

MEMORANDUM OF UNDERSTANDING
between the
MAINE PILOTAGE COMMISSION
and the
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
to provide support for the
CONTINUING EDUCATION PROGRAM FOR MARINE PILOTS

Whereas, the Maine Pilotage Commission (Commission) originated in 1969 under State Law (38 M.R.S. §81), and amended in 1999 (38 M.R.S. §85) "to provide for a system of state pilotage... devoted to the preservation and protection of lives, property, the environment and vessels entering or leaving these waters at the highest standard of efficiency ... in aid of commerce and navigation"; and

Whereas, the Commission's area of jurisdiction includes all Maine coastal waters and navigable waters with the exception of the Piscataqua River, and Portland Harbor; and

Whereas, the duties of the Commission are established under 38 M.R.S. §90 and, in fulfilling its duties under this subchapter, the Commission undertook rulemaking, under the guidelines of the Maine Administrative Procedures Act, 5 M.R.S. §§ 8001- 11008. As part of this rulemaking process the Commission proposed new requirements for licensed pilots in an effort to ensure their continuing efforts to maintain a high degree of competence in providing piloting services to the maritime community. These new rules included a requirement for continuing education that states, beginning January 1, 2003, a pilot must provide "... proof of continuing education consisting of a minimum of 40 hours during the previous five years"; and

Whereas, the Maine Department of Environmental Protection (MDEP) maintains the Maine Ground and Surface Waters Cleanup and Response Fund to provide in part for prevention and response to oil spills in Maine waters; and

Whereas, MDEP has identified prevention as an important factor in protection of the environment, and recognizes that a key element of prevention is the training and competency of marine pilots as they guide vessels through Maine waters; and

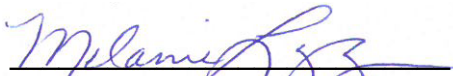
Whereas, a three-year program was last renewed in 2019 for a three-year term through 2021 at a funding level of \$20,000 per year and those funds have been expended or are committed for approved pending programs; therefore be it authorized that

MDEP will transfer funds from the Maine Ground and Surface Waters Cleanup and Response Fund to the Maine Pilotage Commission not to exceed \$20,000 per year for calendar years 2024 through 2026. The Maine Pilotage Commission will submit a valid invoice annually on or before June 1st each year. These funds will be placed into a dedicated account to be used only for the Continuing Education Assistance Program (CEAP). The Commission will administer the CEAP to meet the needs of Maine Pilots as detailed in the Annual Pilot Training Plan.

Further, the Commission will submit to the MDEP, at its request, a review of the CEAP and expenditures. The MDEP and Commission will review the program's merits and make recommendation for continuation, modification, or termination.


This Memorandum Agreed to this 31st day of May 2024.

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



Melanie Loyzim, Commissioner

MAINE PILOTAGE COMMISSION



Carrie Norton, Chair