

Government and Partner Relations Committee

0807 Thursday January 17, 2013

Call to order by St/C Mary Ann Jensen, SN

Members present:

V/C Robert Brandenstein, SN	P/D/C Robert E. Canfield, JN	P/R/C Lewis Dance, SN
P/D/C Kenneth A. Danley, P	P/R/C William E. Husted, SN	P/N/Fl/Lt Dick Jarmon, SN
St/C Mary Ann Jensen, SN	D/1 st Lt Janet M. Klumpp, AP	Mary Larson
P/C John M. Malatak, AP	Stf/C Howard Manly, AP	P/D/C Patrick A. Pabouet, P
P/R/C Joyce Shaw, AP	P/C/C Theodore H. Smith, SN	P/R/C Gene Van Rhee, SN
Stf/C John B. Wilkes, AP	P/R/C John P. Wilson, AP	Cdr. Ralph J. Ziegler, JN

Members and guests did self introduction.

Approval of Detroit Committee Meeting Minutes

The minutes of the September 2012 Detroit meeting were approved as presented

Guests:

V/C Robert A. Baldrige, SN
Rear Admiral William D. Baumgartner, USCG Commander Seventh Coast Guard District
B/C Steven Ellerin, USCGAUX Recreational Boating Safety Outreach
Lt Rob Foos, USCG Aide to Rear Admiral Baumgartner
P/R/C Ken Link, SN USCG Liaison
COMO Edson S. Lott, USCGAUX 14 District
P/R/C Eugene Molteni, SN
Stf/C Michael Wiedel, JN, Safety Committee vice Chair

Guest Speakers

Stf/C Howard Manly, AP introduced guest speakers in the following order.

Rear Admiral William D. Baumgartner – Commander Seventh US Coast Guard District

Rear Admiral Baumgartner delivered a message regarding that real time safety and life saving is thru education classes, seminars and vessel Safety checks (VSCs). An important part that we are missing is activity thru dealers and marinas to reach more boaters. It is important that USPS and USCGAUX continue to work together to educate the boating public sector.

Diving safety has become a more important issue due to diver physical fitness, the condition of dive equipment, lack of safety equipment, EPRIBs, and dive radios. This is especially true in warmer climates that attract northern vacationers.

There has been an overall improvement in number of boating fatalities, but there is still a high number of near tragedies. We still need to reach more boaters thru classes and VSCs.

An overall USCG budget reduction has postponed the building of replacement vessels for USCG. Many ships are ten years over the original service time thus requiring costly repairs and time away from active duty.

Q & A

P/R/C John Wilson – Is USCG considering putting manpower on cruise ships?

RA Baumgartner – No, majority of cruise lines have adequate security already in place. Also the majority of cruise ships are registered through other countries rather than the US.

P/D/C Robert Canfield – Are there plans to provide more security in the Northwest Passage now that the Arctic ice is melting?

RA Baumgartner – No, logistics for moving men and equipment is extremely difficult along with extreme working conditions.

P/R/C William Husted – Are there plans in process to better define vessel definitions, example non motorized houseboats?

RA Baumgartner – There needs to be better definition and not be determined by a panel of judges, but qualified personnel.

V/C Robert A. Baldrige, SN – USPS National Executive Officer

V/C Baldrige delivered a brief message regarding the continued need to improve local working relationship of the USPS members and USCGAUX on educational activities.

Q&A

P/R/C John Wilson – Are we allowed to lobby with national, state, and local governments on subjects of mutual interests?

V/C Baldrige – There is a new lobbying policy for USPS

Mary Larson – USCGAUX America Waterway Watch (AWW), Sea Partners Program, Report on debris from Japan

Mary Larson reported on large support of AWW: 1) 3000+ hours of USCGA member time, 2) 200+ calls to AWW hotline, however no time tracking for USPS hours for AWW public awareness. We need to stress AWW in classes, seminars and when doing VSCs. AWW link should be on our websites. AWW has a Facebook page, please join by clicking on “Like”. A phone app for iPhone and Smartphone is in development. This will allow user to take pictures and send direct thru the phone line.

Sea Partners is working to make the public aware of invasive species and how to keep inland waterways and seas clean.

Debris from Japan is showing up on west coast and also in Hawaii. Some very large pieces are hitting land or near shore. There is an issue of new invasive species that are coming new with this debris.

Joyce Shaw - Chair NSBC report

Joyce Shaw reported on status of NSBC, number of new awards received and continuing work. We are working to make “Wear It” a year round program.

NSBC is working with Eckerd College to do a “Close Quarter Boat Handling” course. This course is being taught to enforcement groups and not the general public. NSBC is working on a training class for marine sale people to instruct them in selling the proper equipment for various boating activities.

NSBC Presentation

<http://www.usps.org/national/govprcom/documents/NSBC%20powerpoint.pdf>

B/C Steven Ellerin - USCGAUX Recreational Boating Safety Outreach

B/C Steven Ellerin reported on continued partnering of USPS and USCGAUX. Decisions regarding plans for partnering are slow coming from the top. Much of this is due to the recent change of leadership in the Auxiliary upper levels. There continues to be some mistrust at the local levels hampering the partnering process. Currently the Program Visitation program is ready to go as the next step in the implementation plan.

In order to expedite the partnering, it is suggested that local squadrons start to include USCGAUX flotillas and members to participate in local events and activities. Suggest creating joint USPS and USCGAUX events. Program would be “Topsiders on Deck” vs. “Boots on the Ground”. This should enable us, USPS and USCGAUX, to reach the 97% of boaters that have not taken any safe boating course. Bottom line is we are not

in competition for membership or students but are both working to educate the public in methods of safe boating.

The VSC decals are blue this year and contrary to belief, the USCG is not responsible for limiting the number of decals to the USPS squadrons. The number of decals is controlled by USPS District VSC chairman and should be based on the number of checks from the previous year.

In order to help expedite the partnering process, B/C Ellerin requested access to USPS District Commanders email. This request is under advisement due to USPS personal information rules.

P/R/C John Wilson – commented that Lake Murray Squadron and the local USCGAUX have been in partnership for many years and have not had any major conflicts. The partnership can work.

COMO Edson S. Lott – reported on joint USPS/USCGAUX activities

- Beach cleanup of tsunami debris
- NOAA coastal evaluation
- Joint VSCs
- USPS helping USCG with lighthouse keeping
- USPS has SERAT operation in Hawaii

Memo of Understanding (MOU) Report - Stf/C John B. Wilkes, AP

Stf/C Wilkes handed out a list of current partner MOUs, state MOUs were not included. There are 41 state MOUs that belong with the Educational Department. There are 28 organizations covered by MOUs. All MOUs, including the Educational MOUs, are posted on the Government & Partner Relations website and can be read in detail.

There are still questions on MOUs, for instance is there one for Boy Scouts of America or Manufactures Boat Industries of America, etc. How are categorized. Stf/C Wilkes to check with the Law Committee.

Stf/C Mary Ann Jensen commented that the purpose of this committee is to oversee all MOUs and assign them to the appropriate department to manage each individual MOU. There is a concern of MOUs expiring. State MOU should have no expiration date, while marketing MOUs should have expiration dates.

Joyce Shaw requested NSBC MOU be reviewed and reworked.

MOU listing, Attachment A

State Legislative Report - Stf/C Howard Manly, AP

Stf/C Manly reported for Regions A

Region A – No new action. Bill to reduce sales tax on boat purchase, tax difference of trade in and purchase failed.

Region B – no report

Region C – P/R/C Lewis Dance

California enacted Invasive Species law for covering zebra and quagga mussels.

Washington has pending legislation for DUI, PFD and rental safety equipment, funding issues for Derelict Vessel Removal. Also reviewing invasive species control

Hawaii enacted law requiring boaters to take a boating safety course.

Reports, Attachment B

Guideline for Legislative Representatives - Stf/C Manly, AP

Stf/C Manly handed out copies of the guidelines with instruction to members to review. **Stf/C Mary Ann Jensen** has requested discussion and adoption at the next meeting in San Antonio. Guideline will be posted on G&PR website.

Guideline Attachment C

Q & A

P/R/C John Wilson – What is the lobbying policy?

Stf/C Jensen referred him to the GPRCom website in order to review it.

Canadian Power Squadron Report - P/N/FI/Lt Dick Jarmon, SN

P/N/FI/Lt Jarmon reported that the COPC card is now under control of Transport Canada. The articles are being rewritten because of changes in non profit rules in Canada. The articles will be voted on as Up or Down, no discussion at the CPS annual meeting.

CPS celebrates its 75th Anniversary in 2014 on the 3rd weekend in October in Toronto. USPS members are invited to attend and join the festivities.

Donald Canfield – comment COPC test is available online.

Homeland Security Report - P/R/C William E. Husted, SN

P/R/C Husted reported AWW and Citizen Corps Initiative.

He noted that, when reporting suspicious events, use cell phones, not VHF Ch 16. Culprits can monitor the radio and not cell phones.

Note: 877-24WATCH and www.americaswaterwaywatch.gov

Citizen Corps website www.ready.gov

Homeland Security and Citizen Corps Presentation:

<http://www.usps.org/national/govprcom/documents/Homeland%20Security-Citizen%20Corps.pdf>

Adjourned 1200

Attachment A:

MOU Listing – Stf/C John B. Wilkes, AP

**USPS ORGANIZATIONAL
MEMORANDUMS OF UNDERSTANDING**

In addition to its MOUs with most state governments, USPS presently has twenty-eight agreements with various maritime related organizations. Below is a complete list. These documents can be found and read in their entirety by logging into the USPS web site and clicking through site index/Government & Partner Relations Committee/MOUs.

AMERICAN BOAT & YACHT COUNCIL – This MOU is simply an agreement of the two organizations to cooperate and support fully each other’s education programs and “their mutual goals of encouraging and promoting recreational boating safety and enjoyment throughout the United States” and sets some standards of quality that will be maintained.

AMERICAN CANOE ASSOCIATION – The parties agree to promote their respective educational and membership activities including USPS “Paddle Smart” program.

AMERICAN HEART ASSOCIATION – This is an actual contract for services providing CPR training of designated USPS personnel for a fee. It is quite detailed in the provisions about how the training will be conducted.

AMERICAN RED CROSS – This is another full contract for First Aid and CPR training of USPS personnel for a fee with detailed terms and conditions.

AMERICAN RADIO RELAY LEAGUE INC – This MOU pledges mutual cooperation in pursuing the goals of the organizations and most particular the education and improvement of boaters as communicators.

BOAT OWNERS ASSOCIATION of The UNITED STATES - The purpose of the MOA is to develop a mutually beneficial partnership between Boat U.S. and USPS that will promote the value of membership in the respective organizations. This is mainly accomplished by agreed discounts to USPS members for membership and services provided by Boat US.

CANADIAN POWER & SAIL SQUADRONS – This MOU is a mutual promise to support and promote the sister association in all their mutual goals recognizing there is no competition between them. It almost makes members of one organization informal associate members of the other by encouraging members to attend the sister association’s meetings.

FEDERAL COMMUNICATIONS COMMISSION/US COAST GUARD – This MOU is a contract setting forth the terms and conditions of the use by USPS of MMSIs (Maritime Mobile Service Identities) in their search and rescue mission.

GREAT LAKES CRUISING CLUB/CANADIAN POWER & SAIL SQUADRONS – This is a three party MOU for the sharing of information and mutual support on all facets of boating on the Great lakes.

JEPPESEN MARINE – This MOU promises mutual support of Jeppesen navigational products and USPS membership and navigational training including discounts to USPS members and inputs by USPS members to Jeppesen data banks.

MAPTECH INC. – This a detailed contract whereby Maptech and USPS agree to collaborate, as independent contractors, with respect to the design, development and operation of a harbor information database and a website based on the Database, and with respect to the design, development and marketing of other products and services based upon the Database. The Website shall be accessible solely from links located on websites

which are under the control of USPS, and third parties who wish to access the Website shall be required to acknowledge their acceptance of the terms of an end user license agreement.

MARINE RETAILERS ASSOCIATION OF AMERICA – This is a typical MOU pledging the parties to support the other’s endeavors and goals.

NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS – Another MOU pledging mutual support in the maintenance of high standards of educating the public on safe and professional boating.

U.S. DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL OCEAN SERVICE - The purpose of this Agreement is to outline the basic responsibilities of the Parties in administering and supporting the Cooperative Charting Program. It provides guidance for the members of USPS to voluntarily scan the water and land areas looking for changing conditions that could be reflected on NOS navigational charts.

NATIONAL SAFE BOATING COUNCIL – This is a brief agreement setting forth the terms of USPS use and sale of the Council’s educational materials.

NATIONAL WEATHER SERVICE – The purpose of this agreement is to enhance the safety of mariners in US navigable waters by USPS members helping to increase the accuracy of marine forecasts and warnings.

OCEANGRAFIX LLC - USPS and OceanGrafix agree to work in close cooperation with each other in recognition of their respective outstanding past and present roles in the field of recreational boating and in furtherance of their mutual goals of encouraging and promoting recreational boating safety and enjoyment throughout the United States,

ROSE POINT NAVIGATION SYSTEMS – This MOU pledges mutual support to advance USPS membership and education pursuits and Rose Point’s navigational software and charting products.

SAILANGLE.COM – This MOU sets forth the terms and responsibilities of the parties relevant to the use of SailAngle’s private groups and communication services.

SEA/TOW INTERNATIONAL – Typical MOU pledging mutual support and promotion the each other’s services in respect to safe boating education and rescue services.

US ARMY CORPS OF ENGINEERS – This is a relatively detailed agreement setting forth the ways and means that the parties will aid each other in the furtherance of their respective interests.

US ARMY CORPS OF ENGINEERS, ENGINEER RESEARCH and DEVELOPMENT CENTER, TOPOGRAPHIC RESEARCH CENTER – This is a second MOU with the “Corps” dealing specifically with cooperative charting matters.

***US COAST GUARD AUXILIARY** – This MOU sets forth how the two organizations support each other sharing assets and responsibilities of their mutual goals and interests.

***US COAST GUARD AUXILIARY** - This second MOU specifically defines and describes the roles and areas of cooperation of the USCGAUX and USPS with respect to the USPS' participation in the Recreational Boating Safety Visitation Program.

***US COAST GUARD AUXILIARY** - This third MOU specifically defines and describes the roles and areas of cooperation of the USCGAUX and USPS with respect to the USPS' participation in the Vessel Safety Check Program.

US SAILING – This MOU pledges mutual support and education to respective members with an emphasis on sailing and sailboats.

VESSEL ASSIST ASSOCIATION OF AMERICA – This MOU pledges mutual promotion of membership and education programs and VAAA’s assist services.

WEEMS & PLATH – This agreement promises mutual support, promotion and use of Weems & Plath printed and audio visual materials in the education of boaters.

*Please refer to the Government & Partner Relations website for additional information on the Implementation Plan for these 3 agreements. This plan can be found under USPS USCGAux Joint Efforts.

Attachments B

State Legislation Reports – Stf/C Howard F. Manly, AP

**Summarized State Legislation Report – Region A
Team Leader: P/D/C James Spencer, Jr., SN**

No Report:

Connecticut: Stf/C Sandra W. Pierog, SN
Illinois: P/D/C Richard N. Spurr, SN
Indiana: P/C James K. Wilhite, AP
Iowa: D/Lt/C Richard W McGaughy, JN
Maine: D/C Artemas M (Art) Pickard, SN
Maryland: P/C Howard P. Barry, Jr., JN
Massachusetts: V/C Robert J. Sweet, SN
Nebraska: Lt/C Michael J. Bahr, AP
New Jersey: D/Lt Donald E. Baker, JN
New York: P/C Larry Weiss, AP
Rhode Island: P/D/C H. Thomas Simmons, SN
Wisconsin: P/D/C Ronald M. Kraase, SN

No Activity:

Kansas: P/D/C Richard G. Stablein, SN
Legislature has not yet convened for 2013
New Hampshire: P/D/Lt/C Carl N. Johnson, SN
North Dakota: No Representative
Website search shows no pending legislation (P/D/C Spencer)
Ohio: No Representative
Website search shows no legislation (P/D/C Spencer)
South Dakota: No Representative
No activity
Vermont: P/D/C James Spencer, Jr., SN
2013 legislature convened January 9th. No action on boating

Michigan: P/D/C James R. Leonard, SN
Senate Bill 0126 did not pass. The bill would have reduced State sales tax on new boat purchases to the amount difference between new boat cost and trade-in boat value. Several states have this policy.

Asian Carp Invasion- Great Lakes – U.S. district Judge John Tharp dismissed the lawsuit by five Great Lakes States, including Michigan, joined by the Grand Traverse Band of Ottawa and Chippewa Indians that sought to force the Army Corps of Engineers to separate the artificial waterways connecting the Illinois River from the Great Lakes. This ticking time bomb jeopardizes the \$7 billion annual Great Lakes sport fishery.

Other things of interest to us boaters

Ferry SS Badger – This 410 ft ferry has been transporting passengers, cars and freight between Michigan and Wisconsin since 1953. Its boilers are coal fired so it dumps nearly 500 tons of coal ash into the lake each year. The EPA has not renewed its permit and no feasible solution to solve this problem is in the works so as of now the ferry will be grounded for the 2013 season.

Minnesota: R/C Gregory E. Korstad, AP

The Minnesota Department of Natural Resource has improved its species management program. The state Clean Water Fund has been tapped for \$1.8 million to fund a University of Minnesota study of preventing invasives. The MDNR's enforcement division operates a boat/trailer inspection program and decontamination program. The program was to be funded by the sale of informational stickers for display on recreational watercraft; however that law was so unpopular it was repealed! The replacement is a trailer sticker available only after completing a training course. This is planned to become effective in 2015.

Our legislature continues to resist any efforts to add mandates to life jacket wear or education/training requirements for boaters. I am not aware of any efforts to make changes, nor have I heard of any significant incident which would be an impetus for such change.

Summarized State Legislation Report – Region C Team Leader: P/R/C Lewis W. Dance, SN

California

Life jacket & Education Requirements: NA
Law has been passed to add Quagga/Zebra mussel infestation fee to state vessel registrations.

Washington

Life jacket Requirements: PDF& rental Safety equipment
Education Requirements: NA
Pending funding sources for Derelict vessel Removal Program and Invasive Species Control

Pending activities of interest: Boating safety bill involving BUI, PFD, rental safety equipment, etc is being drafted. No sponsors as of yet. Some action to make all of Puget Sound a “No Discharge Zone” for treated waste. Currently no scientific basis exists to create a tighter “clean water policy” as area is currently under a “No Discharge for untreated waste.” Boating population affected is very small.

Hawaii

New law in effect November 10, 2012 that requires all boat operators of motorized vessels to complete a boating safety course. NASBLA or state approved courses accepted. Operators less than 16 require certificate holding adult supervision. Visitors in area less than 60 days will not require certificate. Vessels of less than 10HP and safety briefed rental users are exempted. Full enforcement to be effective 24 months after signing of law.

Attachment C

Legislative Representative Guideline – Stf/C Howard F. Manly, AP

GOVERNMENT AND PARTNER RELATIONS COMMITTEE

GUIDELINE FOR LEGISLATIVE REPRESENTATIVES

USPS is committed to achieving amicable relations with public officials, regulatory agencies, safety and homeland security groups and volunteer organizations with an interest in boating education and safety. These relationships ultimately have a mutual benefit both to USPS and the boating community at large. Moreover, these relationships enhance USPS legislative comprehension by participation at the initial stage of the legislative process.

To carry out the legislative commitment, **The Government and Partner Relations Committee** (GPRCom) was established; referred to as Committee in this document. Within the Committee three legislative Regions were designated, each with a Team Leader. Legislative Regions and State Legislative Representatives (SLR) can be found on the GPRCom website. Team Leaders together with the SLR maintain vigilance of pending legislation within their jurisdiction that may have potential impact on boating safety in general and specifically USPS programs. Together the team leaders serve as a conduit through which legislative matters flow from their respective States to the Committee. In this connection, Team Leaders must inform the Committee of contacts made and suggested participation.

Region Team Leaders are appointed by the Chairperson of the Committee. SLRs are appointed by the Region Team Leader in consultation with the District Commanders (D/Cs). The ideal selectee for the State Legislative Representative position should possess the following qualifications:

- Understanding of the State’s legislative system and willingness to seek out and develop working relationships with legislators and their staffs
- Live within the State represented and in reasonable proximity of the state capitol
- e-mail and internet access and basic computer skills
- A self-starter requiring minimum supervision
- Understanding the structure of USPS
- Willing to commit to the time required to get the job done

To be successful as a State Legislative Representative and Team Leader one must be a) proactive concerning the status of planned, proposed, pending legislation, b) be highly visible and easily accessible resource for USPS and c) have a good understanding of USPS policies, programs, and organization. The State Legislative Representative’s primary responsibility is to maintain contact with Public Elected Officials and their staffs; hence, they should have good knowledge of: who those officials are, what they do and how to contact them. In addition contact should be maintained with the U. S. Coast Guard Auxiliary (CGAUX) and the USPS State Educational Liaison associated with State Boating Law Administrators for the purpose of identifying and coordinating similar legislative activities.

SLRs are authorized to communicate with members of State Legislatures and their staffs for the express purpose of obtaining information on proposed, pending and passed legislation concerning recreational boating and safety. Information obtained will be forwarded to the Region Team Leader who, in turn, reports to the Staff Commander (Stf/C) and the Chairperson of the Committee. If it is determined that the best interest of USPS would be served by personal testimony, such testimony will be strictly limited to boating education and safety. Appearances to testify at state or local legislative hearings shall not be viewed as partisan opportunities to promote or seek defeat of legislation but rather as opportunities to educate others and identify and articulate the facts surrounding the issue. The offering of opinions, conjecture, or speculation, whether requested or not, shall be strictly avoided.

When meeting with a legislator in person:

- Be sure to make an appointment
- If the legislator is unable to meet with you but a staff person is available, meet with him/her
- Be aware of “hot” issues
- Typically, meetings are fairly short so be direct and clear about your issue

- Follow up the visit with a thank you letter addressed to the Legislator and/or the staff person with whom you met.

When making a telephone call: state your name and why you are calling; tell the person that you are a constituent and a recreational boater and there is an issue that you are calling to address. Only identify yourself as a member of USPS legislative program when your contact has been approved by the Chairperson of the Committee.

SLRs should maintain an *ad hoc* list of USPS members who are willing to represent USPS and testify before state legislative committees when requested. Prior approval of a member's appearance must be obtained from the Chairperson of the Committee. Following the appearance, a full report is to be submitted to the Committee.

It is paramount that legislative information flow quickly and that it be timely. Quarterly reports are required from Region Team Leaders that sum up activity or to provide a heads up on future planned and contemplated legislation. Quarterly Report Form is attached (Appendix A). When a specific piece of proposed or actual legislation is reported on, the following information is required:

- Date of report
- Potential legislation or status update
- House or Senate bill number, name and title
- Whom the bill is sponsored by in the House or Senate
- A brief summary of the legislation

If the legislative situation warrants, a special report shall be submitted to the Region Team Leader, the Stf/C and the Chairperson of the Committee at any time by most expeditious means.

The Legislative process is an ever evolving activity. USPS members at all levels must be continuously aware of legislation that has the potential of impacting recreational boating. This guidance is a basic action plan for use by USPS members whose primary duties and responsibilities require interaction with the legislative process. It is expected that USPS Legislative Team Leaders, State Legislative Representatives and interested USPS Members will become familiar with these guidelines to facilitate the passage of legislation that promotes safe boating through boating education.

Nothing in this guidance is to be construed as a prohibition of an individual member testifying as an individual on his/her own behalf and not representing USPS.

Appendices

- A. Quarterly Report Form
- B. Legislative Correspondence
- C. Resources

Appendix B

Addressing Correspondence

To a U.S Senator:

The Honorable (Name)
U. S. Senate
Washington, DC 20501

To U. S Representative

The Honorable (Name)
U. S. House of Representatives
Washington, DC 20515

To a State Senator

The Honorable (Name)
_____ State Senate
City, State, Zip Code

To the House of Delegates (or Representatives)

The Honorable (Name)
House of _____ (insert Delegates/Representatives as
appropriate)
City, State, Zip Code

Appendix C

Resources

www.congress.org

Capitol Advantage maintains this website as a public service

www.USA.gov

Contains legislative contact information and a variety of references to additional government data and services

www.nasbla.org

For State Boating Law Administrators and related Boating Education information

www.legislative.auxnaco.org

The National Legislative Liaison Committee of the U.S. Coast Guard Auxiliary