



# California Surf Lifesaving Association

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## Southwest Region - United States Lifesaving Association

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### 4<sup>th</sup> Executive Delegate Report on Legislation and Statistics

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Statistics! Everyone's favorite I know, but in these days and times in which we may be faced with providing critical, defensible data (quickly) in answer to budgetary, salary, and legal issues, we must look at our own statistical gathering methodology and process for aquatic safety statistics and ensure we are doing it right.

As often as the United States Lifesaving Association is cited for its national statistical data base for aquatic safety statistics, in order for that data base to be a reliable data source, it is critical that all contributing agencies develop a more uniformed and standardized process for their statistics gathering and reporting. For that reason we have asked all agencies attending this Spring meeting to bring their statistics forms so that we may look at how our own agencies and department's gather their statistics. This afternoon we will be conducting a special committee meeting on this subject and ask that all agencies have a representative attend with their statistics forms at the ready. Carl Drake and Rick Gould are planning to be in attendance.

Legislatively, this has been a fairly active legislative season. As always, if you are aware of any proposed, or introduced legislation that may affect California lifeguards, please contact me and give me a heads up and I can begin following the bill. At this point here are the primary active legislative bills that I am following:

- Legislative Bills:

- **AB 124 Meal Breaks (Price)** has been amended by the bills author and specifies that this legislation would only affect *pool lifeguards* and stage assistants:

226.8. (a) Notwithstanding any other provision of law, pool lifeguards and stage assistants employed by the state or any political subdivision thereof, including any city, county, or special district, may not be required by their employer to work during any meal or rest period provided for in Section 512 required for non-exempt employees by Section 512 or by an order of the Industrial Welfare Commission.

- **AB 1458 Vessel Operator Certificates and Funding (Villines)** has been amended, but continues to remain problematic for California State Parks and the funding the department receives to support is vessel recreation facilities and operations throughout the state park system. The appeal for most public safety agencies

that deal with vessel operations on reservoirs and along the coast is that the bill would require a vessel operator certification for vessel operators.

- **AB 1355 County Sheriff Duties and Authority (Houston)** would give the sheriff of each county, “the sole and exclusive authority to provide security and safety for the coastlines, harbors, and inland waterways, if any, as specified, except in counties that, prior to July 1, 2008, have vested the duties associated with the security and safety of the county’s coastlines, harbors, and inland waterways to a law enforcement or public safety entity other than the sheriff.”

Under current law, the “sheriff of each county is required to give all possible aid and assistance to vessels stranded on its coast, and to the persons on board.”

The proposed legislation seems intent on extending the authority of the county sheriff as identified in the following from the bill:

It is the intent of the Legislature that the sheriff of each county in this state, as the chief law enforcement officer of the county, **shall have the sole and exclusive authority** for the security and safety of the county’s coastlines, harbors, and inland waterways.

The legislation may be problematic for some agencies in that it does not cite nor recognize the authority extended to the some agencies in situations where there may be concurrent jurisdiction.

As I have said before, the summer of 2006 was a summer to remember! Warm water, regular southern hemisphere swells, and one of the busiest Julys on record. We look forward to the summer of 2007 and I wish all of you the best this coming summer and keeping the waters of California safe.



Alex Peabody  
4<sup>th</sup> Executive Delegate  
California Surf Lifesaving Association