

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 was originated in 1969 by State law (MRSA 38 § 81), and was amended in 1999 (MRSA 38 § 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 in MRSA 38 § 90. and, in fulfilling its duties under this subchapter, the Commission undertook rulemaking, under the guidelines of the Administrative Procedures Act. As part of this rulemaking process the Commission proposed new requirements on 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 Clean-up and Response Fund to provide in part for prevention and response to oil spills in Maine waters. And,

Whereas, The 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 one year program was renewed for a one year term in 2015 at a funding level of \$20,000 per year and those funds have been expended or are committed for approved pending programs.

Therefore, MDEP authorizes a fund transfer from the Maine Ground and Surface Waters Clean-up and Response Fund to the Maine Pilotage Commission not to exceed \$20,000 for the calendar year 2016. These funds will be placed into a dedicated account to be used only for the Continuing Education Assistance Program (CEA). The Commission will administer the CEA 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 Continuing Education Assistance Program 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 4th day of October 2016.

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



Paul Mercer, Commissioner

MAINE PILOTAGE COMMISSION



Charles B. Weeks, Chair