

Government and Partner Relations Committee

0800 Friday, 27 January 2012

Call to order by St/C Rathbun, SN

Members present:

P/D/C Robert E. Canfield, JN	P/R/C Lewis Dance, SN	P/C C. Henry Depew, SN
D/Lt/C Dawn L. Flynn, JN	P/R/C William E. Husted, SN	P/C John M. Malatak, AP
Stf/C Howard Manly, AP	P/D/C Patrick A. Pabouet, P	Stf/C Lawrence Rathbun, SN
P/R/C Joyce Shaw, AP	P/D/C James Spencer, Jr., SN	P/D/C Richard N. Spurr, SN
Cdr. Ralph J. Ziegler, AP		

Guests:

P/C/C Malcom Blann - Canadian Power & Sail Squadron
P/Lt/C Philip J. Bouckaert, AP – Palm Beach Sail & Power Squadron
Virgil Chambers – National Safe Boating Council
Chris Edmonston – BoatUS Foundation
Tom Hayward – NASBLA
Mary Larsen – USCG Auxiliary, America's Waterway Watch
P/R/C Ken Link, SN – USCG Liaison
D/C Edson Lott – USCGA, Liaison 14th District, Hawaii
Tom Mallison, USCG Auxiliary
P/R/C Elliott L. Manke, JN – Rocky River P.S. D/7
P/D/C Mary Paige Abbott, N, D22, Cyber Squadron
Fred Poppe – National Boating Federation
Henry Pratt – USCG Auxiliary
R/C Tom Roscoe, AP
Ted Sensenbrenner BoatUS Foundation
Vic Silvestrini – USCG Auxiliary - USPS Liaison

Guest Speakers

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

Mary Larsen – USCG Auxiliary, America's Waterway Watch

The program is going well. It likened to, what most people would recognize as, a 'neighborhood watch'. The most important thing is to report actions that do not look normal. The catch phrase is "See Something, Say Something", so report it and let the authorities take care of the situation. (Update attached.)

Virgil Chambers – National Safe Boating Council

The council is now looking for more statistical data of near misses and not just fatalities. Current data has somewhat leveled off in the past two years. Main issue in education is to get dialogue between inexperienced and experienced boaters and trying to reach the younger market. Teaching the children has an effect on making the adults become better role models. Example would be kids reminding parents to wear their seatbelts in the car, for boating its 'Dad, where's your lifejacket'

NASBLA now have new endcaps showing examples of lifejackets used for different applications. These are available for retail stores or for boat show booths.

Fred Poppe – National Boating Federation

The organization was established in 1966. It is an organization of recreational boating organizations. Mission is to promote safe boating through education, act as a legislative watchdog, and advocate for

favorable legislation, regulations and best practices. (Websites addresses attached for background, current issues and handout materials.)

D/C Edson Lott – USCGA, Liaison 14th District, Hawaii

They have been working closely with USPS in the islands sharing teaching of courses, USPS supplementing their USCGA patrols. This was started well before the MOUs were written. The joint interaction has been highly successful. There is possible program for their area in the future to have USPS members trained in inspection of private aids to navigation (PATONS) to aid in this area due to large number of patons in the many harbors in the islands.

Added Speakers

Chris Edmonston – BoatUS Foundation

Brief comments regarding pleasure to be in attendance and that nature of boating is changing, more people are into the paddle sports; kayaks, canoes and PWCs. He noted that BoatUS Foundation does have funds for grants and are willing to support viable projects in support of safe boating and boating education.

Tom Hayward – NASBLA

Again brief comments regarding boating education course standards to relate more to statistics. There is a new sobriety test to be taken in sitting position. The reason being it is very hard to accurately test for ‘under the influence’ on a boat in the water. The test should faster that the old style test.

Approval of Greensboro Committee Meeting

The minutes of the September 2011 Greensboro meeting were approved as presented

Discussion of USCG Auxiliary – USPS MOU Implementation Plan (attached)

St/C Rathbun announced that the list and updated MOUs are on the GPRCom Website. He also stated that D/C Mary Ann Jensen will be working with R/C Greg Korstad on the MOUs.

P/R/C Bill Husted reviewed the organization and implementation plan as currently available as well as a survey of Squadrons to reveal number of dual membership (USPS/USCGA) and interaction activity of USPS squadrons and USCGAux flotillas. The surveys showed 26% of USPS districts and 57% of squadrons have no interaction with USCG Auxiliary. He noted that this plan supports AWW and Citizens Corps (FEMA website.) P/R/C Husted stressed the need for USPS squadrons to establish a working relationship with their local flotillas in order to make the plan succeed. Copies of his presentation are available on SailAngle with the exception of Frequently Asked Questions which is attached. The links are attached.

P/R/C Husted introduced P/Lt/C Philip J. Bouckaert – Palm Beach Sail & Power Squadron, who discussed the need for us to prepare for disaster both at home and on your boat. Remember “the first responder is you.” St/C Manley concurred with that statement.

P/C C. Henry Depew noted that information on MOU implementation must get to the squadron and to the members so they may also implement at their level.

State Legislative

Region A – P/D/C James Spencer, Jr. (report attached)

Michigan has been very active with the Asian carp issue being at the forefront. New Jersey is looking at requiring the wearing of a PFD for persons in a boat of less than 21 feet. North Dakota is looking at boating while intoxicated legislation

Region B – no report

Region C – P/R/C Lewis Dance (report attached)

Major issue of discussion is 10% maximum ethanol for marine gasoline use in the state of California.

Committee Comments

Tom Mallison, USCG Auxiliary

Due to severe budget cuts, it is harder to get presentation to these types of meetings. Manpower is being reduced and trips are being scrutinized more closely. We are relying more on the USCGA volunteers more than ever to continue to function.

Guest P/Lt/C Philip J. Bouckaert, AP – Palm Beach Sail & Power Squadron
Currently a large number of DSC radio alarms to the US Coast Guard are not effective because the GPS has not been properly connected to the radio, or GPS is not on, or the MMSI number has not been obtained, or it is an accidental alarm. This requires the Coast Guard to revert to the old method of radio tracking or lengthy voice communications.

R/C Thomas Roscoe, AP - USPS Chairman Boating Safety Committee
He commented that he had some trouble in finding a USCGA flotilla in his area but that once he had made contact that the relationship between squadron and flotilla seems to working well. He finds there are things to be offered from each side.

V/C Robert Baldrige and V/C Jean Hamilton both made brief remarks about the importance of the committee and work that has been done.

Meeting adjourned 1130

Attachments

Update on America's Waterways Watch (AWW) program

The AWW program has been enhanced and allows for a national program encompassing local marine domain awareness operations. The enhancement involves the integration of the Citizens' Action Network (CAN), with the established AWW program. The CAN program enlists the assistance of civilian volunteers (not necessarily member of the CG Auxiliary or USPS) into a group that readily interacts with local Coast Guard units when requested. Such requests are in support of search-and-rescue, marine environmental response, port security and other essential mission areas. On request these volunteers, who live or work within sight of waterways, look out for unusual activity.

The enhanced AWW program provides CG Sector Commanders with the tools needed to engage local stakeholders in focused outreach and participation. A revised Commandant Instruction is moving toward approval and final signature.

In support of the AWW program a new CD is in production with an introduction by the current Commandant, ADM Papp. In support of the CAN program, training at the local level will be available.

Currently, the CAN program is in full operation in the Seattle, WA area where it began. Pilot-type programs are underway in the Gulf coast area and in the Baltimore, MD area.

Fred Poppe -National Boating Federation
Home page; <http://www.n-b-f.org/index.html>
For current issues; <http://www.n-b-f.org/issues.html>
For brochures; <http://www.n-b-f.org/educ.html>
DSC radio Brochure "DSC Digital Selective Calling - Today's S.O.S"
Cell Phone Brochure "Only You Can Take the Search out of Search & Rescue"

Frequently Asked Questions **USPS-USCG Auxiliary** **Memorandum of Understanding**

What essentially is this MOU and what does it entail?

This memorandum of understanding is an official agreement between United States Power Squadrons and U.S. Coast Guard Auxiliary. The MOU is intended to enhance cooperative endeavors between two organizations sharing similar missions and goals of promoting boating safety. These enhanced endeavors focus primarily on increased cooperation in the areas of vessel examinations, education and public affairs.

I thought we already had an MOU with the U.S. Coast Guard Auxiliary?

USPS has had a number of MOUs with the Auxiliary, several in the past decade alone. This current MOU broadens the scope of coordinated efforts between the two organizations and serves as a reminder to the recreational boating community that USPS and the Auxiliary are committed to doing everything possible to make boating on our nation's waterways safer and more fun for everyone.

Why do we need an MOU with the Auxiliary?

Both organizations needed to formalize an agreement with broader provisions that encompass increased responsibilities involved in the more widespread cooperative efforts to enhance boating safety. The current MOU also serves as a reminder to members of both organizations of the MOU's intent and how they can participate and otherwise contribute to the overall mission.

How are the provisions of the MOU being accomplished?

A detailed list of action-oriented activities is underway, primarily involving USPS department/committee chairs and their Auxiliary counterparts in the following areas: Safety/Vessel Safety Checks, Education, Membership, Marketing and Public Relations, and Planning. A benchmark poll has already been conducted among the district and squadron commanders.

What can I do as a USPS member to strengthen this USPS and USCG Auxiliary relationship?

Encourage your bridge, department and committee leadership, and fellow members to support this endeavor. Volunteer your efforts in vessel safety checks, educational programs and other activities in which both USPS and Auxiliary members can join forces on behalf of boating safety. Invite Auxiliarists to your meetings and other activities. Explore any number of cooperative efforts....

USPS - USCG Aux Implementation Plan – Links on SailAngle

Implementation Plan:

http://www.sailangle.com/uploads/group/files/1675/596326728201_auxuspsmouimplementplan.pdf

Implementation Plan News Release: http://www.sailangle.com/uploads/group/files/1675/f9b20187c8e4_cgaux-squadron.pdf

Implementation Plan Matrix:

http://www.sailangle.com/uploads/group/files/1675/baec43cafb4e_matrix2012.pdf

Implementation Plan Contacts:

http://www.sailangle.com/uploads/group/files/1675/914172f68d09_points%20of%20contact.pdf

VSC MOU: http://www.sailangle.com/uploads/group/files/1675/cc97ccb36145_vsc%20mou.pdf

Visitation Program MOU: http://www.sailangle.com/uploads/group/files/1675/8942d87e2780_uscg-a%20mou-2%20visitation%20program%20.pdf

Comprehensive MOU:

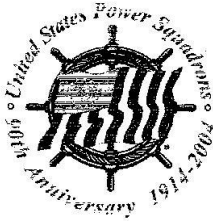
http://www.sailangle.com/uploads/group/files/1675/0647c3ed1525_uscg%20aux%20mou%20jan%202006.pdf

Joint Tasking Order:

http://www.sailangle.com/uploads/group/files/1675/56ce3199989e_revised%20joint%20tasking%20order%20-%2020.pdf

Survey Results: http://www.sailangle.com/uploads/group/files/1675/f6a8af3cfaea_jaxhandout3pollresults.pdf

P/D/C James Spencer, Jr. SN - State Legislative Team Region A



United States Power Squadrons
Executive Department
Government and Partner Relations Committee
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26 January 2012

To: GPR Committee

From: State Legislation - Region A

Connecticut: Stf/C Sandra W. Pierog. SN

No Report

Illinois: P/D/C Richard N. Spurr. SN

No Report

No changes in Illinois. Proposed changes made 3-4 years ago have no current sponsors and are not being considered.

Indiana: P/C James K. Wilhite. AP

No Report

Iowa: D/L/C Richard W. McGaughy JN

No current legislative activity.

Kansas: P/D/C Richard G. Stablein. SN

There is a bill in committee requiring boats to be titled.

Maine: D/C Artemas M. (Art) Pickard. SN

There has been no legislative activity in Maine during this reporting period.

Maryland: P/C Howard P. Barry, Jr., JN

No Report.

Massachusetts: V/C Robert J. Sweet. SN

No Report.

Michigan: P/D/C James R. Leonard, SN

Reporting from Michigan--

Pending Legislation – Four bills that were introduced in the Michigan House last fall have been modified and now have the support of the Michigan Department of Natural Resources, the Michigan Boating Industries Association, and the Deputy Sheriffs Association of Michigan. Final enactment is unpredictable at this time.

#4845 - Would amend NREPA to allow children under the age of 12 to operate a motor boat if they possess a boating safety certificate. It would also repeal the graduated age provisions for operating a personal watercraft.

#4846 - Clarifies safety equipment required on a boat and PFD requirements for a person being towed by a boat.

#4547 – Revises identification and lighting requirements for barges.

#4548 – Changes the crime of fleeing from a law enforcement officer with a vessel to a felony.

Other Items of interest to Michigan boaters.

Asian Carp Update – Still a very serious and complex issue for Michigan and the several other states bordering the Great Lakes. Efforts are underway to improve the electrified barriers and find better permanent solutions to prevent carp infestation. This is a ticking time bomb with extreme expensive consequences for the Great Lakes.

From the Michigan Boating Industry Association – As reported before, Michigan is one of a few States that charges full sales tax on a new boat purchase. Efforts are underway to change to a "Tax on Difference" situation where the value of a boat traded in can be deducted from the taxable amount. This is still progressing slowly, with research in other states that have it to determine the effect on the revenue stream. This is an important consideration in our cash strapped state and it is predicted that it will be revenue neutral in the beginning and actually end up positive in the long run.

Boat Registrations – Michigan recently surpassed California and is now ranked number three in the number of boat registrations in the state. Florida and Minnesota are numbers one and two.

Minnesota: R/C Gregory E. Korstad, AP

No news is generally good news when the legislature is concerned and Minnesota is no exception. Here in greater Lake Wobegon where everyone of us grew up within walking distance of the lake and have been boating since infancy, the next session convenes in a couple of weeks and then we will see what it holds.

As for mandatory education or life jacket wear, neither of those propositions have any legs this session. (And frankly not until the next generation grows up without seeing their parents reject life jackets as some sort of evil curse from the big city will we see much of a change!) Same can be said for operator licensure. The Department of Natural Resources in which boating safety resides does not have any significant budget changes in store, so we are expecting a quiet session.

Once the 2011 budget deficit and the Vikings new stadium as well as our expanding light rail transit systems get funded there really isn't anything left.

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Nebraska: Lt/C Michael J. Bahr. AP

No Report.

New Hampshire: P/D/Lt/C Carl N. Johnson. SN

No new activity in New Hampshire.

New Jersey: D/Lt Donald E. Baker. JN

The only thing legislatively in New Jersey at this time is the assembly bill A 3098 that I got my assemblyman to introduce. It merely requires anyone in a boat less than 21 feet to wear a life jacket between November 1 and May 1. I have met with my NJ senator and hope he will sponsor it in the senate. NJ had 7 cold water deaths in 2010.

New York: P/C Larry Weiss. AP

No Report.

North Dakota: No Representative

My search of their website shows a Senate Bill, SB no. 2113 dealing with boating while intoxicated and under the influence of drugs was introduced, approved by the House and signed into law..

Ohio: Sam Insalaco

No Report

Pennsylvania: P/R/C Robert E. Brandenstein. SN

No report.

Rhode Island: P/D/C H. Thomas Simmons. SN

No new Rhode Island boating laws at this time..

South Dakota: No Representative

My search of their website shows no pending legislation.

Vermont: P/D/C James Spencer, Jr., SN

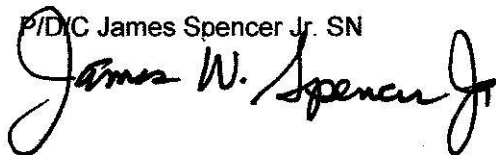
A review of the Vermont Legislative database shows no legislation pending in either Senate or House chambers.

Vermont's legislature is focused on recovery efforts from two weather related events in 2011. First was historic spring flooding of Lake Champlain. Later was the devastating effects of tropical storm Irene which laid waste to much of the state's road and bridge infrastructure. Additionally the legislature is focused on funding single payer healthcare legislation passed in early 2011.

Wisconsin: P/D/C Ronald M. Kraase, SN

No Report

Respectfully submitted for the Region A team

P/D/C James Spencer Jr. SN


P/R/C Lewis W. Dance, SN - State Legislative Team Region C

Note: There is no page 1 to this report. Page 1 was only the e-mail transmittal. The report begins on the next page.

NGPRC Quarterly Report – 4th Qtr 2011 – continued: state of Washington

Summary of Activity Anticipated for the 2012 Legislative Session

The 2012 Legislative Session begins on January 9th as the second half and short (60 day) session of the biennium.

Since closure of the 2011 session, revenue forecasts have continued to indicate a revenue shortfall and the governor called a special session in December of 2011 to resolve the projected \$1.4 billion imbalance. The Governor provided a supplemental budget proposal to the legislature to kickoff the session.

- The end-of-the-year Special Session adjourned early, after passing a measure that cut \$480 million -- about twenty-five percent of the total amount needed -- from the current operating budget. After two weeks of little apparent activity, legislators decided to cut the things that they could all agree on, and save the heavy lifting for January.
- The final fiscal bill, SHB 2058, shifted some expenses from this biennium to the next, transferred some funds among accounts, and essentially had no noticeable effect on boating programs.
- This bill does not replace the Governor's 2012 supplemental budget proposal that was presented earlier and most of the major items were not acted upon. Those items will be "in play" now in the 2012 session
- Fortunately, neither the Governor's budget proposal nor the special session bill affects the boating Recreation Resource Account funding from the un-refunded highway tax paid by boaters for non-highway use that was swept in both the 2009 and 2010 sessions and restored in 2011. There is still potential for legislators looking for funding streams in support of the shortfall or other politically popular jobs creation programs to leave the boating money vulnerable. Boating organizations are watching closely and will oppose any reduction in this boating program funding.

The first week of the 2012 Legislative Session started off with a large number of issues competing for Legislator's attention, and it is hard to imagine that all of them can possibly be considered in a sixty-day Session.

- In addition to the Governor's new transportation funding idea, there is much more thought being given this year to substantive job-creation proposals and state government reform efforts.
- While a number of significant ideas have been floated, many of them are still in un-introduced draft form. This means that they are not yet available to the general public, and have not been assigned bill numbers.
- The Governor's transportation package proposes several new fees including a \$1.50 per barrel on oil refined in the state, along with various increases in vehicle registration fees [weight fees, potential 1% excise tax, commercial vehicle license fees, and fees on electric vehicles]. While the transportation package changes proposed do not affect boating programs directly, there is a link to its success in whatever form to a boating program improvement proposal. Currently the state highway tax on gasoline is 37 cents/gallon with the amount available for direct refund to boaters or boating programs is capped at 23 cents. Boating advocacy groups have worked together with snowmobilers and off-road vehicle users in a loose transportation partnership to remove the "cap" on the refundable portion. It has large support, but will require the ultimate transportation budget to "recoup" a like amount through other revenue generation streams.

More specific to boating directly:

- The subject of marina lease rates (charged by DNR for use of water over state owned tidelands) is back. It doesn't appear to be backed by DNR or yet have a sponsored bill but proponents have let it be known it will be back on the table. Past proposals attempted to lower the rate charged to high end private marinas by raising those of many smaller and remote marinas and yacht clubs. This was to be accomplished through an averaging scheme of the value assessment of the adjacent upland property. It was defeated in 2010 and 2011.
- No new legislation appears to be forthcoming on the topics of BUI penalties, increasing boating registration [to include additional classes now exempt], tying BUI infractions to the state vehicle drivers license records, or change to state PFD laws. Open water drowning prevention studies and proposals since the 2011 session have not resulted in any bills introduced. Boating advocacy groups supporting safety initiatives in general feel it is better to let the National Boating Safety Advisory Council and the USCG foster this first on a federal level.
- A Marine Tourism bill is being presented that will make it easier for out-of-state and especially large mega yachts to cruise and visit the state without being subject to essentially registering the boat in the state and paying the state sales tax based on the value of the boat in addition to the ½% excise tax based on the boat's value. Additional proposals are being presented to reduce the pilotage requirements for large mega yachts to bring them in line with San Francisco which is hosting the next America's Cup
- Without active legislation, boating advocacy groups are still highlighting the unfairness of the Watercraft Excise Tax with boaters being the only vehicle type to pay the tax and have it go to the general fund without direct benefit to boating. It is continuing to be touted as an educational and awareness issue to the legislators.
- A proposal from the Dept of Ecology to increase boatyard permit fees from \$350 to nearly \$4,000 has been put hold.
- Legislation is being proposed in both the House and Senate to modify the "Discover Pass" to allow for use by two vehicles vice one as originally introduced last summer. This answers the most vocal user complaint, aligns it with the long standing "Vehicle Access Pass" issued to hunters and fishers by Dept of Fish & Wildlife with hunting and fishing licenses and hopefully will increase support for funding state parks. While this is a vehicle pass, boating advocacy groups are supportive of keeping state parks open and maintained, including the numerous state marine parks. The Discover Pass is the new funding mechanism of user fee support. Marine use is covered through moorage and launch fees and annual permits, but without Discover Pass support will not be adequate to fund the parks.
- At the last minute there has been a proposal identified that will add \$1.00 to each boat registration to support funding a dedicated account for a "Center for Innovation" at some state colleges to study innovative approaches to improve watercraft construction and other marine related issues. Very little detail is yet available, but the issue is immediately being heavily scrutinized.