



California Surf Lifesaving Association **N**

Southwest Region - United States Lifesaving Association

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World Wide Web: www.cslsa.org

4th Executive Delegate's Report on Legislation and Statistics

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Legislation:

Fall is the wrap-up for the Legislative season for new bills. Bills that were introduced at the first of the year, have either died in committee or progressed and possibly mutated as they traveled through committees of both the Assembly and the Senate before being reviewed by the Governor to either be vetoed, or signed into law.

Perhaps because of the current focus nationally and statewide on economic issues, I am not seeing a lot of legislative action that would affect lifeguards in California (other than furloughs, budget cuts, and potential layoffs).

- **AB 166, Lieu. Vessels: abandonment: abatement.**

An act to amend Sections 525 and 526 of, and to add and repeal Section 526.1 of, the Harbors and Navigation Code, relating to abandoned vessels.

Existing law makes it an infraction with a minimum \$500 fine and maximum \$3,000 fine for a person to abandon a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except for the urgent and immediate concern for the safety of those aboard the vessel.

This bill would increase the minimum fine to \$1,000. The bill would also allow the moneys in the fund to be used for the abatement and removal of a hulk, derelict, wreck, or parts of any ship, or other watercraft sunk, beached, or allowed to remain in an unseaworthy or dilapidated condition upon municipal or other public corporation property, and for the disposal of a surrendered vessel, as defined. This bill would prohibit the state from assuming liability for any injuries or damages to a person or entity, public or private, connected to or resulting from the processing or disposal of a surrendered vessel.

- **Follow up to AB 2917, EMT statewide registry, certification and discipline**

This was a bill that was approved in signed into law in 2008. The intent is to establish a statewide registry of the status of emergency medical technician (EMT) licenses and certificates, to be used by certifying entities, as defined. Requires EMSA to develop standards, guidelines, and regulations for certification of specified EMTs. Establishes guidelines for EMT certification and discipline, and for investigation of any conduct which threatens public health and safety, as defined.

The legislation was in response to publicized incidents of EMTs maintaining certification despite criminal and unethical activity. The regulations will take effect July 1, 2010. The state EMSA has been meeting with agencies and local

emergency medical services authority (LEMSA) to develop the actual regulations. Myself and other state park representatives have been participating in the telephone conferences hosted by the state EMSA as these regulations are developed.

Some relevant elements are:

- All **new** EMTs will be required to submit livescan fingerprints and a passport compliant photo to receive their EMT certificates. The livescan must be submitted to have the criminal offender record information and subsequent arrest notification record returns go to the California Emergency Medical Services Authority (EMSA).
- Certifying entities must enter certification information into the EMT registry within 14 days of certification.
- Certifying entities may print the card (provided by EMSA), but most will have EMSA issue the card because the printers are expensive. If EMSA is printing the card, the certifying entity issues a temporary certificate.
- Specifies disciplinary guidelines for relevant employers and local emergency services agencies (LEMSAs) to use when certain allegations are made against an EMT. These relate to medical care issues and moral issues that would indicate the EMT may be able to be trusted to treat patients.
- The LEMSA may investigate after the relevant employer completes their investigation and will investigate when the EMT does not have a relevant employer.
- The LEMSA may immediately suspend an EMT certificate under extreme circumstances.
- Specifies procedures for investigating EMTs who do not work for a relevant employer.
- LEMSAs who receive a complaint will forward the information to the relevant employer.

As we look to the new 2010 Legislative season, please be sure to send me an email if you are aware of any developing legislation that may affect California lifeguards.

Statistics:

In 2008 we provided our membership with templates of a Lifeguard Daily Patrol Log and an Annual Lifeguard Statistics form workbook to assist them in collecting their statistics in a more standardized approach.

The issue of national aquatic safety statistics, how they are gathered, definitions, and the importance of submitting agency statistics was included in the Spring 2009 USLA Board of Directors Meeting and Educational Conference on April 24th at the California State Park Training Center in Pacific Grove, California. I believe that the outcome of the presentation and roundtable discussion was the importance of consistent gathering of statistics in order to have defensible data. This becomes increasingly important in the face of budgetary review and potential reductions in aquatic safety services. Many thanks to those who participated in the discussion and to Rick Gould who serves as the USLA statistician.

In regards to the USLA Spring Meeting this past spring at Asilomar, I hope that everyone who attended had a great time and enjoyed the setting of Asilomar itself. Despite many of the challenges involved in hosting a national meeting, I still feel that it was an honor to host our national organization and hope that spirit of togetherness and working together for the betterment of aquatic safety throughout our nation will continue at our national and statewide meetings and conferences.

I wanted to let our membership know that it has been an honor for me to serve as the CSLSA 4th Delegate these past four years and I wanted to thank everyone for their support during these very active years. There are a number of personal and professional issues that influence my decision, but I have decided not to seek re-election for the next term. I will continue to serve the organization at the president's discretion and hope to continue to help all of us make a difference. It is vital that all of us continue to participate in our organization as all of us have the potential to make a difference. One thing that escapes those who are not lifeguards and have never looked into the eyes of the drowning victim is the impact that lifeguards have everyday.

I salute all of you and wish you all the best.

Respectfully submitted.

A handwritten signature in black ink, reading "Alex K. Peabody". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Alex K. Peabody
4th Executive Delegate
California Surf Lifesaving Association