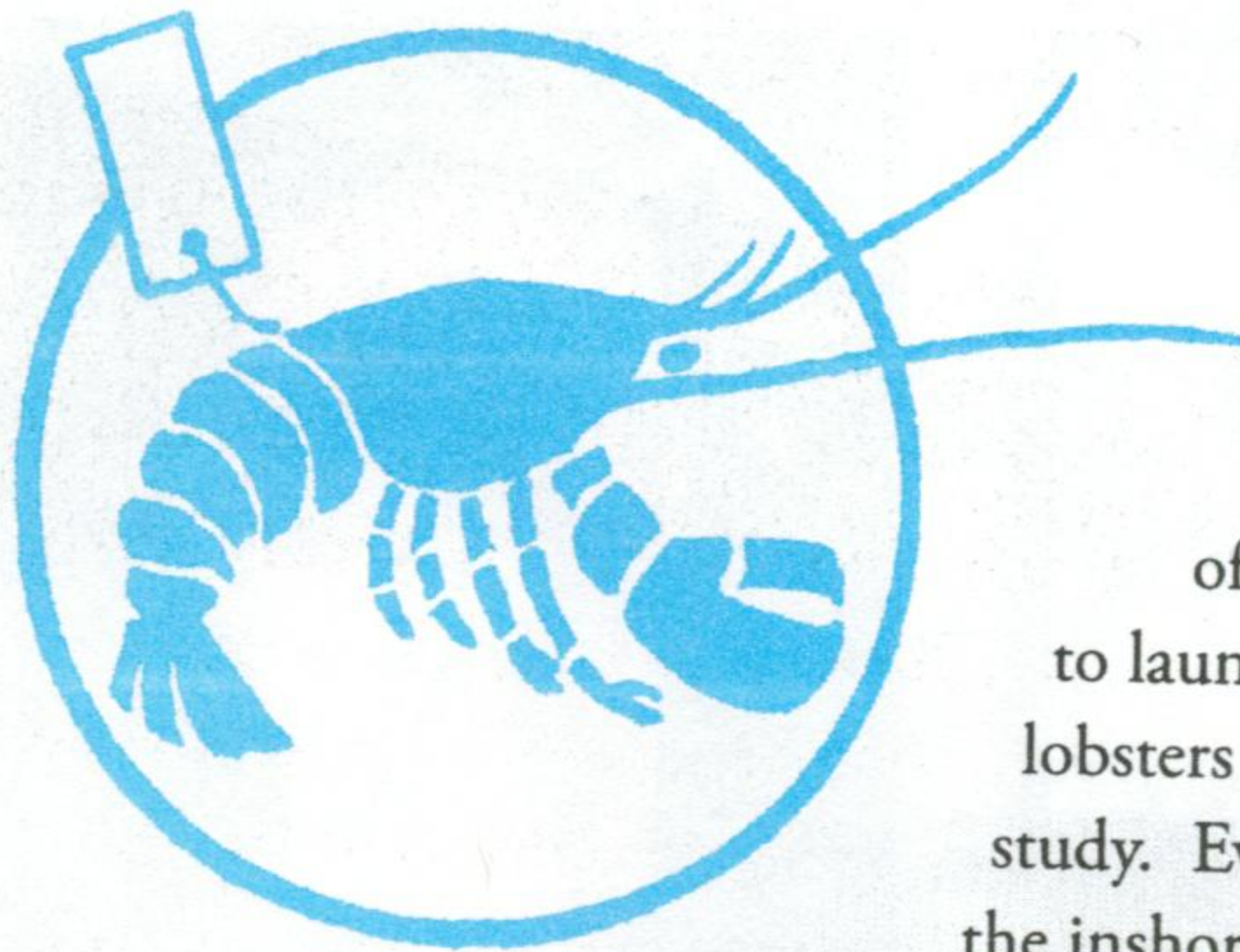
MLA's highest honor is the association's Golden V-notch Award, presented to a "deserving lobsterman who goes above and beyond the call of duty to help preserve our industry." There have been four recipients since the MLA instituted the award in 2001. Golden V-notch Award winners to date include: Jon Carter (2002) at left, Bill Anderson (2001) above center, Bob Baines (2003) above right, and David Cousens (2004) below center.

MLA CEO Pat White, left, and MLA Executive Director Patrice McCarron, right, share the moment with MLA President David Cousens during the presentation of the 2004 Golden V-notch Award at the Maine Fishermen's Forum.



Cooperative research project

MAINE LOBSTER MIGRATION STUDY



Driven by curiosity and a desire to know the whereabouts of the fishery's broodstock, the MLA began participating in cooperative research 22 years ago – long before partnerships between scientists and fishermen were commonplace.

It started in 1983 when the MLA teamed up with University of Maine Sea Grant and the Department of Marine Resources (DMR) to launch a lobster tagging study designed to track the movement of large lobsters – animals between 3-1/2" and 5" in carapace length. It was a key study. Everyone wanted to know where the bigger lobsters went after leaving the inshore fishery.

The MLA was involved in all phases of the project right from the start, including the design of the data collection system and informational documents. MLA members provided the lobsters themselves, which were purchased through the seed lobster fund, and MLA trustees and delegates served as local contacts for fishermen who had questions.

During 1983, project participants tagged, v-notched, and released 2,000 female lobsters, half from Stonington, the other half from Boothbay Harbor. DMR lobster biologist Jay Krouse and assistants did the actual tagging. They implanted the base of each tag, called the "anchor," into the skin of the lobster between the back of the carapace and the tail so the tags wouldn't be lost during shedding.

Sticking up from each anchor was a 2" piece of red plastic tubing – the "spaghetti" part of the tag – printed with an identification number and the words "UMO, Orono, Maine." As a back-up, one claw was tagged with a "bracelet."

The lobsters were v-notched so they couldn't be legally landed by Maine fishermen, who wouldn't feel they'd missed out when they recorded the tag number and put the lobster back in the water.

Lobstermen were given postage-paid postcards to record information about recaptured lobsters: the date, tag number, location, and details about missing claws, shell condition, and the presence of eggs.

Lobster dealers, co-ops, and industry associations made sure everyone had access to postcards, which, once completed, were dropped in the mail to Bob Bayer at the University of Maine, who logged the information and traced lobster movements.

In 1984, the study continued into its second year. Another 2,000 lobsters were tagged and released, but this time, 500 were v-notched *males*. Project leaders hoped to track the migratory patterns of males as well as females, but the undertaking backfired.

Before releasing them into the water, scientists made a physical alteration to each tagged male by clipping off the first pair of swimming legs – the gonopods, which guide sperm to the females during mating. They hoped fishermen would mistake the clipped males for females and toss them back overboard upon capture, which would give the males a chance of being recaptured once again to further contribute to the study.

But lobstermen weren't fooled, and they actually got mad. Following the backlash, project leaders admitted they had made a mistake.

Every study has its gaff or two, and this one was no exception. But the whole project was way ahead of its time because so many lobstermen took that leap of faith, put skepticism aside, and worked hand-in-hand with scientists to enhance their knowledge of lobster migration patterns.

MLA President and Executive Director Ed Blackmore said in 1983, "It is anticipated that this is the beginning of a long-term cooperative research program."

And that's before hardly anyone knew what cooperative research was all about.

advisory council. Blackmore had originally proposed a council with broader responsibilities for promotion of the lobster industry as well as providing the commissioner with advice on lobster issues. The bill that was signed into law didn't include the increase in license fees that would have funded a council director so the nine-member panel focused on its advisory role.

"I felt the lobster industry deserved to have its own body," Blackmore said. "The marine resources council didn't have the expertise to know what was best for our industry."

Blackmore was appointed to the lobster advisory council and elected its chairman, a position he held for several years.

NEW ENGLAND COUNCIL

Blackmore was convinced a federal plan was "hell-bent on increasing the minimum measure" to 3-1/2", a proposal that had little support among Maine fishermen overall, and practically none from MLA members.

"It is going to be a long hard fight if we are to retain our present minimum size," he said.

He thought the best chance for having a say in the federal plan was by participating in the New England Fishery Management Council. The council process was relatively new on the management scene, having been created by the 200-mile-limit bill. Councils had the responsibility of developing species management plans for federal waters fisheries. The plans, though, could only be implemented with the approval of the NMFS.

The lobster plan was still in its development stages when Blackmore attended a council lobster oversight



Debate over the lobster gauge increase/v-notch compromise and the Botsford Report packed seminars at the Maine Fishermen's Forum in 1986. From left, Ed Blackmore, Skip Greenlaw, Sonny Sprague, state Rep. Nat Crowley, William Bryant, Timothy Glidden, and DMR biologist Jay Krouse.

committee meeting in August 1981, telling the committee that the draft wouldn't get much support in Maine because it didn't give consideration to the conservation benefits of a maximum size or the protection of female lobsters v-notched by Maine lobstermen.

He was appointed to the New England council in the fall of 1981 and served one term, an experience that he described as one of the most frustrating of his career.

"My three years spent on the New England council were the most aggravating time I've ever spent. If there hadn't been two or three people on that council that I called friends, I couldn't have stood it."

FIRST KEY VOTE

Early in 1982, the council's lobster committee had a draft of the provisions that would be in the federal lobster plan. It included many of the measures talked about earlier, but there were no increases in the minimum size from the universal 3-3/16" in the plan. The committee was faced with deciding the role of the federal plan: to compliment the conservation measures that states,

which accounted for over 90 percent of the harvest, already had in place; or create a new management regime. NMFS Regional Director Allen Peterson favored the latter.

Blackmore was pressing for inclusion of some protection for the lobsters v-notched by Maine lobstermen. He explained that by notching and returning egg-bearing females to the water, Maine fishermen had an economic stake in their protection. And, they believed those females were the broodstock for Maine's stable lobster resource.

But many at the council table disagreed. Among the v-notch obstacles he heard was the contention that there was no data to support the conservation value of v-notching. Furthermore, some claimed the practice itself could cause lobster mortality by exposing the animal to risk of infection.

In one of his quotable remarks, Blackmore answered, "We may not know what the mortality is from v-notching, but we damn sure know what it is when we throw them in the pot."

He lobbied fellow council members to include v-notch protection as the body readied to decide on the lobster plan that would go out to public hearings in late summer of 1982.

"I had my votes counted," he said, "and I knew it was close.

"I asked for a roll call vote and it was tied 8 to 8."

Chris Weld, a Massachusetts council member, was the one vote left and Blackmore wasn't sure where he stood.

"He voted for it, and at that moment I really felt good about what we'd done."

The council made the landing prohibition a Gulf of Maine measure, describing an area north of a line running southeast from a point off of Portsmouth, NH.

NMFS Regional Director Peterson told the council that the justification for including the v-notch measure was weak. But there was no apology from Blackmore.

"This is definitely the position of Maine fishermen on the v-notch issue. What we're trying to do is insure the reproductive potential of the American lobster," he said. "If you want to call it a one-state issue, then the fact that 60 percent of lobster production is in Maine justifies us in doing something to protect the resource."

Anticipating the fight that was to come, Blackmore launched the first of the MLA's annual v-notch surveys that fall. The results showed that of the lobsters trapped by 215 members, at least 14 percent were v-notched.

NMFS REJECTS V-NOTCH

Following public hearings, the New England council submitted the

lobster plan to NMFS for approval. In addition to an immediate prohibition on possession of egg-bearing or scrubbed females and the landing of lobster meat, it included: a 3-3/16" universal minimum size and gear marking and vent requirements, all to be implemented in 1985; a prohibition on landing parts that would take effect in 1986; and the v-notch provision.

But Peterson gave only partial approval to the plan, which went into effect in September 1983. He sent the v-notch ban back to the council with instructions to amend the provision by extending the prohibition on the possession of v-notch to the entire lobster range within 120 days or it would be dropped.

Peterson said he gave the ultimatum because an area ban on v-notch wasn't enforceable and it discriminated against some fishermen. If it were a good conservation measure, then it should apply throughout the lobster's range.

Blackmore knew the full council would not go along with the extended v-notch protection, but he wasn't giving up.

"I don't know how we're going to deal with it, but we're certainly not going to lay down and play dead. There's a lot of politicking to do and I'm going to do it."

Many in Maine agreed, and if anything, they became more determined that their practice of v-notching egg-bearing females was responsible for a healthy broodstock and that those lobsters should not be landed.

Despite another council attempt to rework the line delineating the v-notch protection area, it was flatly rejected by NMFS.

Blackmore left the council in August 1984.

"I wasn't interested in being re-appointed," he said. "I didn't really fit the council style, and I felt I could be more effective off the council than on."

V-NOTCH/GAUGE COMPROMISE

Consideration of a v-notch prohibition in the federal lobster plan simmered just below the surface. The New England council wrote Amendment 1 to the plan, which covered gear marking and escape vent requirements along with other noncontroversial measures that easily earned NMFS approval in May 1986.

But in early 1986, lobstermen all around New England were talking about the need for additional lobster conservation measures. A package of proposals was floated at a lobster committee meeting that included a gradual 1/8" increase in the minimum size. To help neutralize Maine lobstermen's opposition to a gauge increase, the package also included a region-wide prohibition on the possession of v-notched lobsters. Several states were already on board with an increase in the 3-3/16" minimum lobster size.

Maine, operating under the Legislature's adjournment deadline, was intensely debating the gauge increase/v-notch compromise. The recently released Botsford Report confirmed the potential of a v-notch program as a means of protecting the broodstock.

But the MLA board was divided on the compromise. Director Jack Merrill, who'd read the Botsford Report, argued that it didn't say a gauge increase would help egg production. It

was more important to extend Maine's conservation measures.

A survey showed 82 percent of MLA members were opposed to a gauge increase. During a March 1986 meeting, the board voted six to four for a gauge increase in combination with v-notch protection (nationwide). The board unanimously approved a gauge increase if it were combined with 5" protection (nationwide), restricted entry, a trap limit, and v-notch protection (nationwide).

"The goal was v-notch protection," Blackmore said. "We weren't going to get that whole load. I knew we had to take what we could get after giving it our best shot. Then come back the next time."

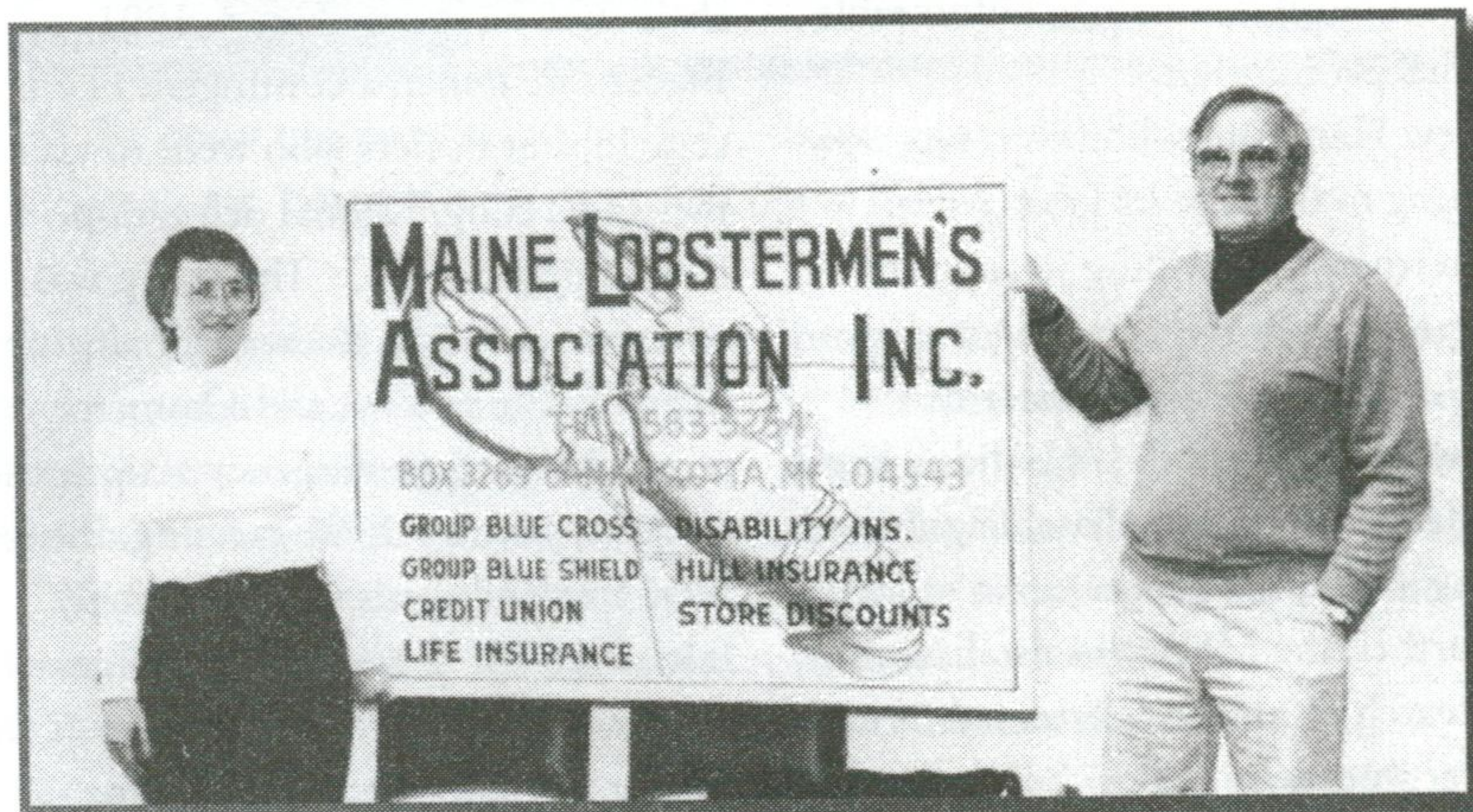
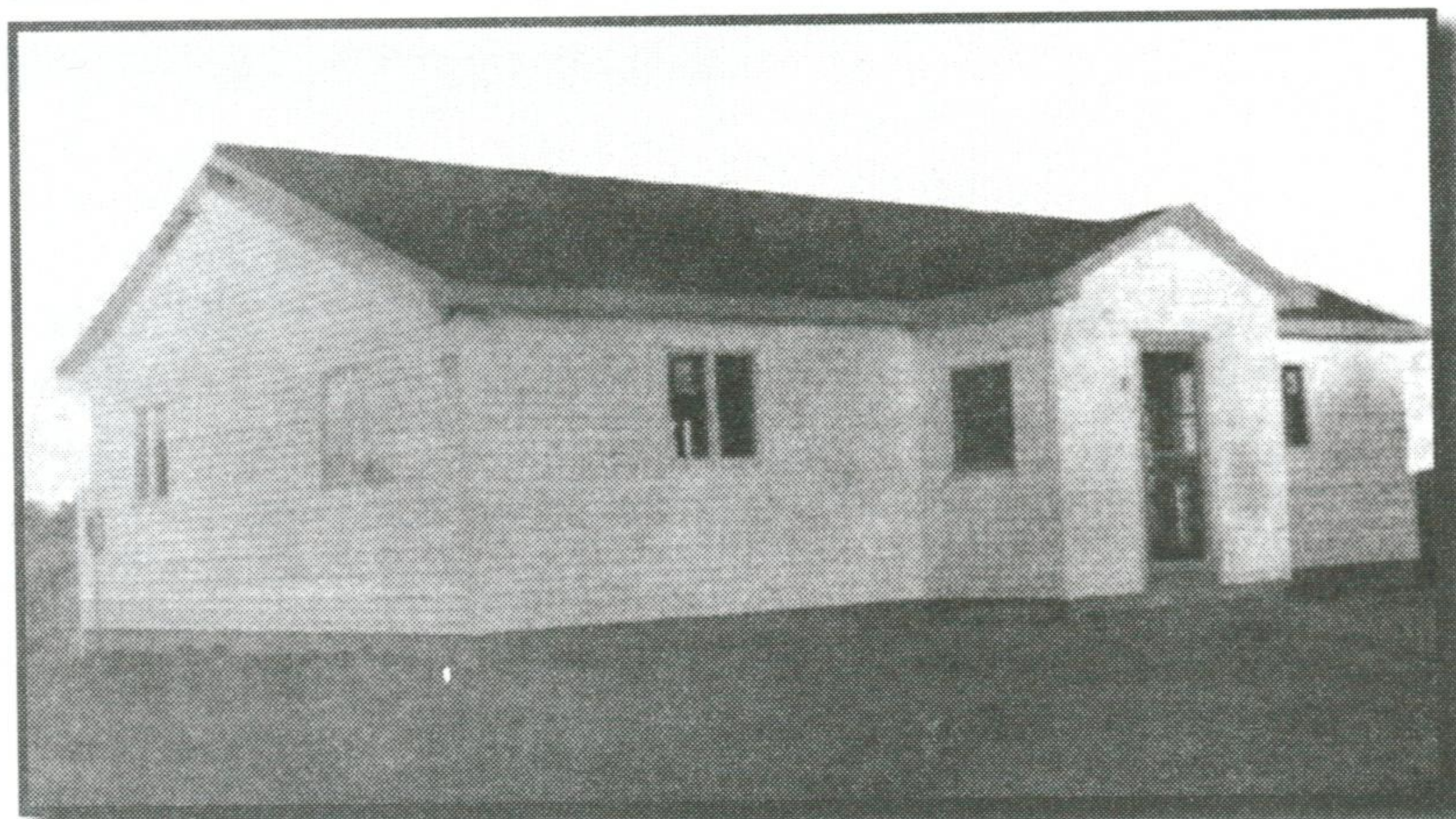
MAINE'S GAUGE LAW

In April, Maine Gov. Joe Brennan signed into law a state lobster bill, which had passed with strong majorities in both the state House and Senate. It called for a 1/8" gauge increase by 1/32" increments over a five-year period starting in 1988; national recognition of Maine's v-notched lobsters; and the establishment of a lobster research program that led to the creation of a specific lobster and crab fisheries division within the DMR's Bureau of Marine Sciences in 1990.

However, for Maine's law to take effect on Jan. 1, 1988, both the gauge increase and v-notch protection had to be approved for the federal lobster plan.

Blackmore said he thought Maine was right in enacting the law. "Other states knew just where we stood."

In order to be certain of federal recognition of both Maine provisions, DMR Commissioner Spencer



Ruth Lane and Ed Blackmore display the sign that would soon hang from the MLA's new headquarters. The MLA moved into the office building, which is located in Nobleboro, in 1985.

Apollonio urged support for a lobster bill introduced in the US Congress by Rep. John McKernan. McKernan's bill, which had gotten stalled in committee, would require that lobster imports conform to the size provisions of the federal lobster plan.

AMENDMENT 2

The New England council was ready to try again, first taking industry comments on a possible gauge increase/v-notch package at region-wide public hearings in late 1986. With the exception of New Hampshire's strong opposition to a gauge increase, the compromise was well-received by lobstermen. But their leading

comment was to include a provision in the plan to prohibit lobsters on draggers.

Amendment 2 to the lobster plan was approved by the council in June 1987. It included the 1/8" minimum size increase to 3-5/16" by 1/32" increments over a five-year period, a vent size increase, v-notch protection, and a prohibition on the possession of shorts, eggars, and scrubbed lobsters throughout the nation. It also asked for a scientific study to assess the effects of dragging for lobsters, an issue that the council said it might address at a later date.

Chapter Four - Edward Blackmore

When Jan. 1, 1988 rolled around, the lobster minimum size increased to 3-7/32" in federal waters as well as Maine, Massachusetts, and Rhode Island, with conforming size changes in the works in Connecticut and New York. The possession of v-notch lobsters was also prohibited throughout the range of the stock. That, in practical terms, became an enforceable national prohibition.

New Hampshire, however, was slow in acting to increase its lobster size. Lobstermen were willing to support going only to 3-1/4", starting with a 1/32" in 1989. Maine lobstermen, who were already at 3-1/4", didn't like the idea of their immediate neighbors having a different gauge.

Further, the MLA was also listening to research results on lobster habits and habitat studies by biologist Bob Steneck of the University of Maine. Steneck's work raised serious implications for the value of further gauge increases.

DELAY INCREASES

In early 1989, Ed Blackmore requested the New England council to delay the two remaining gauge increases until further research could be done, both on Steneck's lobster habitat work and the economic impact of the gauge increase.

The New England council turned down that request in August 1989, and a similar request in January 1990. The council stood firm in its opposition to the delay despite the persistent pleas of industry members who strongly suspected the recent gauge increases had fueled market problems. The council said both times that there was

not adequate data to justify the move to the commerce secretary.

"I'm seeing little initiative on the part of the council to pick up on this," Blackmore said in frustration. "I want to see the fishery management process work. We have to have the council support to make it happen."

While Maine and Massachusetts lobstermen worked to delay the gauge increase set to go up in their state waters on Jan. 1, 1991, Blackmore joined a contingent of state lobster dealers who went to visit the state's congressional delegation in Washington, DC. The group was effective in stating its case, convincing the delegation to ask the commerce secretary to take emergency action.

At its January 1991 meeting, the New England council begrudgingly initiated steps to rescind the gauge increases and launch a new era of lobster management. At the same time, the MLA was undergoing its first leadership change in 17 years.

CANADIAN IMPORTS

This chapter cannot close without acknowledgement of Blackmore's and the MLA's role in what came to be called the Mitchell bill and the effort put into building accord with the Canadian industry.

The lobster gauge increases on the US side of the border immediately raised the question of what happens with the legally harvested 3-3/16" lobsters imported from Canada. It was estimated that Canada exported about \$140 million of lobsters annually into US markets, and that about \$30 million would be considered undersized.

In the summer of 1989, as the Canadian government was leaning toward lobster size changes that would mirror the US schedule of four increases to reach a 3-5/16" minimum size, a contingent of Maine representatives traveled to Yarmouth,



Ed Blackmore is honored by friends and associates at a retirement party in November 1991. Ed's wife, Mary Blackmore, is in the foreground.

Nova Scotia for its first talks with Canadian industry representatives.

"As far as I'm concerned that meeting was a milestone," Blackmore said at the time. "I'm as happy with it as anything we've ever done."

However, support for the gauge increase was rapidly unraveling on both sides of the border. When Canada made no change, the stage was set for the Mitchell bill. Signed into law by President George Bush in December 1989, it prohibited the importation and interstate trade of live lobsters smaller than the US federal minimum size. The proposal had joint sponsorship by Maine's congressional delegation, but came to be known as the Mitchell bill because of the strong backing it had from Maine's US Sen. George Mitchell, Senate Majority Leader at the time.

"I can't say enough good about Maine's delegation. They are behind the interests of Maine people," Blackmore said. "Whenever you ask them for a little time and help, they give it to you."

While there were some rocky times ahead between US and Canadian lobstermen over the gauge and the Mitchell bill, they were able to continue talking.

"We needed to be able to work with the Canadians. There was mistrust on both sides, but as long as we talked we knew how much we had in common as lobstermen."

LOBSTER INSTITUTE

Another accomplishment in which Blackmore takes great satisfaction was the formation of the Maine Lobster Institute in November 1986 after more than a year of planning.

Its purpose was to create an independent body that would link the



The gavel is passed again in 1991, as incoming MLA President David Cousens, left, presents a framed certificate to retiring chief Ed Blackmore.

lobster industry with scientists at the University of Maine. It would identify lobster industry challenges, and focus research to solve them.

"We had to have the independent science," Blackmore said. "If there was one thing we learned, the feds would never really listen to us without science to back up what we knew from our own fishing experience."

The industry-funded institute was created through the combined efforts of the Maine Lobstermen's Association, the Maine Lobster Pound Association, the Maine Import/Export Lobster Dealers Association, and the University of Maine.

Blackmore was among the leaders of the groups spearheading the effort, and he was chosen as the chairman of the institute's 16-member board of advisers, a position he held for 10 years.

The idea behind the institute was to get more people involved in lobster problem solving, Blackmore said. By 1989, there was regional participation and the word "Maine" was dropped from its title, and it became The Lobster Institute. Canadians were also

brought into the fold over the years.

Blackmore received an honorary Doctorate degree in Humane Letters from the University of Maine in 1997, a tribute bestowed, in part, for his institute leadership.

In his remarks, university President Fred Hutchinson said, "Mr. Blackmore's valuable efforts and consistent commitment have made a lasting difference in the state of Maine and in the region."

That sentiment was an echo of the praise Blackmore received when he stepped down from MLA in 1991. In appreciation and recognition of his faithful service to the lobstermen's group, Blackmore was given a framed certificate that read, "The true measure of a man is in his service to his fellow man."

Brushing aside the praise for the growth and accomplishments of the MLA during his 17 years of leadership, Blackmore said, "The MLA's best days are ahead. MLA has a real future under the leadership of these new people."

MAINE DMR COMMISSIONERS

THROUGH THE YEARS

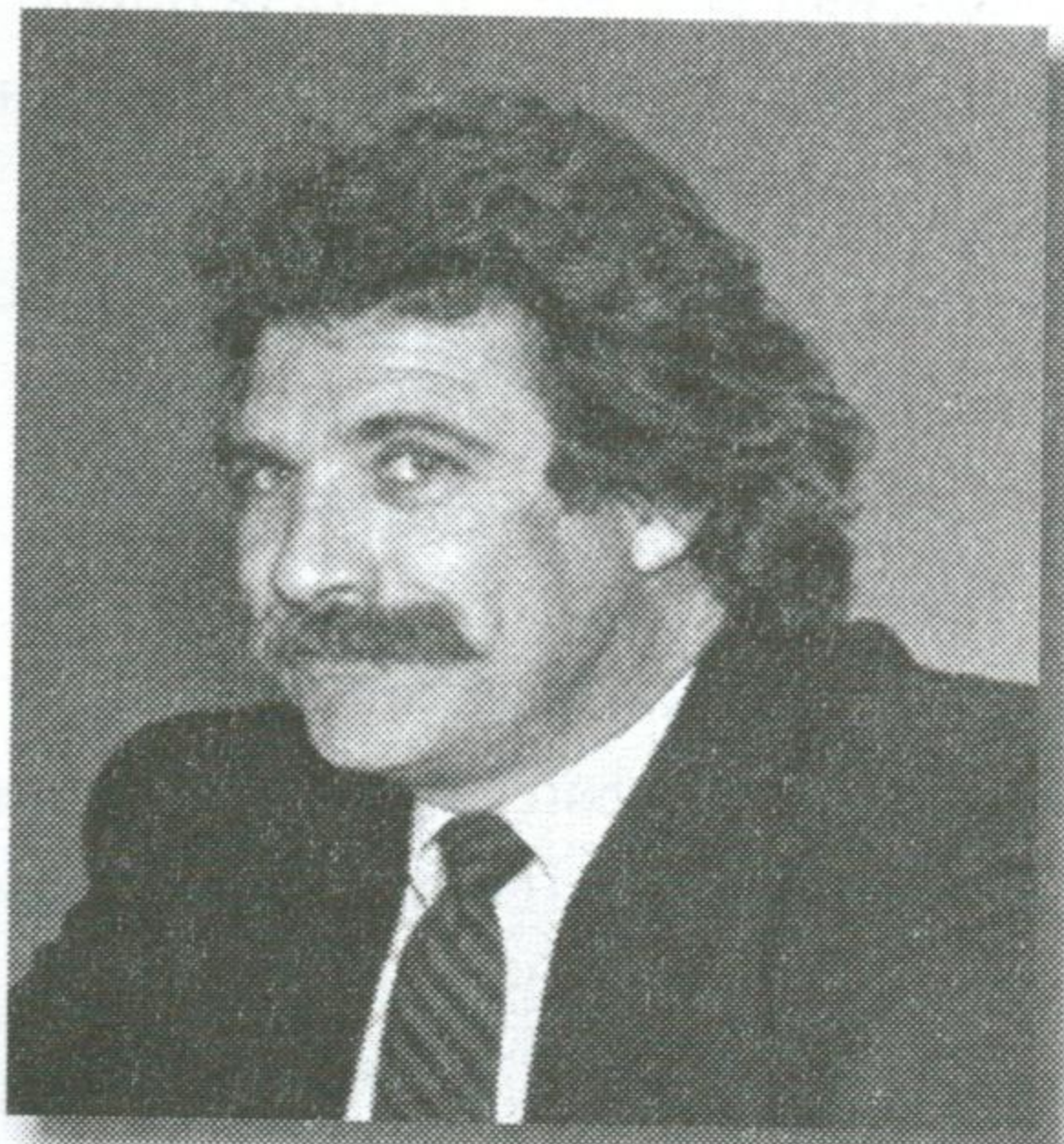
The five Department of Marine Resources commissioners who have served since the agency was created in 1973 from the Department of Sea and Shore Fisheries.



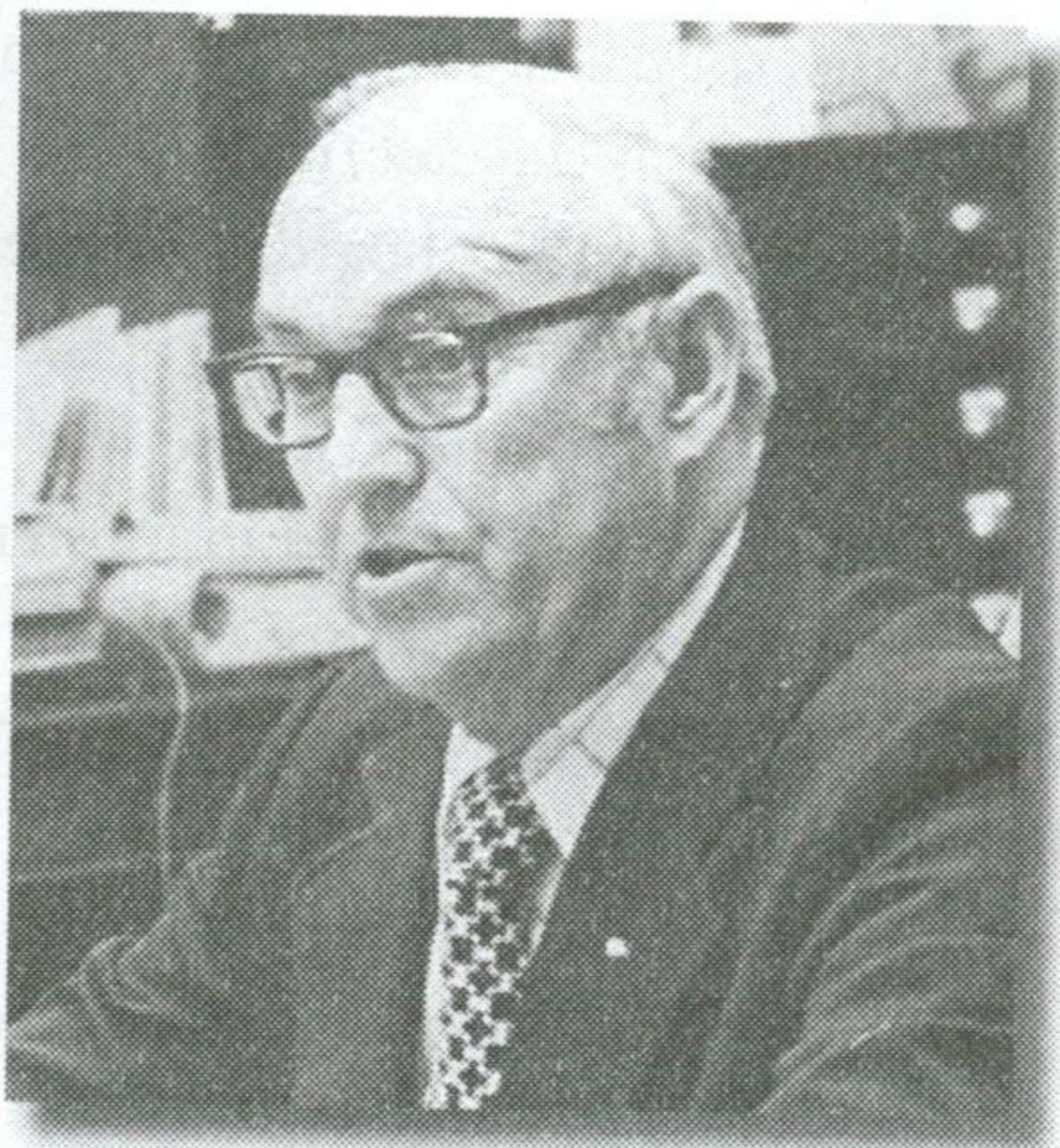
Robin Alden, 1995-1997.



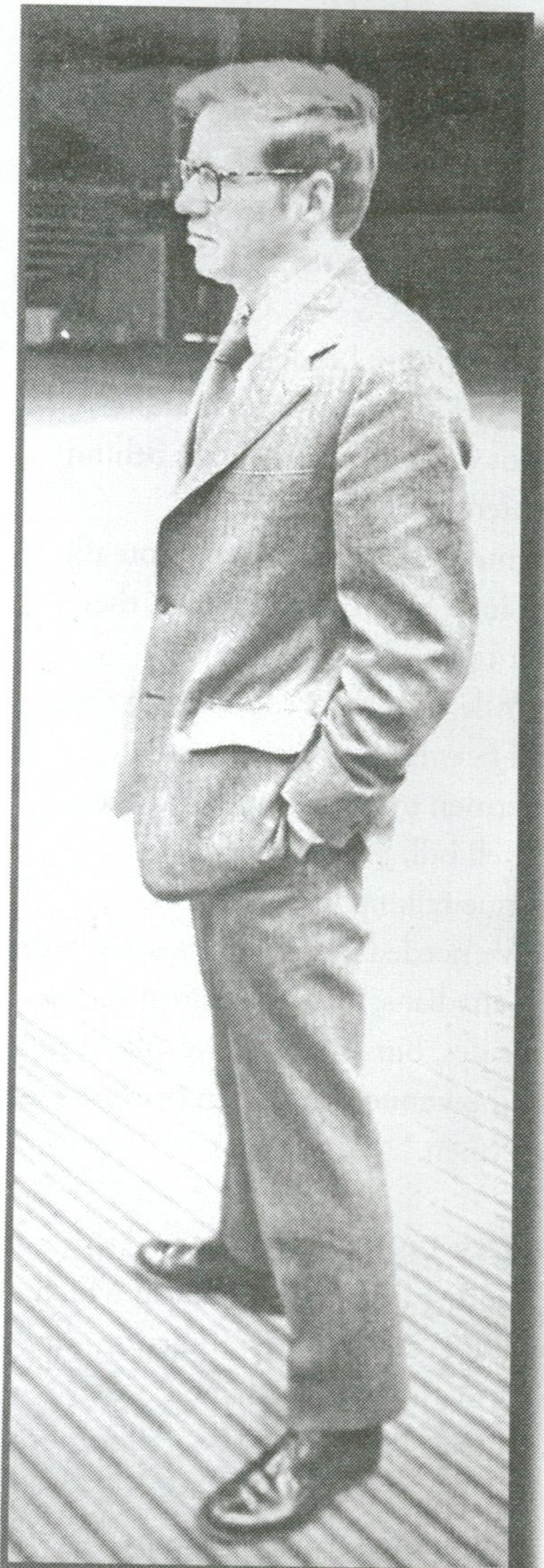
George Lapointe, 1998 to present.



Bill Brennan, 1987-1995.



Vinal Look, 1976-1979.



Spencer Apollonio, 1973-1976 and 1979-1987.

Chapter Five

David Cousens/Pat White

The Maine Lobstermen's Association leadership team since 1991 has been David Cousens, president, and Pat White, executive director.

David Cousens was 33 years old when he became president of the MLA. It was June 29, 1991. Ed Blackmore had been president and executive director for roughly 17 years and was ready to step down, so he and Cousens came to an agreement. Blackmore said he would serve another year or so as executive director if Cousens took over the presidency.

The transitional period was a good one for Cousens, but it also made him realize that being both executive director and president would be a huge amount of work, especially for someone who still fished for a living.

That's why he wanted to team up with Pat White, who back then was a 51-year-old lobsterman from York.

"We went to the board and said, 'This job is too much for one person,'" recalled Cousens. "They said, 'OK.' So Pat and I took over the job as a partnership."

White was officially hired as executive director on Jan. 1, 1992, and he and Cousens received strong back-up from Bill Anderson of Lubec, who was MLA's first vice president, and Jack Merrill of Isleford, who was second vice president.

The four fishermen communicated constantly and received additional help from a dedicated board of directors, which included core MLA members like Arnie Gamage Jr. of South Bristol, Brian McLain of New Harbor, Jon Rogers of Orr's Island, Jay Smith of Kittery, and even Ed Blackmore himself.

In the beginning, Cousens thought he'd assume the role of MLA spokesman while White handled the business aspects of the organization.

"But in a year, it all merged," said Cousens.

Issues heated up and, soon, both men were working on everything together.

"I bet Pat and I talked every day

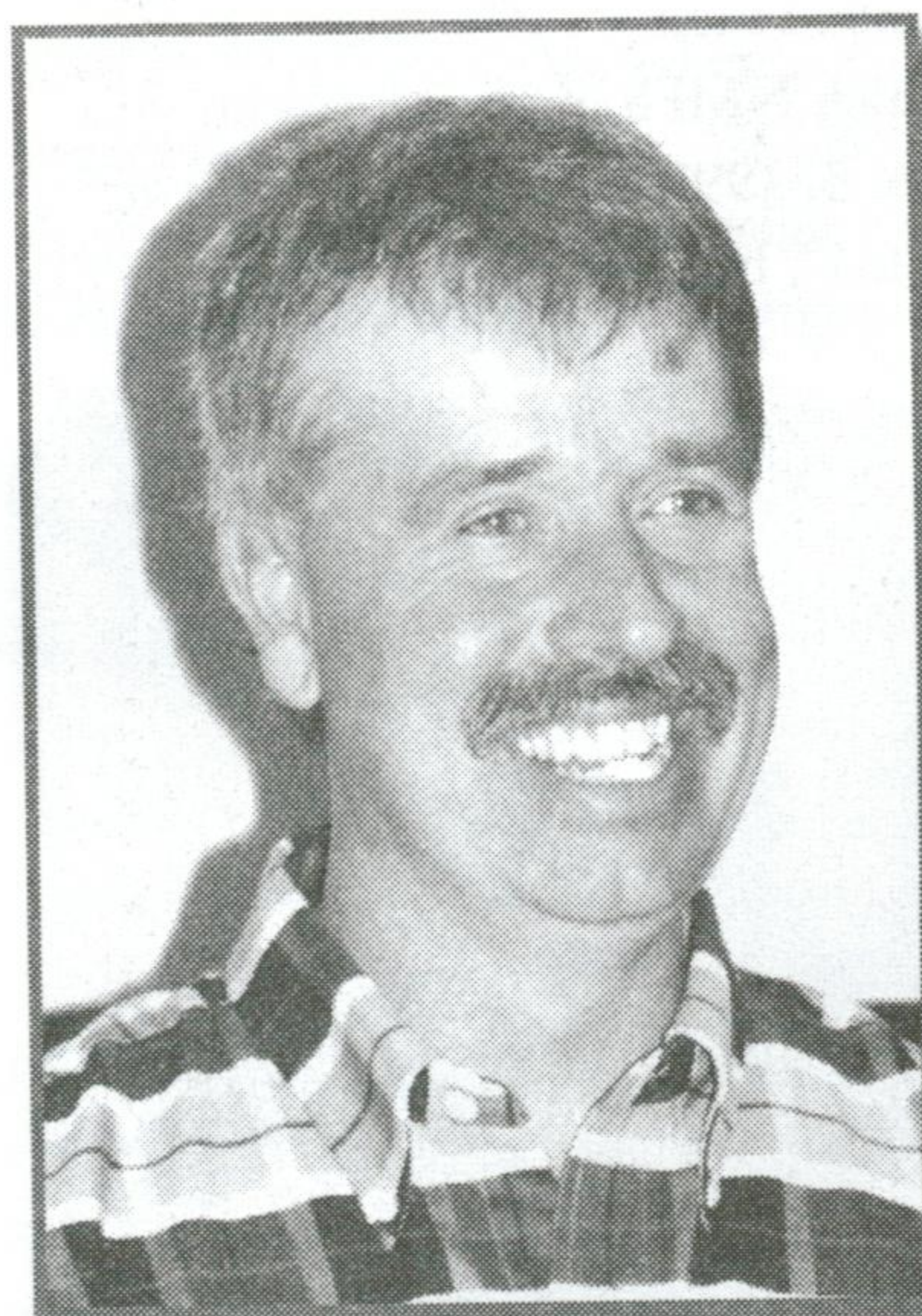
during the 1990s," said Cousens. "We had a great partnership. We just clicked."

Cousens never took the ease of that relationship for granted.

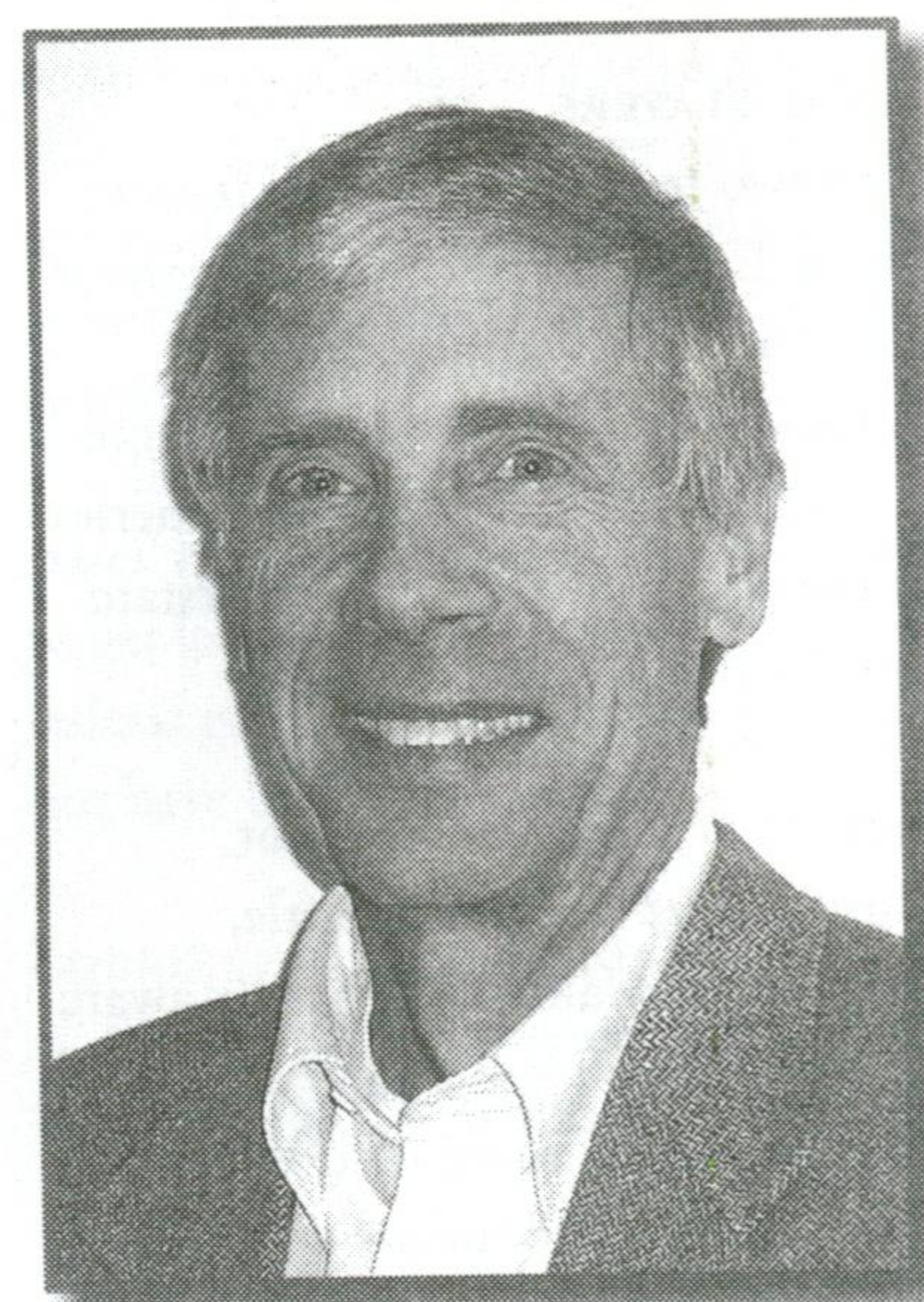
"I know it's something that doesn't happen a lot," he said.

White, too, recognized that their bond was something extraordinary.

"We're really two very different people, but it's amazing how compatible we were," White said. "I don't think we ever argued about a single issue. Not one. We had common goals. We were both there to protect our industry and maintain a healthy resource."



David Cousens.



Pat White.

STOPPING THE GAUGE

For the next decade, Cousens and White barely came up for air.

"We had a lot on our plate," said Cousens. "It was a busy, busy time, and back then, I was missing a lot of fishing days to go to meetings."

It all started with the fight to stop the gauge.

Throughout the Northeast, the lobster industry was in the middle of a program to increase the minimum lobster size. Four $1/32$ " increases were scheduled to be implemented over a five-year period. The first two went into effect in 1988 and 1989, bringing the minimum gauge to $3-1/4$ ". By design, 1990 was a rest year.

Cousens and White stepped into their new MLA roles right when lobstermen from Maine and Massachusetts began rallying against the next two increases. The economy was slipping into recession, and industry feared the market couldn't absorb the last two increases, which would bring the gauge to $3-5/16$ ".

FEDERAL PLAYERS

The two major federal players were the New England Fishery Management Council and the National Marine Fisheries Service (NMFS). Plus, there was the Atlantic States Marine Fisheries Commission (ASMFC), the interstate player the MLA had so far been involved with only superficially.

Jack Merrill recalled that not too long before the gauge battle, lobstermen in Maine were hardly aware of the role of the New England council.

When Ed Blackmore tried to get the board up to speed about the council's activities during his own leadership days,

the board, in essence, was in a "yeah, yeah" mode. There hadn't been anything the MLA couldn't handle within the state or through Congress, so how could this New England council be relevant?

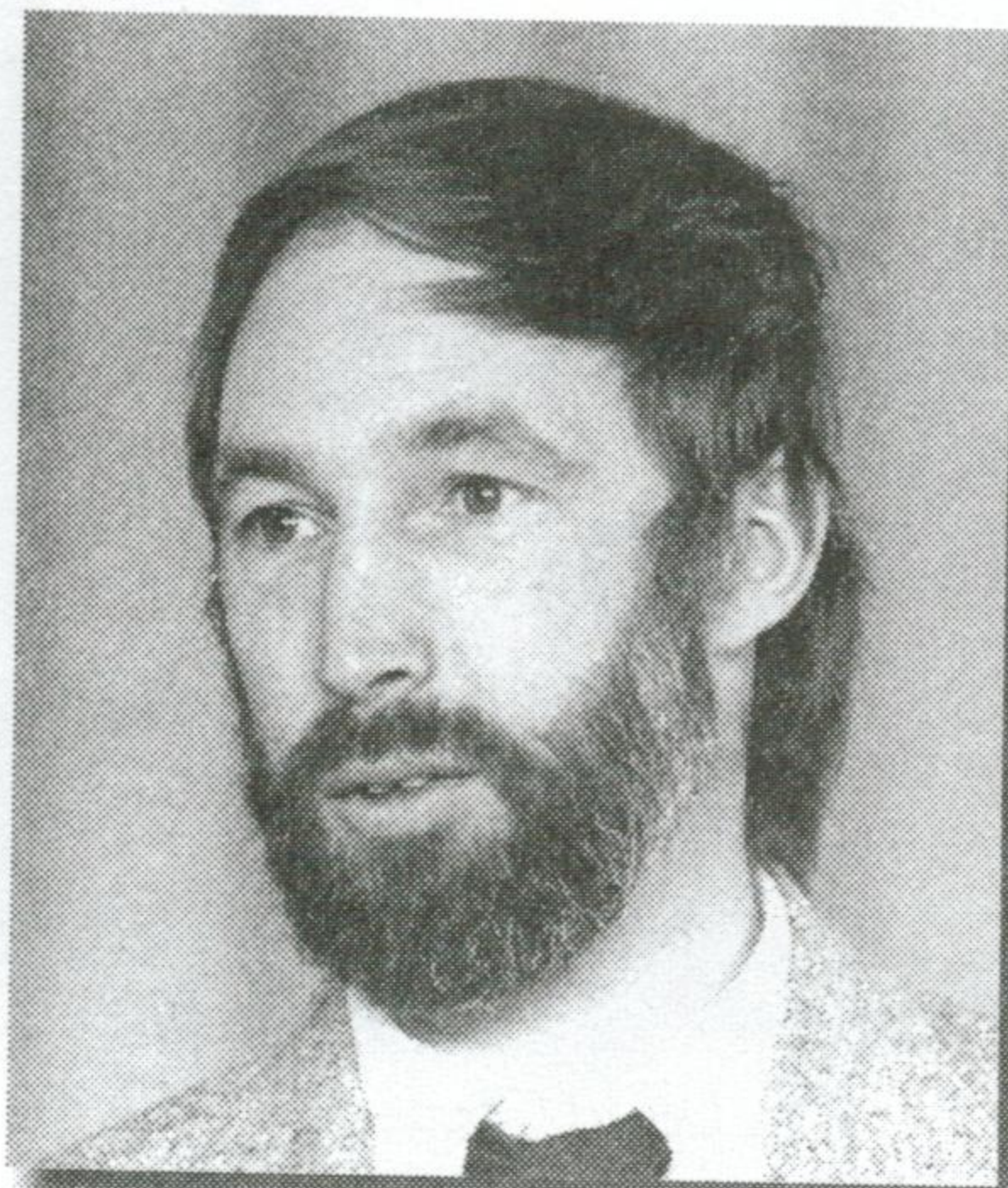
"We just said, 'Well, Eddie can go tell them we need the v-notch,'" said Merrill.

All of that changed once the fight to stop the gauge heated up. Without the New England council's action, lobstermen couldn't stop increases on the federal level. They quickly realized that even if individual states kept the gauge at $3-1/4$ ", the industry would be thrown into chaos if the gauge kept going up in federal waters.

A TEMPORARY FREEZE

The New England council, thanks in large part to the persistence of the region's state directors, listened to industry. Bill Brennan of Maine, Phil Coates of Massachusetts, and David Borden of Rhode Island became huge factors in the debate.

In early 1991, the council agreed to recommend to NMFS a delay in further gauge increases. It developed Amendment 4 to the lobster plan, which NMFS implemented on Jan. 3, 1992, freezing the gauge at $3-1/4$ ", but only until Dec. 27, 1993.



Bill Anderson.

This created a new deadline and a new problem. NMFS said it wouldn't drop the next two gauge increases permanently unless the council came up with a replacement conservation strategy. The council, on the other hand, didn't have the resources or staff to develop another lobster amendment.

The council turned to industry, saying lobstermen would have to do the legwork for Amendment 5. And time was short – the new plan had to be submitted to NMFS before the temporary freeze expired.

WORKING GROUP

The council established the Lobster Industry Working Group in the spring of 1992 to develop this region-wide management alternative. The MLA's Pat White and Jim King of Long Island, NY were selected to co-chair the group, which worked diligently to reach consensus.

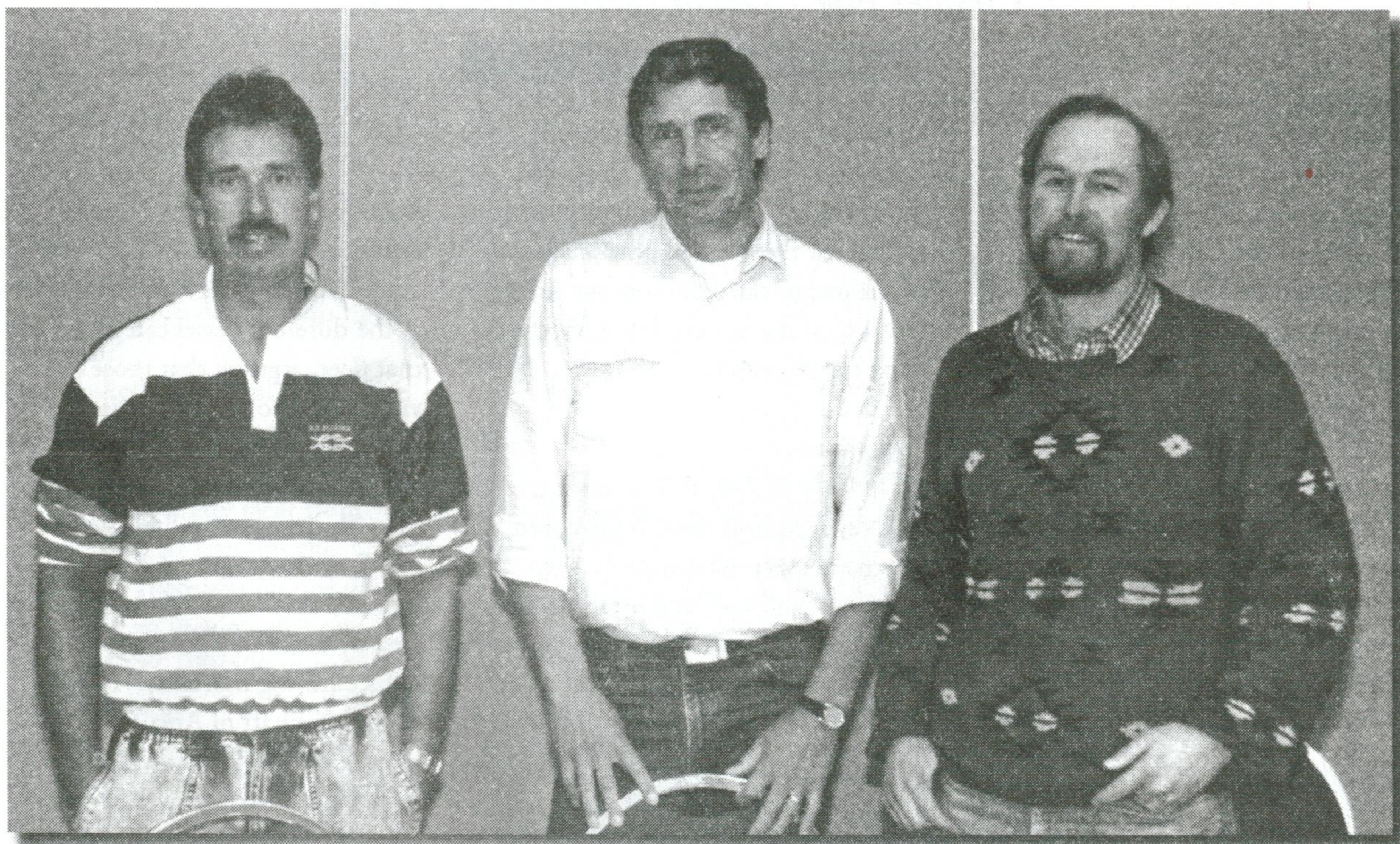
Around the same time, Bill Fox, who was head of NMFS, agreed to find resources to contract outside help to flesh out the working group's consensus, taking the burden of plan development off the council's shoulders.

The MLA played a huge role in gaining Fox's ear, and David Cousens believes this was indicative of how the MLA operated in general.

"We always talked to the people we knew we needed to talk to," he said.

INDUSTRY PLAN

The working group submitted a 12-point plan to the council in short order, and in January of 1993, the council agreed to allow the four-page proposal to be developed into draft Amendment 5.



The new MLA leadership in 1992 includes, from left, David Cousens, president; Pat White, executive director; and Jack Merrill, second vice president. Bill Anderson, first vice president, is pictured on the previous page.

Bill Fox's earlier pledge of financial support came through, and NMFS designated the MLA as "project coordinator." NMFS put aside over \$30,000 for "sole source contracts," which the MLA used to hire specialists to develop the social, economic, and biological components of the amendment.

The MLA selected biologist Bob Steneck and economist Jim Wilson, who further asked for help from anthropologist Jim Acheson, to complete the task. All three were from the University of Maine.

"They turned our four-page plan into a 100-page plan," said White.

By May of 1993, the University of Maine team's draft amendment was handed over to the New England council, which reviewed it, sent it out to public hearing, modified it, and

eventually submitted it to NMFS.

Bill Brennan, who was Maine's commissioner of marine resources from 1987 to early 1995, believes the gauge situation forced the MLA to operate on a completely different scale, one that hadn't been necessary up to that point.

"It marked the real beginning of the MLA's involvement in federal management," said Brennan. "It was once they wanted to stop the gauge increase that they became fully engaged in that arena. I think it was a very significant period of time."

AREA MANAGEMENT

The draft contained industry's proposal to manage the fishery on an area-by-area basis through Effort Management Teams (EMTs). This groundbreaking approach recognized that the fishery in Jim King's back yard on Long Island was vastly different from the one in Downeast Maine or

Southern New England.

According to Brennan, New England's state directors were extremely supportive of the area management concept.

"We said, 'Why can't we divide the region into broad areas?'" he recalled.

As time passed, the state directors became more and more adamant that management of the lobster fishery had to be taken away from NMFS and the council and handed over to the states, Brennan said.

"From our perspective, this was a states' rights issue," he said. "We wanted to get lobsters out from under the federal government. The fishery should not have been federalized to begin with."

LOBSTERS ON DRAGGERS

One of the components of the Lobster Industry Working Group's plan

was a ban on the landing of lobsters with mobile gear.

The groundfish fleet immediately protested, and the New England council began to worry that the ensuing battle over a mobile gear landing ban, as well as another working group objective of achieving some sort of limited entry, would derail all efforts to submit Amendment 5 by the Dec. 26, 1993 deadline.

The council "encouraged" lobster trap fishermen and mobile gear fishermen to develop a compromise by March 31, 1993.

These talks had their memorable moments – to say the least – and David Cousens' voice still rises when he thinks back on them.

"The lobstermen went into those meetings with zero as a target, and the draggers went in with something like 10,000 pounds," recalled Cousens. "We said, 'OK, you prove you've been catching 10,000 or 20,000 pounds of lobsters per trip.' But they couldn't. It was all shack. So we said, 'Well, how could this be such an important part of your income if there are no records of it?'"

Threats and accusations flew on both sides. At one point, the two sectors reached a tenuous consensus to allow mobile gear vessels to keep 100 lobsters, along with some type of different recognition for vessels that could document higher landings.

But that precarious agreement broke down during a March 30 meeting. Industry representative John Bullard of New Bedford, who facilitated the discussions, reported to the council that the talks had stalled.

"Those meetings were awful and

kind of scary sometimes," recalled Cousens. "They (the draggers) had the attitude, 'No one's going to shut us down.' But we had practically the whole rest of the world on our side. Outside of the eastern US, nobody drags for lobsters."

AMENDMENT 5

At its Dec. 8-9, 1993 meeting, the New England council approved Amendment 5, which would keep the gauge at 3-1/4" and establish the foundation for area management.

The amendment also contained a potential 100-lobster limit for nontrap vessels, a possible nontrap target quota, and vessel categories based on whether nontrap boats could document historical lobster landings, which were the backbone of the initial but unpopular industry "consensus."

While the council beat the Dec. 26 deadline, NMFS still needed to review the document, so on Dec. 28 the agency announced another 146-day delay in further gauge increases.

Also in December, Congress passed the Atlantic Coastal Fisheries Cooperative Management Act, a landmark piece of legislation that authorized the use of federal sanctions against state fisheries that failed to comply with ASMFC plans and, for the first time, put some real teeth into ASMFC management.

State directors then started thinking seriously about shifting lobster management over to ASMFC. And the MLA leadership strongly supported that tactic.

NO DRAGGER LIMIT

On May 11, 1994, NMFS announced that it had "partially disapproved" Amendment 5. To industry's relief, NMFS did freeze the gauge at 3-1/4" and OK'd the regional

management approach, among other things. But it shot down the lobster landing cap for the trawl sector, as well as the different vessel categories for that fleet, arguing that those provisions violated one of the Magnuson Act national standards.

Nonetheless, the council carried on with the approved parts. The EMTs were set up and given a Jan. 20, 1995 deadline to submit area-by-area management plans to reduce fishing mortality. Inshore Maine was part of Area 1. MLA representatives fought hard on the Area 1 EMT to earn conservation credit for v-notching and the 5" oversize measure.

That summer, the council submitted the EMT plans to NMFS as a framework adjustment to Amendment 5. NMFS demanded tough regulations for state waters. State directors continued their fight to wrest control over the fishery from the feds and, in February of 1996, NMFS announced its intention to withdraw the federal plan.

SNOWE AMENDMENT

It was an extremely turbulent time. The lack of an "appropriate" cap on dragged lobsters deeply troubled the MLA and affected the EMT efforts to come up with area management approaches.

In the end, with no good solution in sight, the association turned to US Sen. Olympia Snowe (R-ME) for help. At the MLA's request, Snowe drafted an amendment to the 1996 Sustainable Fisheries Act that put in place today's 100-per-day/500-per-trip limit on lobsters taken with any type of gear other than pots or traps.

Deeply grateful to Snowe for settling the matter, the result was nonetheless a blow to many MLA members who believed the whole practice of lobsters on draggers should be prohibited.

Jack Merrill remembers receiving phone calls from David Cousens right up to the wire.

"David asked me several times if we should go for this. We knew Sen. Snowe was waiting," said Merrill.

"I think it was pretty clear from our perspective that zero was the right number. There was no one who wanted to give an inch on that one. But it seemed like 100/500 was the best we were going to get, so we took it. We did compromise on this one issue."

VALUES ISSUE

The very mention of lobsters on draggers brought out more emotions among MLA members than maybe any other issue on the table.

Jack Dunnigan, who was ASMFC's executive director through this period, clearly recalled the passion it raised in Cousens.

"You know, there were times when Dave was one of the hotheads, and on the trawl issue, you couldn't even talk to him," said Dunnigan. "He had a values perspective that lobsters should not be kept by trawlers. Period."

The congressional action made further debate on the dragger issue moot.

"The Snowe Amendment made a huge difference," Dunnigan said. "We were talking about what was right and what was wrong, and then that was taken out of our hands. It sort of reset the boundaries for the discussion."

George Lapointe was the head of ASMFC's interstate fisheries management program when the



David Cousens does a little show-and-tell with a lobster trap during a meeting on gear marking requirements proposed in the large whale plan in 1997.

Snowe Amendment was passed.

He, too, remembered the dragging issue as being paramount to the MLA and Maine lobstermen in general.

"Maine wanted a ban on dragging throughout the range," he said. "They went at it time and time again because they believed in it so strongly."

ASMFC'S PLAN

Around that same time, ASMFC shifted into high gear. It began developing Amendment 3 to its interstate lobster plan and, recognizing the hard work already put in by the EMTs and the former Lobster Industry Working Group, the commission simply incorporated industry's area management concept into its own program.

However, instead of EMTs, ASMFC set up Lobster Conservation Management Teams (LCMTs) and created seven management areas.

Maine again ended up in Area 1, still the Gulf the Maine, though some of the state's lobstermen also fished in the offshore waters of Area 3.

ASMFC approved Amendment 3 in December of 1997. The states went home to implement the measures. NMFS, however, still hadn't withdrawn the federal plan and threatened not to do so, charging that ASMFC hadn't addressed overfishing. ASMFC practically begged for time to allow its new LCMTs to develop area-specific measures.

MANAGEMENT SHIFTOVER

NMFS came out with its own rule in the spring of 1998, and the lobster industry went wild. The federal plan included drastic trap reductions as a back-up to ASMFC's plan in case the commission failed to reduce effort. For

most Maine lobstermen, the trap limit would have started at 800 and have been reduced by 10 percent per year to 480.

The industry's collective fury sent a clear signal to NMFS, and in January of 1999, the agency published a proposed rule to withdraw the federal plan and shift management over to ASMFC. NMFS would continue to implement compatible measures for federal waters to cover the offshore lobster fleet.

Jack Dunnigan remembers the management changeover well.

"That shift took forever to make happen at the commission level. But you know, at the time, I think we were breaking new ground," he said.

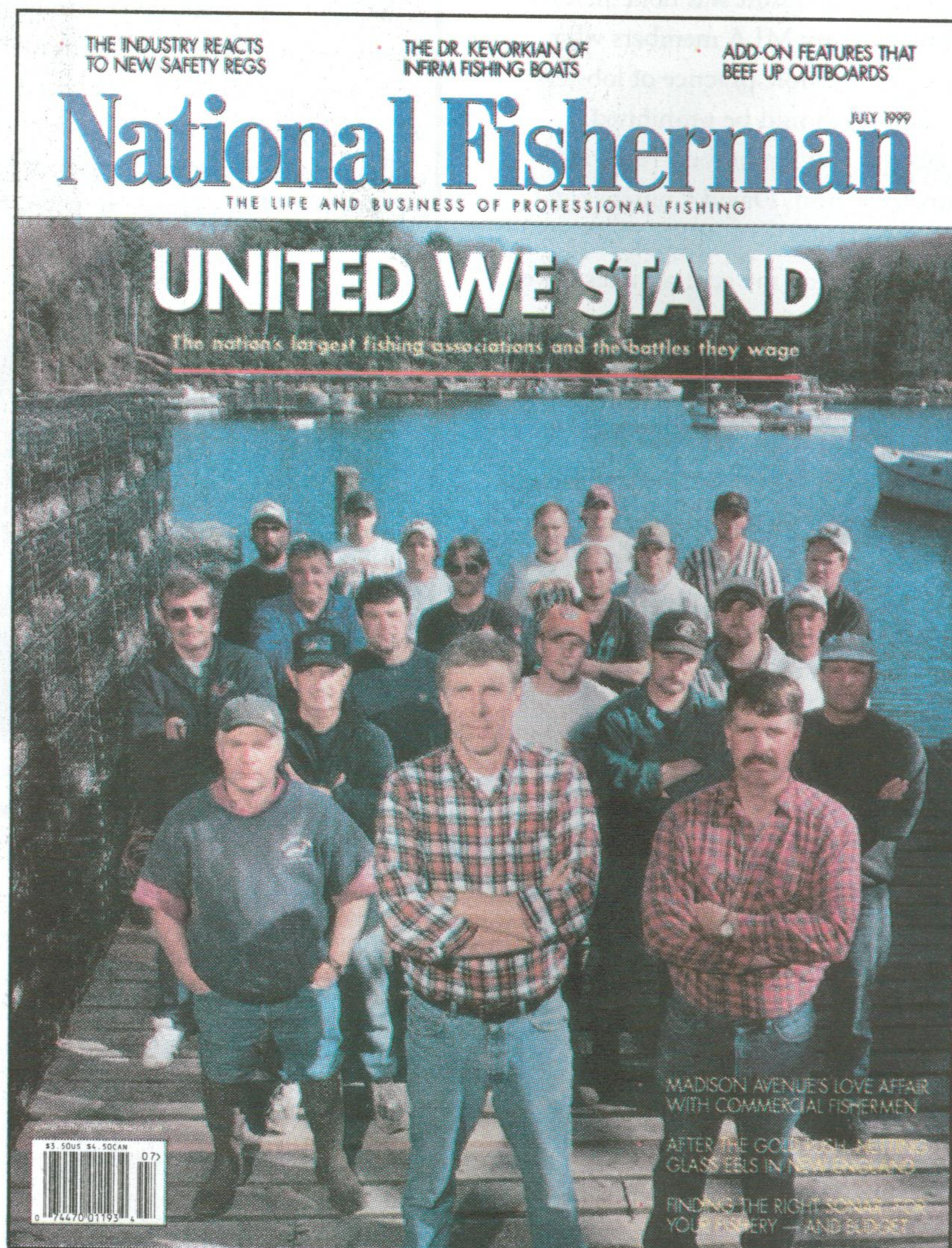
George Lapointe, still at ASMFC during the shift, said, "The MLA was heavily involved in that process. They knew they had to be because it was a big change."

DIFFERENT MINDSET

Those days in the early-to-mid-1990s weren't always easy for Bill Brennan, but, to this day, he remains proud of the end result.

"There were some very painful times and I certainly had a few sleepless nights, but I still see it as the biggest success during my time as commissioner," he said. "We started this transition toward another form of management, which was self-governance. Yes, it's more time consuming, but it's much more rewarding. Fishermen have much more control over their destiny now."

Of his interactions with industry, Brennan said, "I think I developed really good relationships and friendships with people in that industry



When the *National Fisherman* did a special cover story in its July 1999 issue on commercial fishing organizations in this country, the Maine Lobstermen's Association was one of the featured groups. The MLA scored in an effective cover photo, which included members, front row from left, Arnie Gamage Jr., Pat White, and David Cousens.

and in the MLA. There was a lot of mutual respect."

ZONE COUNCILS

Even before the transition from federal to interstate management was complete, the state of Maine embraced the self-governance philosophy. In 1995, the state Legislature approved the

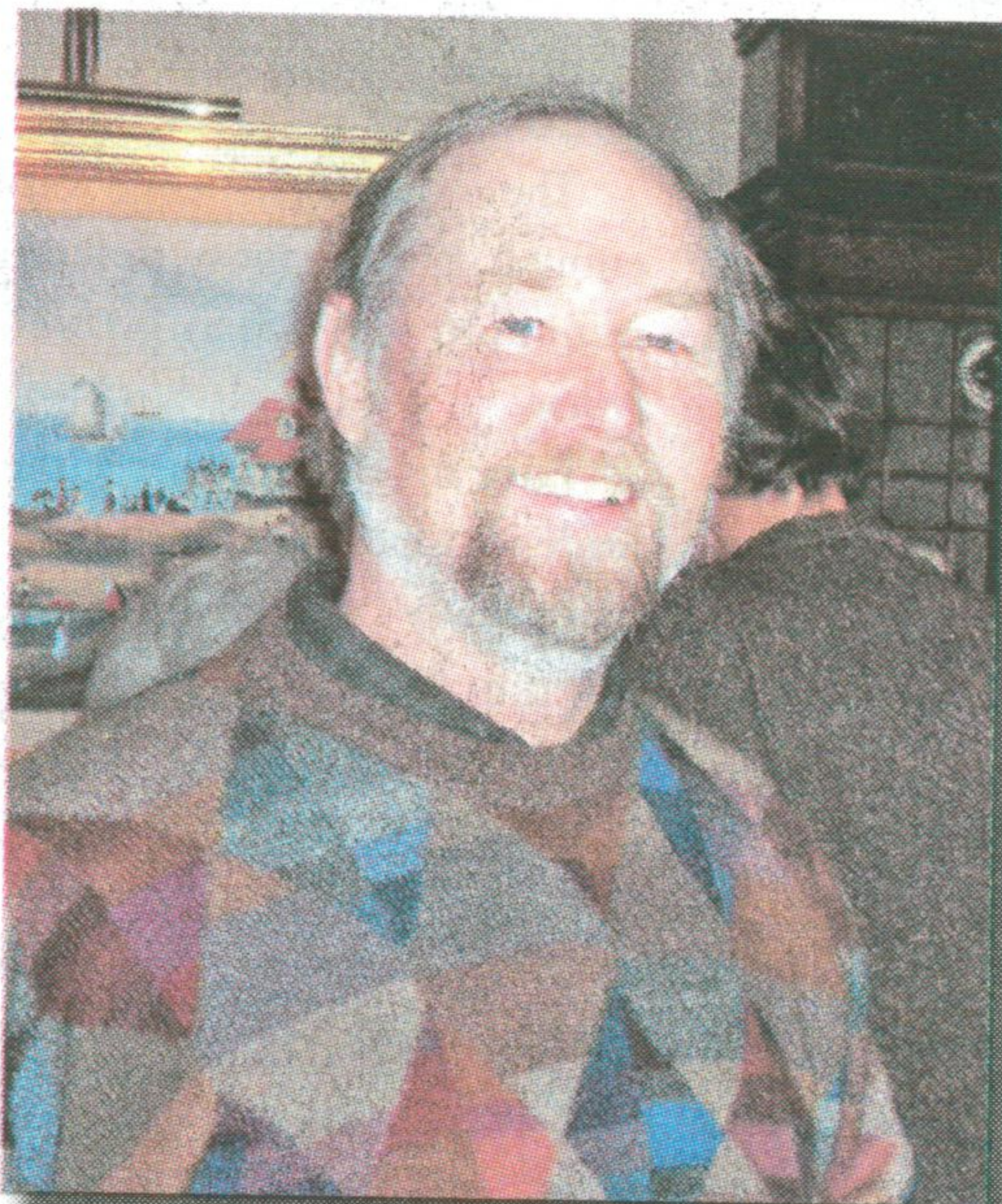
formation of industry-governed lobster zone councils.

Robin Alden assumed the job of DMR commissioner in February of that year and was immediately thrust into an active legislative session.

The MLA had submitted a trap limit

Bob Steneck of the University of Maine, lower right photo, is the first scientist to really break into the MLA family in a big way. Steneck believes it was Brian McLain and Arnie Gamage, who helped him gain his first important foothold in the world of working lobstermen. In the photo at right, from left, Elliott Thomas, Gamage, and McLain at a lobster seminar.

Among several projects, Steneck is appreciated for his research cruises to document the location of lobster broodstock. Jack Merrill, below, had a chance to dive in a submersible during Steneck's 1997 research trip.



bill, which was on the table for debate.

"I had always been a supporter of trap limits," recalled Alden.

But she was also well aware that lobstermen in Casco Bay fished big gangs of gear, and people Downeast had their own way of doing things.

"We had to figure out, 'How can we make this work when we have so many different opinions within

the state?'" Alden said.

The zone idea was perfect. People in different parts of the state could decide what was best for the fishermen in their area. They could choose their own trap limits.

"Trap limits were an intractable problem for the Legislature in the state of Maine," said Alden. "It became not-intractable by using zones."

Alden is the first to admit that she and the MLA didn't agree on the

limited-entry issue. She believed that limiting entry into the lobster fishery in Maine was an enormous prospect that involved "a huge culture change."

Instead, Alden supported a controlled-entry system so that existing participants had to qualify for guaranteed entrance to the fishery and new participants had to go through a two-year apprenticeship program. The

MLA wanted more, but Alden felt that this, by itself, was an enormous step.

The Legislature didn't adopt the zone bill until the last day of its legislative session on an extremely hot night in June.

"Pat, David, and the others worked the halls," recalled Alden.

And she gave them credit for it.

"It's an amazing organization," she said of the MLA. "They're a powerful lobbying group. It was their bill that sparked the (creation of zone councils)."

SEVEN ZONES

Initially, interim zone councils were appointed to establish boundaries, bylaws, and an election process. But once the seven zone councils were up and running for real in 1997, they began making decisions about trap limits, numbers of traps per trawl, and fishing time. By 1999, the Legislature even gave the zones authority to propose limited entry.

Pat White was a strong supporter of the zone process from the start.

"They were kind of an offshoot of the EMT process. That's where the ball got rolling," recalled White.

The initial response to zone management was mixed, with MLA members both for and against. But now, more members have become comfortable with the concept.

"I think the zones are a great thing," said White. "They've brought a lot of good people out to aid in the management process. I've been heartened to see the number of people participating. It's cooperative-governance with everyone working together."

George Lapointe sees the zone

councils as remarkable communication vehicles.

"Their greatest benefit has come from providing a stable, regular structure for communicating information up and down the ladder," he said.

But he also admits, "We went through a lot of angst to make them as effective as possible."

TRAP CAP

The Maine Legislature next needed to implement ASMFC's Amendment 3, which the MLA supported. Measures in the amendment included a schedule that capped traps at 1,200 in 1998, 1,000 in 1999, and 800 in 2000.

However, a half-dozen lobstermen, including one MLA board member, vehemently fought the reduction schedule and threatened to sue. They lobbied hard in Augusta and tried to convince legislators to oppose the bill and prevent the ASMFC directive from being codified into state law.

That group lost and the trap limits went in, but Pat White was troubled by the challenge. For years, he and Cousens, with strong support from MLA officers and the board, had fought for area management through ASMFC,

convinced that it was in everyone's best interest.

Yet, White noted that the challenge brought out the best in the MLA.

"The guys were great," he said. "We had different people every day rotating through Augusta drumming up support for the trap reduction schedule."

As it turned out, six of Maine's seven zone councils voted in 1998 to adopt the ASMFC trap reduction schedule, and one zone voted to take the limit even farther – all the way down to 600 traps in 2000.

ESCAPE VENT INCREASE

The trap cap challenge was bad enough, but the move to increase the minimum vent size to 1-15/16" was worse.

Prior to Amendment 3, the MLA leadership polled its members. NMFS had already threatened trap reductions down to 480 if ASMFC failed, so the MLA essentially asked, "Do you want big trap reductions or Amendment 3's vent size increase?"

"Well, everyone said, 'We'll take the vent size increase,'" recalled Cousens.



Lobster association executive directors, left, Bill Adler of Massachusetts and Pat White of Maine.

The DMR Advisory Council voted to support the bigger vent, recognizing it was required by ASMFC's Amendment 3. George Lapointe, who was barely into his first year as DMR commissioner at the time, supported the action.

The increase was set to take effect June 1, 1999.

But then, the majority of Maine's fishermen decided they wanted no part of the vent increase and turned to the Legislature to find a way out.

On April 6, just two months shy of the implementation date, the Legislature took up a bill to keep the vent at 1-7/8" and take away the commissioner's authority to change it.

To accommodate the anticipated crowd, the public hearing venue was moved from the State House to the nearby Elks Hall. According to coverage of the hearing in *Commercial Fisheries News*, between 350 to 400 people showed up.

"There were hundreds of people there," remembers Lapointe. "About 10 were in favor of going ahead with the bigger vent and the rest were opposed."

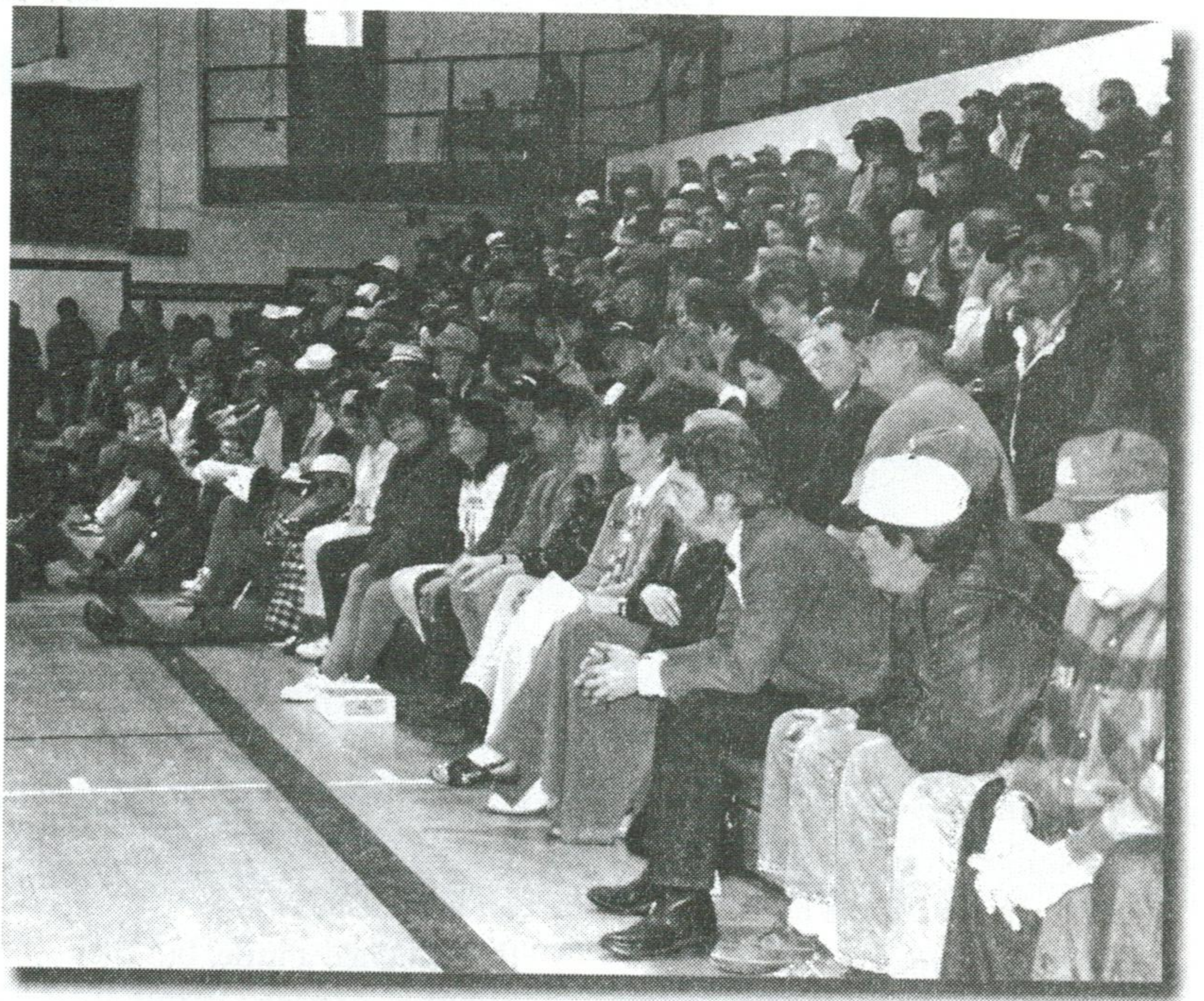
"It was a lonely time to be a supporter of the vent size increase," he said.

David Cousens remembered it as the worst period of his presidency.

"We had made a deal with Amendment 3, and we said, 'There's no way we can renege on the deal.' Plus, I knew the bigger vents fished better. I tried 100 of them myself," Cousens said.

BOARD STOOD GROUND

After NMFS withdrew the federal plan, however, the previous MLA consensus quickly became history and many members simply bucked the vent increase.



NMFS took its Atlantic Large Whale Take Reduction Plan hearings on the road in June 1997, and hundreds of Maine fishermen turned out for hearings in Portland, Rockland, Ellsworth, Machias, and then in Rockland for a second time.

Nonetheless, the MLA board members each took a deep breath, stood before the angry crowd, and told the Maine Legislature it needed to put the increase in place. Too much was at stake, they argued.

Jack Merrill said, "We felt strongly we had to do what was right and not worry about the popularity of it."

Cousens personally took the brunt of industry's wrath. And the whole episode led him to retreat from the public eye for a while afterward.

"I really couldn't believe people could be so personal," he said. "I was sworn at, threatened. The vent thing cost us a lot of members. We've gained them back, but it took almost five years."

In fact, the MLA went from 1,200 members in 1997 to a low of 1,010 members in 2000. Today they're back at 1,200.

In the end, the Legislature's Marine Resources Committee declined to support the bill to maintain 1-7/8". The bigger vent went into place, and

the issue blew over within a year. The predicted financial losses never materialized for the vast majority of the state's lobstermen.

MLA'S CHARACTER

For George Lapointe, the vent hearing was a seminal moment in his regard for the MLA.

"That was a huge issue, but they stuck to their principles," he said.

"We passed Amendment 3 with the concurrence of Maine, and one of our commitments was to go forward with the vent increase. Since it was part of Amendment 3, the MLA continued to support it," Lapointe said.

Jack Dunnigan remembered that time too.

"Dave Cousens was the guy who came forward to industry and said, 'My traps with the larger vents are out-fishing my traps with the smaller vents.' They said he was crazy and

he said, 'OK, I'll go fishing,'" said Dunnigan. "He was really out in front not just as MLA president but as a fisherman. He was saying, 'This is good technology.'"

STENECK INTRODUCTION

Both David Cousens and Pat White believed from the start that lobstermen needed to work more closely with scientists, and they tried hard to foster a cooperative atmosphere.

"We both recognized the need to come up with some industry input into the scientific process," said White.

The first scientist to really break into the MLA family in a big way was Bob Steneck of the University of Maine, though his introduction to the group was a bit bumpy.

Steneck, who had been working on urchins and kelp, became fascinated with lobsters. So he decided to do an experiment. Steneck dropped several large cages into the water and marked them with buoys saying "University of Maine Research Project." He had no lobster license, no special permit, just a desire to learn what was going on.

It wasn't long before someone called the DMR and ratted on him.

"I almost got arrested," recalled Steneck.

Back at the university, Dave Dow, who was with the Sea Grant program at the time, told Steneck he really needed to talk with fishermen before invading their territory. Dow helped Steneck meet a few of the MLA boys for a beer at the association's Nobleboro office. The meeting broke the ice, and it marked the beginning of Steneck's association with board member Brian McLain.

INDUSTRY ONBOARD

Soon after, Steneck went fishing with Arnie Gamage, another MLA board member and, before long, the young researcher was proposing a new experiment in the "Thread of Life" between the Damariscotta River and Pemaquid.

During gatherings with lobstermen at the Pemaquid and the South Bristol co-ops, Steneck tried to convince local fishermen to remove their gear from this productive fishing area. He wanted to find out how lobsters behaved once the bait was taken away.

"They laughed a little, but they were mostly wondering, 'Well, if we let him do this, what'll he want next?'" he recalled.

Steneck put the lobstermen in the driver's seat, saying he'd drop the project, pack up, and go home if that's what they wanted. That didn't turn out to be necessary.

"In the end, they voted to pull their traps and, from then on, it became 'our' experiment," he said.

Steneck believes it was Brian McLain and Arnie Gamage who helped him gain this first important foothold in the world of working lobstermen.

WHAT'S ON BOTTOM

By 1989, Steneck was able to contract the research vessel *Argo Maine* to investigate the distribution and abundance of lobsters from Jonesport to Boston Harbor. Though the highly publicized trip caused a bit of a stir in the press, it proved to be another critical link with industry. On each leg of the trip, lobstermen rode along to witness the operation first hand.

Steneck spent numerous years conducting his staple research. He and others – most notably his graduate students, who included Rick Wahle and, later, Carl Wilson – monitored

regular sampling sites using scuba gear. Then they'd sample the sites aboard lobster boats that fished the same bottom.

"We got an awful lot of help from the MLA with this," said Steneck.

And the researcher made sure fishermen knew he appreciated their help.

"We'd take down their names and addresses and send them a thank you note along with a little report," he said.

During this time, Steneck and many other lobster scientists – Lew Incze, Rick Wahle, Win Watson, and Hunt Howell to name a few – received considerable financial support from the University of Maine and University of New Hampshire Sea Grant programs, as well as the national Sea Grant program. In 1995, Steneck's core sampling program received \$667,000 from national Sea Grant, which funded the work for several years.

For the past decade and a half, in fact, Sea Grant has consistently supported a wide variety of lobster research projects and endeavors, from the lobster tagging project in 1983 to The Lobster Institute and Maine's lobster zone councils.

SUBMERSIBLE MISSION

Two more projects helped cinch Steneck's relationship with the industry. The first was in 1997 when Steneck was able to reserve time aboard the research vessel *Edwin Link*, the mother ship for the submersible *Johnson Sea Link II*. The mission? Documenting broodstock.

"Through our previous work, we had learned a whole lot about where lobsters settle and where juveniles

go, but we didn't know a lot about broodstock," said Steneck.

The 1997 trip wasn't the only one undertaken to look for broodstock. Others went offshore at various times. But the 1997 cruise was key because it documented broodstock close to home – in more coastal waters that fishermen were extremely familiar with.

David Cousens and Jack Merrill both had the chance to dive in the sub during the coastal expedition, and neither will ever forget the experience.

"It was fabulous just seeing the bottom," said Merrill, who went down off Duck Island, not far from Mount Desert Rock. "It was a great trip."

PENOBSCOT BAY

Right afterward came the Penobscot Bay project where Steneck and other researchers teamed up with the Island Institute to do massive sampling in the bay. Again, they wanted to relate what they saw on the bottom with what lobstermen saw in their traps topside at the same site.

Steneck was the principle investigator. His former graduate student, Carl Wilson, was hired by the Island Institute, and he coordinated many of the sampling trips during that 1998-1999 period.

According to David Cousens, the project was remarkable for a number of reasons.

"People were excited about it," he said. "We probably got 150 lobstermen to work on it. That was a giant leap forward for how lobstermen should work with scientists."

Wilson, who's now the DMR's head lobster biologist, said of the project, "It really opened up a lot of lines of communication between science and industry. We were visible on the water



The MLA continues to keep communications open with lobstermen across the border in Canada. It organized a Lobster Summit at the Maine Fishermen's Forum in 2004, which included opportunities for informal talks, lobsterman to lobsterman.

on good days and bad. And we were asking lobstermen who had never talked to scientists before to work with us."

SEA SAMPLING

From then on, the MLA's contributions to scientific research only increased. Today, many members regularly take part in the DMR's sea sampling program.

According to Wilson, the sea sampling project began in 1985 with three participating vessels.

"Now we're averaging about 150 different fishermen every year and we're even thinking about doing some winter sampling," he said. "It's gone from being an afterthought to a flagship program."

Patrice McCarron, the MLA's current executive director, believes three factors were pivotal to industry's acceptance of cooperative research: Steneck's early research projects; the MLA's own annual v-notch survey,

which was initiated in 1982; and industry's involvement with sea sampling.

"Bob Steneck very seriously listened to what fishermen's observations were," she said. "The core group of MLA directors at the time worked hard with him, and then sea sampling began. I think those things paved the way for the Pen Bay project, which blew everything wide open."

V-NOTCH RESEARCH

Looking back over the past decade – as a graduate student, at the Island Institute, and at the DMR – Carl Wilson recognized the magnitude of the MLA's contributions to research.

"Their board members have always been the guys who rise to the front," he said.

Bob Steneck agreed and added, "The stability and maturity of this

organization is just so striking. It's something to really appreciate."

David Cousens is proud of the association's contributions.

"I do think the MLA really spearheaded our industry working with scientists," he said.

Wilson credits the MLA for doing its own research as well, making particular note of the annual v-notch survey.

"Their work with v-notching is really amazing," he said. "And look. They're now getting recognition of v-notching in the management program. It's something that has to be a major feather in the MLA's cap."

WHALES

In the middle of all of this – the lobsters on draggers fight, the push to shift management over to ASMFC, the creation of the zone councils, and the effort to work with scientists – something else happened. Whales. Large whales in general, but especially northern right whales.

"The whole issue came out of the blue," said Jack Merrill. "We didn't have any idea it was out there. After all my years of fishing, I have yet to see a right whale."

In June of 1997, NMFS took its Atlantic Large Whale Take Reduction Plan on the road for 12 public hearings. Over 2,000 people attended. The Maine hearings in Portland, Rockland, Ellsworth, Machias, and then in Rockland for a second time drew the biggest crowds, each numbering in the hundreds.

"Jumping into that arena was a whole new thing for me," said Pat White, who served on the take

reduction team (TRT) that tried to have input into the plan.

White doesn't have fond memories of the TRT process.

"There were too many people on the TRT for it to do any good, and there were some rabid people there," he said.

Nonetheless, he, DMR's Terry Stockwell, and other industry reps spent – and continue to spend – huge amounts of time working on the problem.

"The whole process is very, very difficult and time consuming, but we have to keep at it because it's a serious threat to our industry," said White. "We're very lucky to have Terry Stockwell representing the state of Maine in this arena. Together I think we've done a good job keeping the interests of our people upfront."

INDUSTRY COMPLIES

In White's eyes, MLA members and Maine fishermen in general have been extremely professional in their response to the ever-changing whale landscape.

"The compliance rate with all these widgets and gadgets has been admirable," he said. "Maine fishermen have broken their backs trying to be cooperative and comply."



Patrice McCarron.

George Lapointe knows the whale issue won't go away soon.

"It's still a very tough process that people need to stay engaged in," he said.

But he, too, said he believes the industry's in a better spot now than it was when NMFS first proposed untenable rules on that infamous 1997 public hearing circuit, rules that were eventually shelved.

"Where we are now has a lot to do with the growing hope and realization that the changes people are being asked to make have some basis in reality," said Lapointe.

MCCARRON ON BOARD

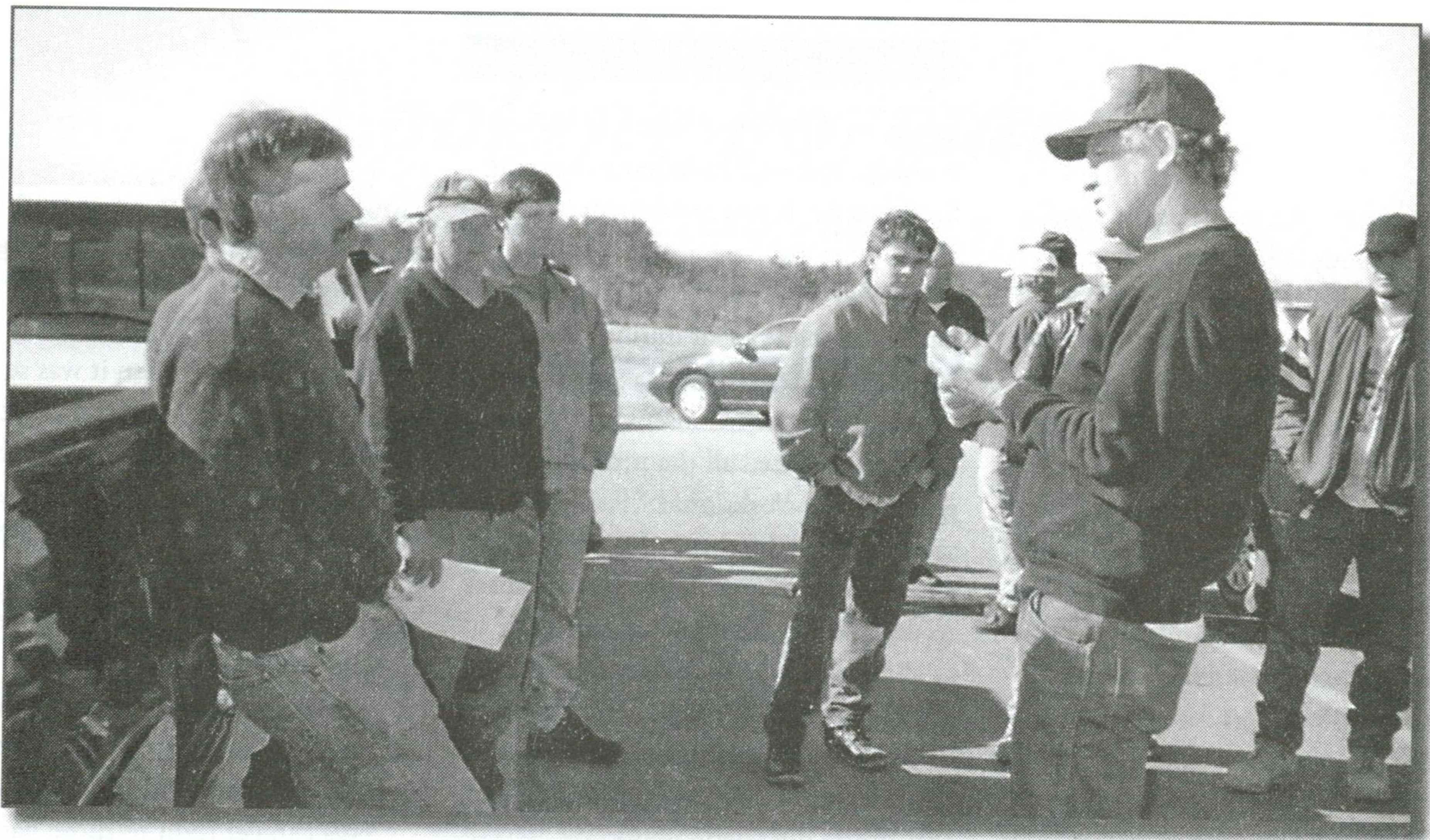
Pat White and David Cousens were worn thin by the end of the 1990s. White wasn't getting out on the water enough, which bothered him, and both were just plain tired from battling one issue after another for close to a decade.

From late 1998 through early 1999, White was working with two New England Aquarium employees, Maggie Mooney-Seus and Patrice Farrey, while organizing Lobster Summit III, the big international lobster summit held in Portland in March 1999.

"I said to Patrice, 'Why don't you come work for us?'" said White.

And that was the beginning of it all.

White and Cousens approached the MLA board with the proposition of hiring Farrey as "associate director" to handle some of the day-to-day workload, especially on state issues. White said he'd be willing to take a cut in pay to free up funds to hire Farrey, who is now Patrice McCarron, and the board responded favorably.



The MLA stands its ground in support of increasing the lobster trap vent size to 1-15/16" in 1999, despite the fact that a majority of Maine lobstermen decide they want no part of it and confront MLA on the issue.

McCarron began her new position in January of 2000, first working out of her home in York. In February of 2001, she moved into an office in York.

By November of that year, another major evolution took place. At White's request, the board agreed to allow McCarron to take over the executive director post while White stayed on as chief executive officer.

In May of 2003, McCarron moved into the MLA's new Kennebunk headquarters, where the MLA shares space with the Gulf of Maine Lobster Foundation, which the association founded.

So now, Cousens, White, and McCarron work as a three-person team.

"It was a great move," said Cousens. "Patrice is excellent. She's organized where Pat and I are not. And she's computer literate. She's going to all the meetings and making a lot of friends in

a lot of circles. She's very professional."

White, who somehow ended up remaining as busy as ever in his CEO capacity, is also pleased with the three-way partnership.

"I admire what Patrice has done," he said. "She's made it possible for us to participate in a lot more activities."

McCarron had been working on the conservation side of things even prior to her time at the aquarium, so she had been forging ties with fishermen for years.

"That opened my eyes," she said. "Fishermen are the true conservationists. I was so impressed by them."

The experience also made her eager to sign on with the MLA.

"It was a logical fit," she said. "It brought the journey full circle."

PEW COMMISSION

In the fall of 2000, soon after McCarron came on board, Pat White

received a phone call from the Pew Oceans Commission, asking him to become one of its commissioners.

White certainly had the background to do the job. He had served on numerous management bodies while representing the MLA, including the New England Fishery Management Council from 1996-1999. He continues to serve on ASMFC, an appointment he's held since 1995.

Jack Dunnigan, who was still ASMFC executive director at the time, said, "Pat called me and we had three or four conversations about this – very frank ones. He wanted to know things like, 'Is this a good idea?' 'What does it mean that they're willing to talk to me?'"

For a long time now, White's underlying philosophy has been, 'It's better to be at the table than not.' And it won out in this case as well. He accepted the offer.

Dunnigan said the decision speaks volumes about White's character.

"It was a remarkable show of leadership for him to work with Pew," Dunnigan said. "There aren't many people who could have played in that arena."

White occasionally ended up having to defend his decision to the fishing industry at large, but not to the MLA. Board members in particular viewed it as the opportunity of a lifetime.

"That did wonders for raising the lobster industry to a national level," said David Cousens. "It made huge inroads into the credibility of our management program. That kind of recognition at that level is invaluable, and Pat was responsible for all of it."

EPILOGUE

Other things happened along the way. In 1994, the MLA stopped overseeing the Blue Cross/Blue Shield group health insurance program. Also in 1994, Ruth Lane, who later became Ruth Gross, died. She was a pillar of the association who had served as secretary-treasurer since 1977. Her death was a terrible blow, and it led to the MLA's decision to rent out its Nobleboro building. Without Ruth to man it, no one really had the need – or the heart – to use it anymore.

There's more, to be sure, but for the most part, here lies the history – with all its turbulence, intensity, victories, and defeats – of the David Cousens/Pat White years.

"If the MLA hadn't been there, the fishery would look nothing like it does today," said Jack Merrill. "It would be much weaker. We'd have a bigger

gauge, we'd probably have lost the v-notch, and we'd have more dragging for lobsters. It just wouldn't have worked for us."

Merrill believes many great strides have been made so far during the tenure of MLA's current leaders, and he takes his hat off to both Cousens and White.

"We all talked all the time, but those guys did the work," said Merrill. "I can say that Pat White was never, ever paid enough for the amount of work he had to do, and David didn't get anything at all. It was a labor of love for those guys."

That it was, and Cousens still gets a chuckle out of looking back at how he and White operated.

"Everyone always said Pat was the good guy and I was the bad guy. We played that so well," he said. "I'd come in and blast them and then Pat would go in and smooth everything over. I always worked off the cuff, but Pat was better behind the scenes."

"We really dealt with different people most of the time," said Cousens. "Some people worked better with me and some worked better with Pat. It was good because the MLA never came across as hating anyone."

Cousens believes that one of the MLA's greatest strengths – both during Eddie Blackmore's reign as well as the

My philosophy has been to look at the big picture and try to do the right thing for the resource and the people, which usually turns out to be the same thing.

—DAVID COUSENS

Cousens/White years – was working in Washington, either going straight to Congress or to key administration officials.

"We only went when it was serious," he said. "We were extremely successful in that arena, probably more so than any other organization, and it was because we didn't bother them with stupid issues. We always had our homework done and could answer any question they threw at us."

George Lapointe said he appreciates his own easy working relationship with both Cousens and White.

"We can get right to those hard issues and not worry about dancing around each other, and that's an incredibly good place to be. I can call them up and say, 'Hey, what's going on?'" he said.

"The nice thing about the MLA is that it provides a forum for communication in a structured way," Lapointe added. "Patrice continues to foster that too. They have a coordinated presence and voice that is so lacking in other parts of the fishing industry."

The way David Cousens sees it, the MLA's willingness to be in it for the long haul has been the key to its success.

"My philosophy has been to look at the big picture and try to do the right thing for the resource and the people, which usually turns out to be the same thing," he said.

"I think the industry is what it is today because of the things we fought for – the v-notch, maximum gauge, no dragging," Cousens said. "We won most of our fights."

Chapter Six

Looking Forward

As the Maine Lobstermen's Association celebrates its 50th anniversary, it charts a course for the future, the next 50 years.

Five decades have passed. Five enormous decades since the Maine Lobstermen's Association (MLA) made its first foray into the world, uniting the people of Maine's lobster industry as a result of pricing concerns.

For some, especially those who've been around a bit, the passage of time seems hard to believe.

But it happened, and, in that 50-year period, everything changed – the landscape, the rules, the politics, and especially the way people fish.

"In the old days, you had Ioran A and then C that gave you numbers, and you had a compass," said veteran MLA board member Bill Anderson of Lubec. "Now you have a machine that has a chart and tells you where you are and where you want to go and where everyone else is."

The change hasn't been bad. In fact, new technology, life-saving equipment, and communication tools have made boats safer. Plus, years of management advances -- many of which came about the hard way, through tough fights, anguish, and dedicated MLA involvement -- have given Maine what most MLA members believe is a solid lobster conservation program.

Those days produced some fine

moments during often tumultuous times, but association leaders say they'll be fighting different battles in the future.

"We used to hold the reins to our destiny. Now we're part of a much bigger system," said Pat White, MLA's chief executive officer.

SAVING WATERFRONTS

For many, this "bigger system," with its web of government agencies and public interest groups, is still unfathomable. And the types of issues that need addressing sometimes seem ludicrous.

Case in point. Who would have thought 50 years ago that hanging on to 500 feet, 200 feet, even 50 feet of shorefront would prove to be so difficult? That someone with deep pockets could literally buy up the working waterfront?

Anderson sees this as one of the MLA's future challenges – convincing industry members to hang on to what's left of the working waterfront and finding ways to make it feasible for them to do so.

"We need to be sure people understand that it's a valuable economic tool for them to be able to generate dollars for a lifetime from a waterfront property vs. getting \$1 million at the time of the sale. There are only a limited number of properties available to industry," he said.

But for families to hold out, "They need to be making money and be able to pay the taxes," Anderson said.

That's why the MLA has made waterfront access a priority issue for the years ahead, and Patrice McCarron, the association's executive director, emphasized, "We need a set of tools to deal with working waterfront issues."

Access to frontage is so important to the future survival of the industry that McCarron devotes considerable time to tracking waterfront issues through the Maine Legislature and other avenues. She's also an active member of the state's Working Waterfront Coalition, of which the MLA was a founding member.

CLEAN WATER, COMPUTERS

The MLA knows it'll be spending an increasing amount of time on water quality issues too – sewage treatment, pesticide impacts, and general water pollution problems.

"We need to monitor water quality in a way that's meaningful to lobsters," said McCarron.

According to Pat White, all of this monitoring and investigative research is possible because of the Internet, a tool that wasn't available 50 years ago and remains a bit frightening to some of the

association's older members.

White himself was unnerved by computer communications not that many years ago. And when finally forced to begin sending and receiving e-mails, he turned to his supportive wife, Enid, who essentially held his hand through the first few years of e-mail messaging.

Still, White knew deep down that the MLA needed someone with strong computer skills for the association to compete and thrive in the 21st century. He credits McCarron with successfully bringing the MLA into the computer age.

"Patrice is responding to all of that," he said.

LEADERSHIP

Many of the MLA's core members have been around a long time and have positioned the association as one of the strongest industry trade groups anywhere. Key board members and vice presidents such as Anderson, Jack Merrill, Brian McLain, and Arnie Gamage Jr. have pretty much seen it all, and President David Cousens and CEO Pat White know just about everyone of any standing who could help or harm the lobster industry.

Any outsider might wonder, "What'll happen when some of those guys step back or retire?"

That's not even a relevant question to those on the inside. They believe the MLA is extremely responsive to change, eager to bring new people with different perspectives and skills into the fold.

"I think we're in the throes of huge transition now with the leadership of the MLA," said White.

For one, the leadership is splitting up more of the association's responsibilities. McCarron has taken over state issues with strong support from the board, and White heads up interstate and federal issues.

Plus, the MLA is bringing many new people into the working hub as evidenced by the growing number of younger representatives now on the board of directors, people like Jeff Adams of Cape Elizabeth, Shane Carter of Bar Harbor, Jason Joyce of Swan's Island, and Kristan Porter of Cutler.

"Sons are going to meetings and becoming active," said Bill Anderson. "When you see someone show interest, you draw him into the fray. It's wide open for anyone to become active on the board."

Patrice McCarron added, "The younger members are learning from the older ones. It's an interesting meld. We will, by necessity, slowly evolve. Plus, even when people get off the board, they're still there. They're available to us as resources."

EMBRACING CHANGE

The old guard's willingness to accept this change – the new faces, the younger generation's increasing involvement – has been played out numerous times.

"Look at me," said McCarron. "I was only 32 when they hired me. They were confident I could do the job."

In another example, Anderson notes the MLA's total backing of Carl Wilson, who was only 26 when first hired in December of 1999 to be Maine's head lobster biologist.

Not only did the MLA advocate for Wilson, the membership completely embraced him, believing his fresh ideas and enthusiasm were exactly what was needed.

Wilson genuinely appreciated the reception.

"They were very supportive of me as a lobster biologist," he said.

BOOSTING MEMBERSHIP

Despite this confidence in its younger members and a willingness to accept an occasional changing of the guard, the MLA leadership believes it still has one true challenge for the future – getting more members.

"It's so frustrating for us to be limited by what we do because we only have 1,200 members out of 7,000 lobster licenses," said McCarron. "How do we get those extra members? How can we better let people know how important it is to become involved in the association?"

Anderson doesn't believe there's any easy way to do it.

"You basically have to go after it," he said.

As a way to help keep its finances in order between campaign drives and as a means of contributing to the industry's overall health, the MLA has obtained outside grants to conduct cooperative research.

But one thing the MLA would rather not do is accept money from environmental groups.

"We could do it," said McCarron. "This industry has everything green going for it."

"But what would the MLA be giving up?" she asked. "We cannot be co-opted by an outside agenda. We're so true to the people who work on the water."

That doesn't preclude the MLA from interacting with environmental organizations. According to White,

working cooperatively with all stakeholders only works to industry's advantage.

POLITICAL INVOLVEMENT

As the MLA heads into its next decade, it recognizes that, above all else, its members and leaders need to stay politically astute. Being visible and proactive worked in the past and members know it's the key to the future.

"When we first got going, the federal government wanted to sue us for monopoly. Now they call us for advice," said Pat White. "When I've gone to Washington, I've never had a problem getting a door open."

And that's because people know in advance who he is.

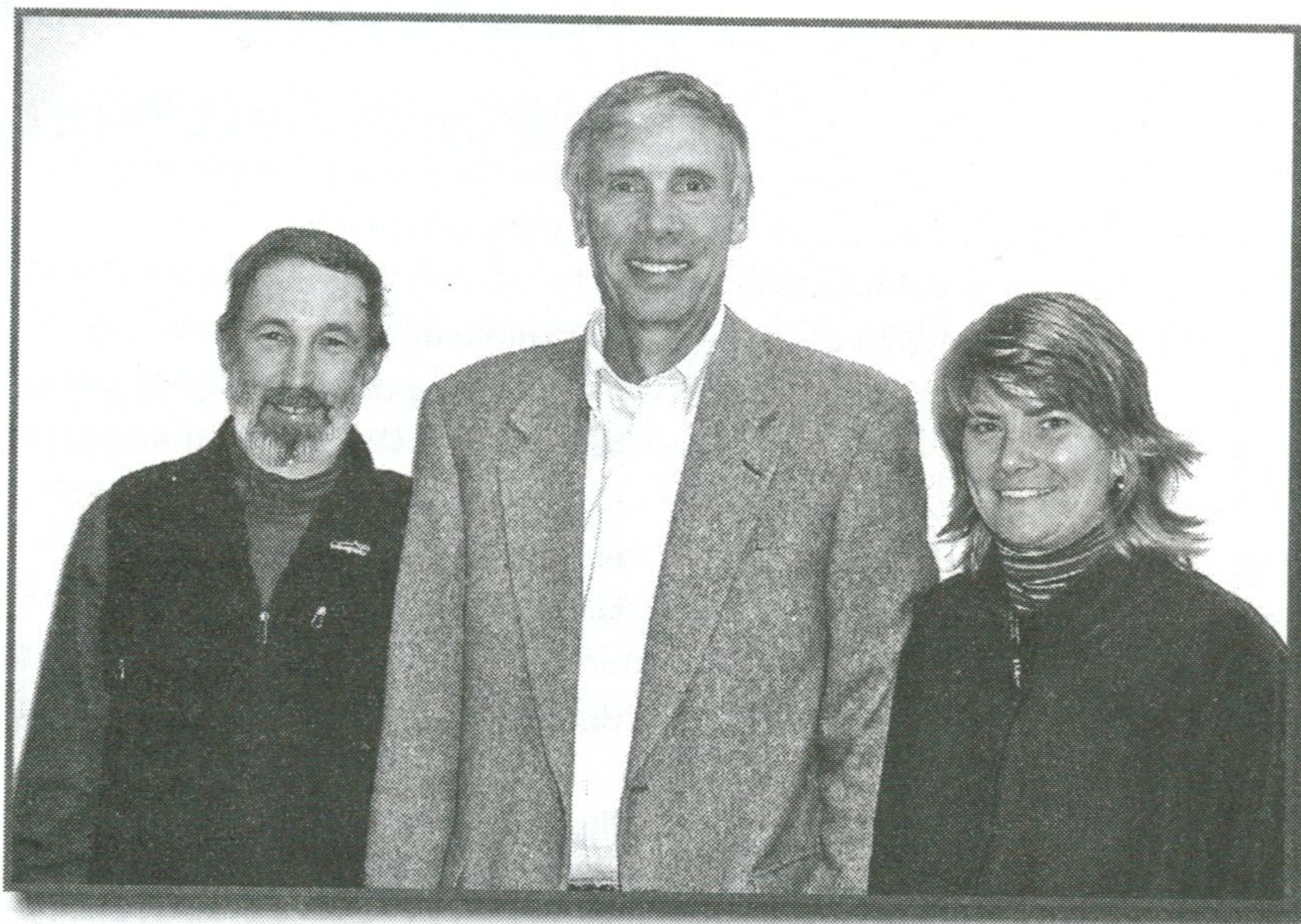
"It pays to keep your face familiar," said Anderson, who also has extensive experience in keeping the MLA visible.

Being familiar, however, took years of hard work, and it required a willingness to reciprocate. When a politician needed help understanding an issue, the MLA was always there to respond, whether or not it directly benefited the association.

For Maine's 2004 state elections, the MLA tried a new and effective endeavor. It hosted "meet-the-candidates" sessions in three different locations. Members had the chance to meet the people running for state elective office and potential legislators got to hear directly from working lobstermen about the industry's importance and value to the state.

"You're seeing the faces of people who are going to get elected," said McCarron. "It gives you a head start. Now, when we need to bring up issues, they'll know the MLA."

Keeping up with politics and the



From left, Bill Anderson, Pat White, and Patrice McCarron.

people involved is essential because, as McCarron put it, "We're always fighting not to lose ground."

MANAGEMENT

Management issues also will require time in the years ahead, but in a very different way from the past.

The interstate management process will always demand MLA time and resources, but within Maine itself, the zone councils have taken over the hard work that often used to consume MLA leaders.

"We were extremely active in getting the zones formed," said Pat White. "Now, we let the zones take the lead. If a zone votes for something, we'll support it. We're there to support the process."

Anderson believes the program adhered to by Maine lobstermen is unbeatable.

"The way we're managing the stock now – v-notch, vents, shorts, oversize – the amount that goes back overboard is incredible," he said.

But that doesn't mean the day is over.

"Now we have a management plan so it's a matter of adjusting the management plan. You can't have the stock fall apart and respond to it three years later," Anderson said.

Pat White agreed.

"Those are the new challenges in adaptive management – dealing with stock change," he said.

Patrice McCarron knows this is true as well.

"As long as a stock assessment comes out and says we're overfishing, we'll be dealing with management issues," she said.

Bill Anderson recognizes another fundamental part of future management challenges, one that's harder to grasp and much more gut-wrenching.

"You've got the social issue of how many fishermen the resource can support," he said.

The carrying capacity of the industry is something the MLA will need to monitor, especially during

times the stock is in decline.

"We have absorbed an inordinate number of people," said White.

BOOM YEARS

Given this fact, one of the biggest things veteran MLA members worry about is the younger generation – their sons, nephews, neighbors, and friends who entered the industry during the years of record-breaking landings.

"Some people built their businesses on the boom," said Anderson. "But we have these environmental issues like water temperature that could change things."

Unlike five decades ago, when fishing was a way of life above all else, the industry is now far more structured.

"The scale has changed," said White. "People are now running their lobster operations as a business."

And some are very big businesses with huge cash flow demands that could potentially be hard hit when lobster landings in Maine decline, which they will. No fishery anywhere stays at its peak forever, and state officials and scientists are worried about the number of families and communities that have become dependent on 50-and-60-million-pound years.

The MLA knows it needs to prepare for the inevitable dip. But many of the old guard fear it'll be brutally painful.

"We do have a lot of people who have never had to give up anything

or suffer," said Pat White. "We need to help the younger people adapt to changing conditions."

OTHER FISHERIES

In another department, White believes the MLA will need to devote more time to working with people in other fisheries, even acting as a facilitator if need be.

"We're already dealing with some of this antagonism," he said.

Take herring, for instance, where the hostility over midwater trawling is fierce. The MLA has hosted meetings with midwater trawlers, sat back, listened to facts, and tried to refrain from jumping to unfounded conclusions.

According to White, it's all part of the MLA's mission.

"The MLA has done a huge job

being a resource not just for lobstermen but for other fisheries," he said.

CONSERVATION

Still on another front, White noted, "I can see us focusing much more on conservation and resource issues in the future."

And that's good. With the current emphasis on habitat protection and maximum sustainable yield in all fisheries, the MLA's involvement in these matters might turn out to be inescapable.

As for the association's willingness to participate in cooperative research and larger scale projects like those being developed through the Gulf of Maine Lobster Foundation, which was founded by the MLA, McCarron said, "I think the MLA recognizes that the issues facing the lobster industry are bigger than any one association."

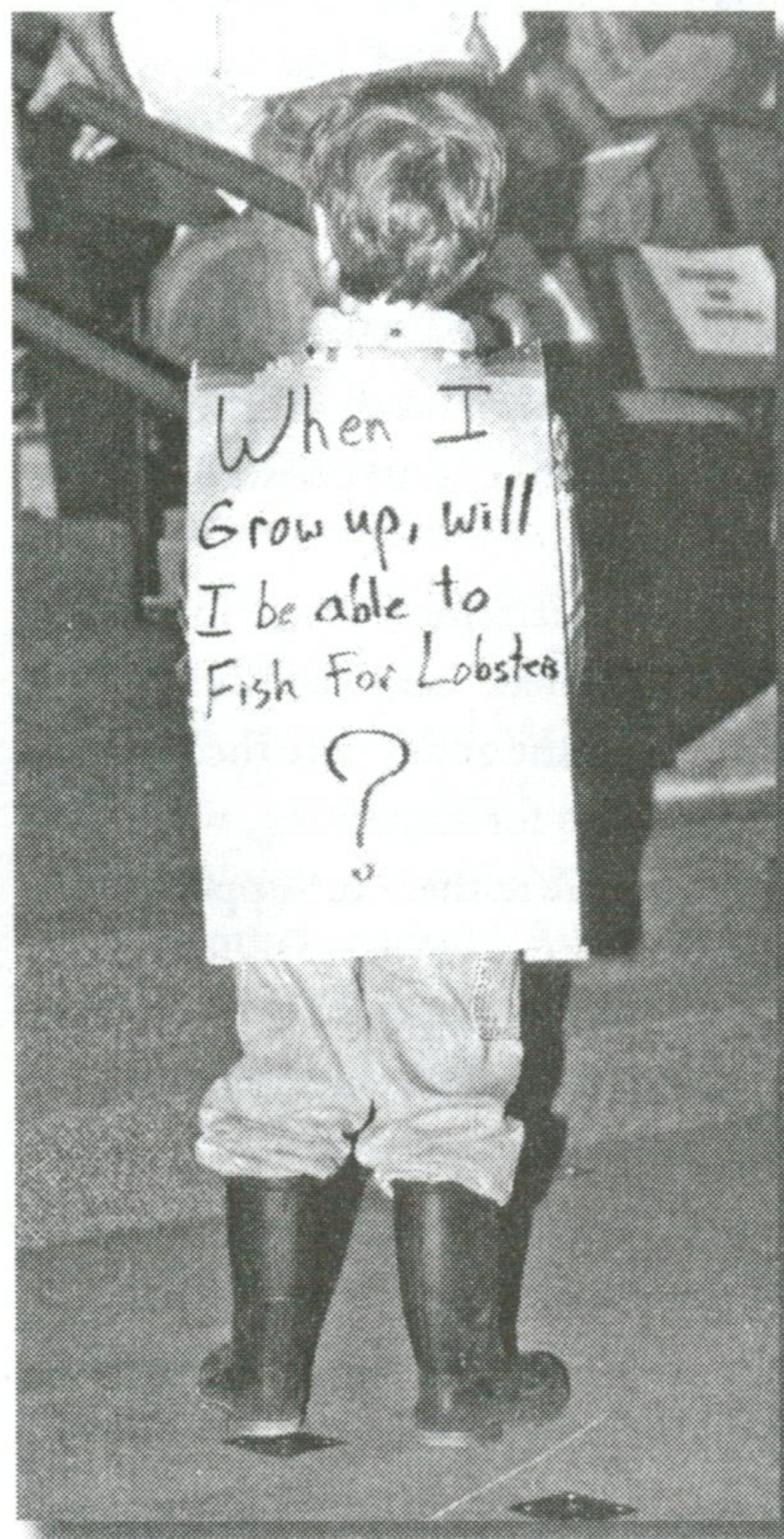
IT'S A BIG WORLD

All of this means the MLA won't go into the next few decades without a hefty workload.

However, with a strong leadership team and its proven willingness to solicit help from its younger members, the association is poised for the days ahead.

"There are always going to be pressures we have to deal with. It's a traditional industry in a modern world," said McCarron.

But that's life, and as McCarron put it, "The association is here to deal with it."



Acknowledgements

INTERVIEW WITH LESLIE DYER BY DAVID TAYLOR, AND INTERVIEW WITH OSSIE BEAL BY LYNN FRANKLIN, CONTAINED WITHIN THE *LIFE OF THE MAINE LOBSTERMAN PROJECT*, WHICH INCLUDES 19 INTERVIEWS CONDUCTED BETWEEN 1972 AND 1974, ARCHIVED AT THE MAINE FOLKLIFE CENTER AT THE UNIVERSITY OF MAINE, ORONO.

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BARRY M. FABER, ESQ. AND ADELE GROSSMAN FABER, GROSSMAN-FABER COUNSELLORS AT LAW, ROCKLAND, MAINE, FOR ASSISTANCE AND USE OF HISTORICAL PHOTOS FROM THE LESLIE DYER ERA FROM THEIR ARCHIVES.

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"A SUMMARY OF MAINE LOBSTER LAWS AND REGULATIONS, 1820-1992" BY KEVIN H. KELLEY, MAINE DEPARTMENT OF MARINE RESOURCES, 1992.

NATIONAL FISHERMAN, JULY 1999, DIVERSIFIED BUSINESS COMMUNICATIONS FOR USE OF ITS COVER.

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COMMERCIAL FISHERIES NEWS AND ITS PREDECESSOR, *MAINE COMMERCIAL FISHERIES*, FOR ACCESS TO ITS COMPREHENSIVE DOCUMENTATION OF THE ERA AND THE USE OF HISTORICAL PHOTOS FROM THE PUBLICATIONS' ARCHIVES.

MAINE LOBSTERMEN'S ASSOCIATION MEMBERS, DIRECTORS, AND STAFF (PAST AND PRESENT), AND MLA FRIENDS, COLLEAGUES, AND ASSOCIATES, ALL OF WHOM COOPERATED IN THE COMPILATION OF THIS BOOKLET.



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Thank You.

We get new customers because one lobsterman sees that another lobsterman using our products is doing better. I think lobstermen must have an above-average intelligence, in addition to physical stamina, to survive in their chosen line of work. They encounter a unique set of problems in their business. They have to keep a boat afloat and running under conditions that are often dangerous; they have to keep their gear maintained; they have to know where the lobsters are; and they have to be good businessmen to buy what they need and sell what they catch at the right prices. I see that some people trying to sell to lobstermen underestimate them. They think that flashy advertising and token give-always will sell their product. I don't think so, at least not in the long run. In the end, it's quality that counts. At Riverdale Mills we do everything we can to provide the highest quality product available so the plastic coated wire mesh we supply to lobstermen will be as trouble-free as possible, and outlast all others.

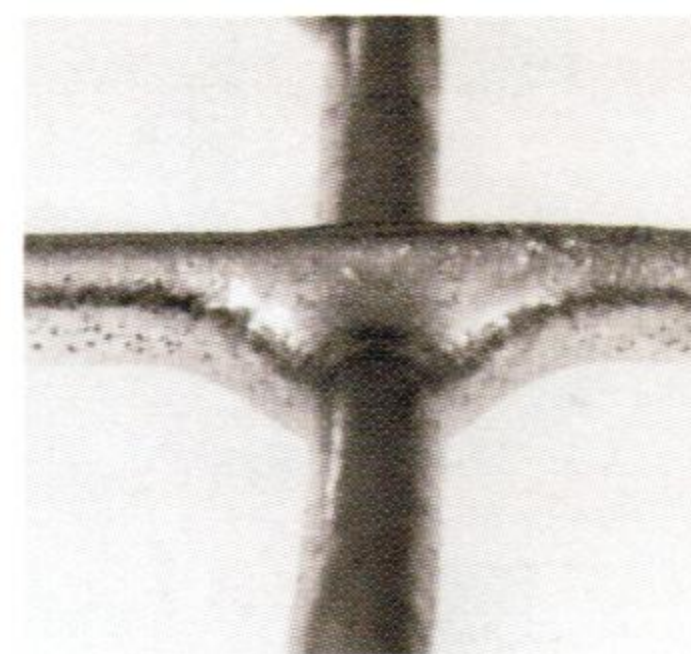
*James M. Knott, Sr.,
President, Riverdale Mills Corp.
and fellow lobsterman*

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We at Riverdale Mills would like to take this opportunity to thank all of our loyal customers who have supported us over the years. Without you, the marine industry would never have been revolutionized by one of the finest fishing inventions of our time: the wire mesh lobster trap.



Other traps are zinc galvanized before welding (GBW) - the weld has no zinc, causing premature rusting in seawater



Aquamesh is zinc galvanized after welding (GAW) - the weld is completely protected from the harsh elements

The wire mesh lobster trap was invented by James M. Knott, Sr. in 1957. Frankly, lobstermen were dubious. But when they started fishing the traps, the word of mouth

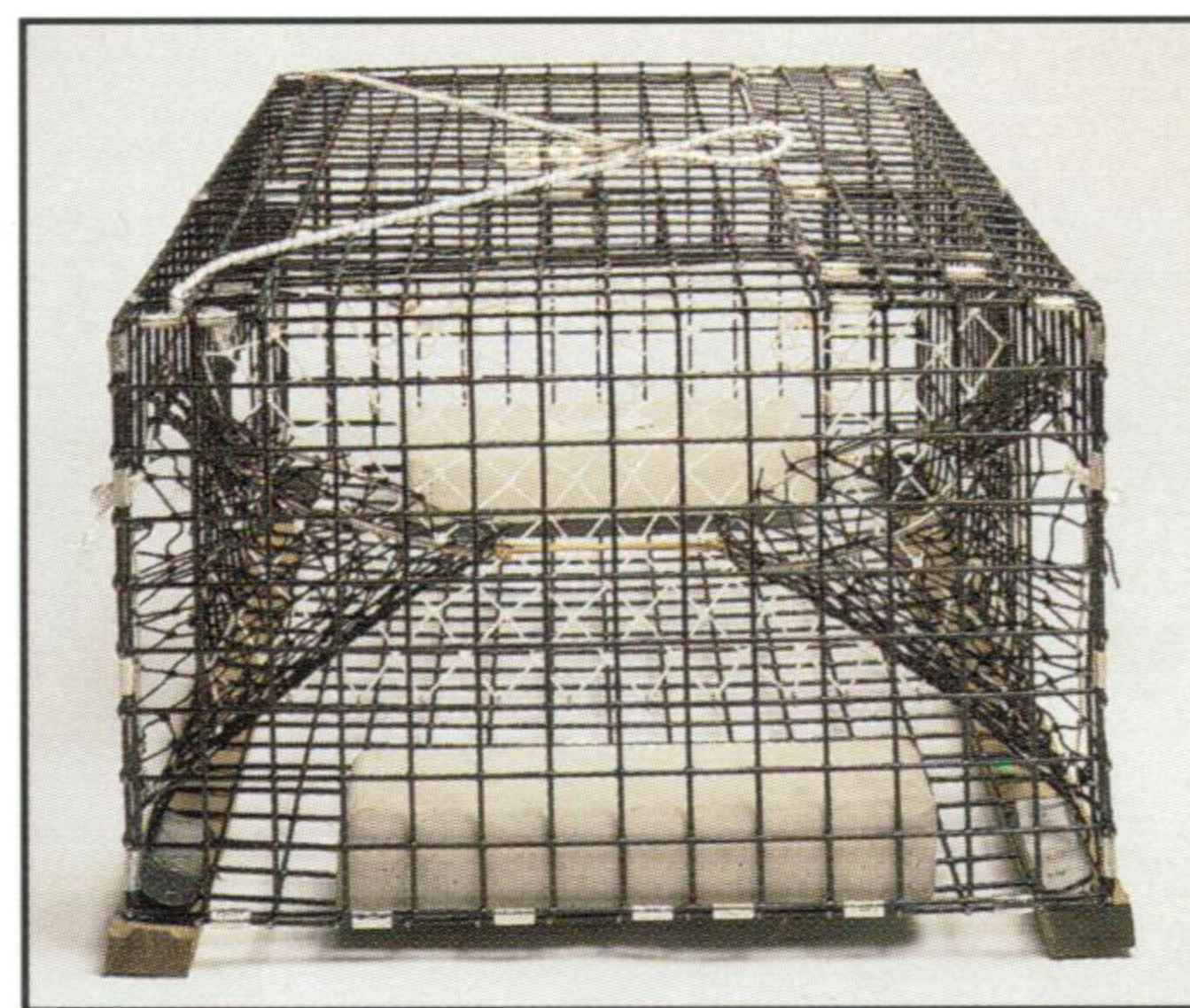
landslide began. No amount of advertising could convince lobstermen to fish the traps, but other lobstermen — and their impressive catches in traps with amazing longevity — could, and did.

It took nearly 20 years for the wire mesh lobster trap to be widely accepted by lobstermen. Now, the wire mesh lobster trap is not only recognized as far superior to the wooden trap, but is considered the standard lobstering device in the industry.

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marine industry about the superiority of the wire mesh lobster trap. We can assure you that we will continue to manufacture the highest quality lobster wire, while also striving to provide beneficial innovations in the future.

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