

Cross Winds

New President, New Governor, New Year!

As we welcomed the New Year, the ESMTA welcomed a new Association President, **Conrad Kreuter** of AMI, and a new Governor of New York State, **Eliot Spitzer**.

Conrad Kreuter elected president

Congratulations to Conrad Kreuter, owner of Moriches Boat and Motor, East Moriches, NY, on his election to a two-year term as president. Conrad has served as ESMTA's vice president for the past four years and as the president of the Association of Marine Industries, the Long Island regional marine trades organization, for the past six years.

"ESMTA has accomplished a great deal of legislative, regulatory and industry successes for the benefit of our members and the boating public," Kreuter said. "Going forward I plan to focus the Association's efforts on a number of timely issues including the reduction of active marinas due to land development pressure. One of our major initiatives will be to keep the number of marinas from diminishing in order to maintain public access for the waterways."

Other Association officers elected to lead ESMTA are Vice President Ginny DiFiorio, Charles Point Marina, W. Haverstraw, NY; Vice President Ron Knapik, Knapik Marine, Amsterdam, NY; Vice President Chris McVicker, The Flanders Group, Pittsford, NY; Secretary Chris Squeri, New

York Marine Trades Association, Amityville, NY; and Treasurer David Aust, Morgan Recreational, Queensbury, NY.

Spitzer takes office; Agency appointments

Governor Eliot Spitzer took office on January 1 with what is believed to be the first ever inauguration ceremony held outside. Governor Spitzer welcomed visitors at the Governor's mansion, hosted a free concert at the Times Union Center in Albany, and arranged for various activities for the public in the Empire State Plaza.

As one of his first acts in office, Governor Spitzer issued an executive order establishing ethical conduct guidelines for all employees of the executive office. Seeking to stay true to his campaign promise of ethical reform in Albany, this executive order significantly limits how agency staff can be lobbied.

Within the first few weeks in office, Governor Spitzer also nominated a number of agency commissioners, including several that impact the recreational boating industry:

- ▶ **Carol Ash** was nominated to serve as Commissioner of the Department of Parks, Recreation & Historic Preservation. Ms. Ash has served as Executive Director of the Palisades Interstate Park Commission since 1999.
- ▶ **David J. Swarts** was nominated to serve as Commissioner of the Department of Motor Vehicles. Mr. Swarts has served as Clerk of Erie County since 1987.
- ▶ **Alexander B. "Pete" Grannis** was nominated to serve as Commissioner of the Department of Environmental Conservation. Mr. Grannis has served in the NYS Assembly since 1974.

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Conrad Kreuter
ESMTA President
Moriches Boat & Motor

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 Supply, Inc.*
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From the President

Happy New Year!

It's an honor to write to you as president of the Empire State Marine Trades Association (ESMTA)!

I've been involved in ESMTA for over a decade, participating through the Board, the Committee structure, and various other activities. Over the course of those years I've seen the Association grow and evolve into the organization it is today. While proud of where we are as an organization, I am also motivated to help the ESMTA take the next step, reach toward the next goal, and truly become an Association that understands and responds to its members needs.

We are the voice of the industry in New York State. We represent seven regional marine trades associations that cover the entire State, touching wonderful and diverse bodies of water – including the beaches of Long Island Sound, Hudson River basin, Erie Canal, Finger Lakes region, and Great Lakes. New York truly is a tremendous venue for boaters.

That diversity also brings challenges. As an Association, we must strive to fairly represent the interests and concerns of the recreational boating industry operating in very different environments.

We've been successful in many areas, through the time and dedication of the organization's leaders. The ESMTA is privileged to have a dedicated Board of Directors that brings the many regional issues to the table for constructive, cooperative dialog, and works together to build consensus strategies.

As the year begins, we've identified a number of pressing issues to be pursued, including:

- ▶ Welcoming the new administration and working to build constructive relationships with key agency staff;
- ▶ Seeking to address water access issues, including zoning and tax relief;
- ▶ Researching fuel-related issues, particularly the impact of ethanol additives on engines; and
- ▶ Looking for ways to market and grow the industry.

The Association is also seeking to expand the ways we can help you – marine trades businesses – work more efficiently and effectively. We are working to establish some training programs in upstate regions, and continue to look for ways to implement benefit programs that can help you with your business operations.

Before I sign-off, I want to extend special thanks to Ginny DiForio, our outgoing president, for her years of service. She stepped in during a difficult time in the Association's life and has provided four years of strong leadership. She helped us weather several storms and implement many internal operational changes that will have lasting impact.

Thank you again for the chance to serve as president. As always, please don't hesitate to share your ideas and concerns with us, either through your regional representatives, or directly to the State Association. We welcome your input!

Sincerely,

Conrad Kreuter

Capitol Report

By Capitol Group, LLC and Bruce Geiger & Associates

In November, 2006, the Governor, Attorney General, State Comptroller, State Senate, and State Assembly were all up for re-election. Attorney General Elliot Spitzer was elected Governor by an overwhelming margin; Andrew Cuomo was elected Attorney General; and, the embattled Alan Hevesi was re-elected as NYS Comptroller, later resigning from office. The Republicans lost one seat in the Senate but retained control under the leadership of Senate Majority Leader, Joseph Bruno. Speaker Sheldon Silver increased his Democratic Majority in the Assembly to 108 members.

The ESMTA has shown their support for a number of these state officials through the political contribution process.



Briefly...

The following article briefly recaps highlights from the ESMTA 11/10/06 Annual Meeting.

The ESMTA Board of Directors and the Long-Range Planning Committee met in Albany in November, 2006 for the Association's Annual Meeting. Regional delegates elected new ESMTA officers and plans were put in place to address Association priorities for 2007.

Congratulations to Conrad Kreuter of AMI on his election as president and to the other officers elected:

- ▶ Ginny DiForio, Vice President (HVMTA)
- ▶ Ron Knapik, Vice President (ENYMTA)
- ▶ Chris McVicker, Vice President (NYMTA)
- ▶ Chris Squeri, Secretary (NYMTA)
- ▶ David Aust, Treasurer (ENYMTA)

ESMTA legislative representatives from the Capitol Group, LLC and Bruce W. Geiger & Associates, Inc. discussed the statewide election results and the best approach to introducing ESMTA and its issues to Gov. Elliot Spitzer and agency heads who will affect the industry. During the legislative discussion, several board members expressed a desire to help members better understand the dealer agreement bill and to solicit from members problems

Action on Legislation

Last session, on behalf of the ESMTA, we closely monitored 92 pieces of legislation that affected boating and boating-related activities. Several bills that we had monitored and had been actively involved with the bill sponsors have passed both houses of the Legislature. All of these bills were carefully watched and reported to the ESMTA Government Affairs Committee in a timely manner for their review and input.

Of the 92 bills tracked by the ESMTA, 7 bills were signed into law; 1 bill is still awaiting action by the Governor; 3 bills passed the Senate only; and 8 bills passed the Assembly.

Working with Assemblyman Thomas DiNapoli and Senator Carl Marcellino, the ESMTA drafted and introduced legislation to improve the laws and regulations regarding the application of antifouling paints at marinas to better reflect the needs of the marine industry. **S7975 Marcellino/A11457 DiNapoli**, an act to amend the environmental conservation law in relation to special permits and certification for commercial application of aquatic antifouling paints, passed both houses of the Legislature and was signed into law by the Governor on July 26, 2006 (Chapter 274). The enactment of this important legislation is an impressive legislative victory for the members of the Empire State Marine Trades Association and the marine industry in New York State.

The passage of this legislation would not have been possible without our sponsors, Senator Marcellino and Assemblyman DiNapoli, and the hard work of their fine staffs. The ESMTA extends its appreciation and gratitude to both of them for their invaluable assistance in securing the enactment of this law. We also wish to thank Governor Pataki for giving his approval to our bill.

The ESMTA has been meeting with staff of DEC's Bureau of Pesticides Management to discuss concerns that the Department had raised about the legislation and to pave the way for a smooth implementation. DEC Staff presented us with a draft document entitled: **"Implementation of S7975 - Title 9-A, Special Permits and Certification for Commercial Application of Aquatic Antifouling Paints."** This draft document outlines the Department's interpretation of the various provisions of Chapter 274. These meetings have resulted in the ESMTA

↳ Continued on Page 6

↳ Continued on page 5

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Workers' Comp News

From The Flanders Group



Dividends declared and discount increased for group members. The 438 marinas and dealers participating in Flanders Group 517 during the 2005 policy year received a 27.5 percent dividend according to Christine Mistersaro, Program Manager. The group also raised the maximum discount to 25% for 2007.

Workers' Comp rates drop for salespersons. ESMTA and The Flanders Group have been successful in lowering the rate for boat salespersons. Previously the rate was \$2.33 and has been lowered to \$.82 as of October 1, 2006. Call Flanders at 800-462-6435 if you would like your policy checked to be sure you are paying the lower rate.

Injury Management Department medically manages Workers' Compensation claims. This department is responsible for medically managing claims to a successful outcome. Rather than traditional claims management, a Nurse Case Manager is assigned to lost time cases to be sure the injured worker is returned in a timely fashion to a medically safe position. If you are a Flanders Group 517 member, you can call the Injury Management Department at 866-334-7222 for assistance with recovery at work or other case management issues. ■

Industry Mourns Ed Kilgus

Marine industry veteran Ed Kilgus died December 3, 2006.

Kilgus was involved in the marine industry for many years. While holding positions at Interlux Marine and Pettit Paints, he also served in many other capacities. He was on the board of directors for the New York Marine Trades Association, served as president for several years, and later served as executive director of the Association of Marine Industries, the eastern Long Island trade group. In 2003 the NYMTA presented him with its first Hall of Fame award. He was already a lifetime member.

"Ed gave so much to our industry," said Chris Squeri, executive director of the NYMTA. "He will be missed by all. Our staff at NYMTA has benefited greatly from Ed's knowledge and experience. Our thoughts and prayers go out to his wife, Dot, and their children." ■



↳ *Briefly...*, from page 3 they have experienced with manufacturers not adhering to the law.

The Board discussed the newly designed ESMTA website, www.boatnys.com, and the many benefits of the site's resources to members, to the industry, and to consumers.

Chris McVicker of The Flanders Group announced a 27.5 percent dividend for the workers' comp safety group in the 2005 policy year and a change in boat salesperson workers' compensation classification that has decreased rates. Thanks to efforts by The Flanders Group, boat salespersons in the State now are rated at \$.82 per \$100 in payroll, rather than the former rate of \$2.33 per \$100 in payroll. This became effective Oct. 1, 2006.

The Long-Range Planning Committee had a very substantive discussion about industry concerns including, but not limited to, property tax relief and protection for marinas, costly damage to boat engines caused by ethanol in boat fuel, collaboration with other marine trades association in the northeast, and a continuing focus on member communications. ■

The Landing School offers Composite Courses; job fair

The Center for Continuing Education at The Landing School in Kennebunkport, Maine has introduced two new courses in marine composites aimed at entry- and intermediate-level composite technicians.

A three-day Introduction to Composites course covers fiber and resin material properties, lamination tools and techniques, mold use, composite repairs and secondary bonding techniques.

A two-day Introduction to Core Laminates course builds on the skills developed in the three-day course and introduces students to the properties of cored laminates and fabrication techniques, including vacuum bagging.

Both composite courses are immediately available and emphasize industry standards and best practices, incorporate hands-on labs, and are taught by experienced industry educators. Students who successfully complete the course obtain a Landing School Center for Continuing Education certificate and CEU credits.

Each course can be tailored to meet specific training requirements, plus courses are portable,

↳ *Continued on Page 7 (sidebar)*

↳ *Capitol Report, Continued from page 3*

drafting several technical amendments to make technical changes to Chapter 274. These changes have been agreed to by staff of DEC's Bureau of Pesticides Management and drafted into legislation for introduction by the Legislature.

2006 Legislation that passed both Houses and were signed into law:

Chapter 274 of 2006 (A11457 DiNapoli/S7975 Marcellino)

AN ACT to amend the environmental conservation law, in relation to special permits and certification for commercial application of aquatic antifouling paints

SUMM : Add Art 33 Title 9-A SS33-0920 - 33-0925, En Con L Relates to special permits and certification for commercial application of aquatic antifouling paints; defines terms; provides that aquatic antifouling paint applicator certification shall be valid for five years; requires an aquatic antifouling paint application business to register with the commissioner of environmental conservation; imposes sanctions for violations.

Eff. Date 01/22/2007: This Chapter takes effect on 1/22/2007 the one hundred eightieth day after it shall have become a law; provided that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

Chapter 151 of 2006 (S7154B Flanagan /A11458-B DiNapoli)

AN ACT to amend the navigation law, in relation to operation of a vessel while ability impaired

SUMM : Amd S49-a, Nav L Makes the penalties for boating while intoxicated and boating while ability impaired the same as driving while intoxicated and driving while ability impaired.

Eff. Date 08/06/2006

Chapter 151 amends §49-a of the Navigation Law to increase the penalty for boating while ability impaired (BWA) from a fine of between \$250-\$300 to a fine of between \$350-\$500 for a first conviction. For a third conviction of BWA within ten years the fine increases from between \$500-\$750 to \$750-\$1,500; the sentence is increased to up to 180 days in jail and the crime shall be a misdemeanor.

It further amends §49-a of the Navigation Law to provide that a first conviction for boating while intoxicated (BWI) shall be a misdemeanor which carries a sentence of up to one year instead of the current 90 days. The fine shall increase from between \$350-\$500 to \$500-\$1,000. A second conviction for BWI within ten years shall be a Class E felony with a sentence of up to four years in prison and a fine between \$1,000-\$5,000. A third conviction for BWI within ten years shall be a Class D felony with a sentence of up to 10 years in prison and a fine between \$2,000-\$10,000.

Chapter 289 of 2006 (S1365D LaValle/A7893D DiNapoli)

AN ACT to amend the environmental conservation law, in relation to the protection of the Peconic Bay region watershed

↳ *Continued on page 7*

↳ *Capitol Report, Continued from page 6*

SUMM: Amd En Con L, generally Enacts the “Peconic Bay region watershed protection act” to protect and preserve watershed functions in the Peconic Bay region of Long Island.

This Law amends the environmental conservation law is amended by making technical corrections necessary to change the existing article 57 into Title 1 of such article and by creating a new title 2 that enacts the Peconic Bay Region Watershed Protection Act.

Chapter 432 of 2006 (S8380 Johnson/Same as A10584B DiNapoli)

AN ACT to amend the environmental conservation law, in relation to creating the New York Ocean and Great Lakes ecosystem conservation act

SUMM: Add Art 14 SS14-0101 - 14-0113, En Con L Establishes the New York Ocean and Great Lakes ecosystem conservation act; creates the New York Ocean and Great Lakes ecosystem council that consists of nine members; establishes the responsibilities of the council. This act shall take effect immediately.

Governor Program # 122

This law would amend the Environmental Conservation Law to add a new Article 14 to establish:

(i) policy and principles to guide governance of New York’s ocean and Great Lakes coastal ecosystems; and (ii) a New York Ocean and Great Lakes Ecosystem Conservation Council to integrate and coordinate the state’s programs, institutions and activities which affect the protection, conservation and restoration of New York’s coastal ecosystems.

The Council would consist of the Commissioners of Agriculture and Markets, Economic Development, Environmental Conservation, General Services, Parks, Recreation and Historic Preservation, and Transportation; the Secretary of State; the President of the New York State Energy Research and Development Authority; and the Chancellor of the State University of New York.

Chapter 576 of 2006 (A5808C Morelle/S3232A Seward)

AN ACT to amend the environmental conservation law, in relation to establishing a fishing promotion program

SUMM : Add S11-1307, amd S3-0301, En Con L Establishes a fishing promotion program to promote fishing within New York State; establishes a passbook program whereby licensed fishermen are able to earn stamps for various activities; when the fisherman earns the appropriate number of stamps in his or her passbook, it entitles them to a free fishing license.

Eff. Date 12/14/2006 (See Table)

Chapter Signed Date Effective Date

This law takes effect on 12/14/2006 the one hundred twentieth day after it shall have become a law; provided that any rules or regulations necessary for the timely implementation of this act on its effective date shall be promulgated on or before such date.

Chapter 577 of 2006 (A5972B Rabbitt/S4103B Morahan)

AN ACT to amend the Greenwood Lake Protection Act and the state finance law, in relation to establishing certain fees, reporting requirements and the Greenwood Lake protection fund; and providing for the repeal of such pro-

↳ *Continued on page 8*

↳ *Landing School, from page 6*

minimizing lost production hours and reducing overall training cost. More information is available at www.landingschool.edu.

Job Fair

The Landing School will be hosting its 8th annual Job Fair on April 6, 2007 at its facility in Arundel, Maine. More than 50 marine industry employers will be represented, and some 100 positions will be offered. Contact the school for participation information. ■

Capitol Report,
Continued from page 7

visions upon expiration thereof

SUMM : Amd SS5 & 6, Chap 47 of 2002; add S97-ffff, St Fin L Authorizes the Greenwood Lake Commission to charge fees for the usage of boats and docks; adds date certain for reporting requirements and repeal date.

Eff. Date 08/16/2006 (See Table)

This Chapter takes effect upon enactment into law by the state of New Jersey of legislation having substantially similar effect with this act, but if the state of New Jersey shall have already enacted such legislation, this act shall take effect immedi-

ately and shall expire on 6/30/2008 when upon such date the provisions of this act shall be deemed repealed; provided further that Greenwood Lake Commission shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the legislative bill drafting commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of §44 of the legislative law and §70-b of the public officers law.

Chapter 622 of 2006 (A11001 Cahill/S8034 Larkin)

AN ACT to amend the navigation law, in relation to the regulation of vessels in and out of the city of Kingston, county of Ulster

SUMM : Amd S46-a, Nav L Provides for the regulation of vessels by the city of Kingston, county of Ulster in and out of the ports of the municipality.

This law allows the City of Kingston to adopt, amend and enforce local laws with respect to the restriction and regulation of the manner of construction and location of boathouses, moorings and docks in any waters within or bounding the respective municipality to a distance of fifteen hundred feet from the shoreline. The City of Kingston has requested increased authority over their shoreline so they may adequately and efficiently navigate disputes that may arise from numerous proposals to develop property along the waterfront.

S7804 SPANO Same as A10737 Brodsky

AN ACT to amend the environmental conservation law, in relation to phasing-out the manufacture, sale, and use of creosote, prohibiting combustion

thereof, and regulating disposal thereof

SUMM : Add Art 27 Title 23 SS27-2301 - 27-2313, Art 71 Title 15 SS71-1501 & 71-1503, En Con L Provides for the phase-out of the use of creosote as a wood preservative, including manufacture, sale and use; permits continued use of already treated wood; prohibits combustion of creosote, including fireplaces and stoves; requires its disposal in landfills properly lined to prevent groundwater contamination; provides for enforcement and

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- 2) I personally know most of my customers and I don't want them taken advantage of or to feel pushed into making decisions - " Powersports' soft sell approach and professional negotiations between lenders and my customers leave them feeling they've made educated and informed decisions."
- 3) I don't believe in extended warranties, they are just a rip-off. - " I was in disbelief when Powersports showed me that 70% of my customers didn't feel the same way I did. I guess customers are willing to buy peace of mind. Every time my customers use their warranty I'm reminded that like insurance, no one likes to pay for it, but they love it when they need it."
- 4) The finance business isn't my strength, I know my products but, I'm no banker. - " By outsourcing my F&I to Powersports my dealership became experts in financing and my customers were treated courteously and professionally just like at the bank, maybe better."
- 5) Financing takes too long, I'll lose the sale. - " What I found is that by controlling the finance I actually controlled the customer. Once I knew their credit qualifications I made informed decisions prioritizing my deliveries and work load. I've learned that slowing the customer down, puts me back in the drivers seat of my business."

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Continued on page 9

Gov. Spitzer Nominates Commissioners

Carol Ash has been nominated to serve as Commissioner of the Department of Parks, Recreation & Historic Preservation. Ash has served as executive director of the Palisades Interstate Park Commission since 1999. Previously, she was state director of the Nature Conservancy in New York from 1994 to 1999. From 1992 to 1994, she served as Director of the Office of Environmental Policy and Management for the Port Authority of New York and New Jersey.

Ash became regional director of the New York State Department of Environmental Conservation in 1985 and continued in this capacity until 1992. Prior to that, she served as a consultant from 1981 to 1984, a publisher at Soho News from 1979 to 1981, and the Director of Conservative Programs at the New York State Energy Office from 1975 to 1978.

David J. Swarts has been nominated to serve as Commissioner of the Department of Motor Vehicles. Swarts has served as Clerk of Erie County since 1987. During this period, he served Erie County in a variety of capacities including Chief Registrar, Clerk of County and Supreme Court, Agent of the State of New York for the Department of Motor Vehicles, Record Management Officer and as the Director of the Pistol Permit Office. Swarts received a B.A. from the State University of New York at Albany, where he also received his M.S. in Social Sciences. ■

↳ *Capitol Report, Continued from page 8*

penalties; makes exemptions for railroads and electric companies.
12/06/06 VETOED MEMO.415

Criminal trespass on navigable waters

The Marine Retailers Association of America is alerting its members to a court ruling that some say could have serious consequences for boating. Judge Robert G. James of the U.S. District Court, Western Division of Louisiana, has declared it is a criminal trespass for the public to boat, fish or hunt on the Mississippi River and other navigable waters of the country.

MRAA President Phil Keeter, said in a statement: "Because essentially all the waters and waterways of our country are considered navigable in the U.S. law, this ruling declares recreational boating, water skiing, fishing, waterfowl hunting and fishing tournaments – except if conducted in a navigable shipping channel – to be illegal and the public subject to jail sentences for recreating with their families."

Copies of the 2006 laws and the various pieces of legislation monitored by the ESMTA have been sent to all members of the ESMTA Government Affairs Committee and are available to any member of the ESMTA by contacting Capitol Group at (518) 463-4841 or emailing us at: nick@capitolgroupllc.com; tim@capitolgroupllc.com; or bruce@bwgassociates.com. ■

Vessel Dealer Agreement Bill (REPRINT)

In November 2004, then-Governor Pataki signed S6610C Skelos/ A10358A Tonko, the Vessel Dealer Agreement Bill, into law (Chapter 686 of 2004). Some ESMTA members have requested clarification of the law's content and have indicated that some manufacturers may not be in full compliance.

This law establishes equilibrium of bargaining between the boat manufacturer and the boat dealer; provides basic protections to boat dealers from unfair actions by manufacturers; and enhances customer service and satisfaction industry wide. Chapter 686 amends the general business law by adding a new Article 38, Vessel Dealer Agreements and provides for the following rights and protections:

- ▶ **Termination/Cancellation/Non-Renewal:** A manufacturer or distributor shall not terminate, cancel or non-renew a dealer without cause, **until 90 days** after written notice stating the specific grounds of such intention has been sent to the dealer (section 812, sub. 2). This bill does not in any way prevent a manufacturer or distributor from terminating, canceling or non-renewing a dealer agreement.
- ▶ **Repurchase of Product:** If a manufacturer or distributor does terminate a dealer agreement for any reason other than for cause, the manufacturer or distributor shall **repurchase the dealer's inventory within 30 days of the termination** of the dealer agreement (section 812, subs. 3 & 4). The repurchase of inventory is done in accordance with the provisions of section 811,

↳ *Vessel Dealer, Continued on page 11*

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↳ *Vessel Dealer, Continued from page 9*

subdivisions 1, 2, 3 & 4:

- new current and previous model year vessels & motors in the dealer's inventory which were purchased from the manufacturer or distributor, within twelve months of the delivery date for each vessel & motor (sub. 1)
 - unused parts which were required from the manufacturer and are on the current parts price sheet available to the dealer (sub.2)
 - equipment & furnishings required from the manufacturer or distributor (sub. 3)
 - special tools that are only usable on the specific brand of vessel or engine offered by the manufacturer or distributor (sub. 4)
- ▶ **Transfer/Designation of Successor:** This bill contains provisions that allow the dealer to transfer or assign that agreement to an immediate family successor with the written consent of the manufacturer (section 812, sub. 6, paragraph (a), subparagraphs (i), (ii), (iii), & (iv). That consent cannot be unreasonably withheld or delayed by the manufacturer without written documentation. In addition, a manufacturer or distributor shall not refuse a transfer, sale or exchange of a dealer agreement between a dealer and another person if certain requirements are met (section 812, sub. 6, paragraph (b).
- ▶ **Warranty Obligations/Reimbursements:** The bill requires that, for exist-

Problems with Vessel Dealer Bill compliance?

If you are having any problems with your manufactures that relate to the issues covered in the Vessel Dealer Bill, please let ES-MTA know. Member input will help us address any problems on a statewide basis.

esmta@adgcommunications.com

ing dealer agreements, the reimbursement rate for labor warranty work will not be less than 75% of the retail labor rate customarily charged and posted. For the next year of the dealer agreement, the rate shall be not less than 90%. For the third year and those years following the rate shall be 100%. The warranty work will be reimbursed in accordance with manufacturer's or distributor's generally accepted standards as outlined in their repair manuals that detail standard labor time and parts required for a specific repair. Such standards shall reflect the labor time and parts standards used by the manufacturer on a national level.

For agreements entered into after the effective date of this act, the labor rate will be at least 75 percent of the dealer posted rate for year one, 90 percent for year two and 100% percent for the third year and every subsequent year. The purpose of this section is to clarify that dealer agreements shall be construed to be continuous, and shall not be construed as a "new" agreement each year. ■

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Cross Winds

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ESMTA is a non-profit association of marinas, marine industry manufacturers and resellers, and state government representatives. The Association is committed to the promotion of the marine trades industry in New York State.

ESMTA reserves the right to edit all submitted articles for content and format. Please address any comments or questions in care of the Editor to: *Cross Winds*, c/o ESMTA, 119 Washington Avenue, Suite 300, Albany, NY 12210, (518) 694-3107, esmta@adgcommunications.com.

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ESMTA recently went through an extensive redesign of its website to make it more user friendly and useful for both members and consumers. The new site will help visitors who may have a general interest in boating find information about boats, regulations, boating safety, access points, and much more information. Check it out at: www.boatnys.com

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Contact Brian at Association Headquarters for more information:
(518) 694-3107, or email us at esmta@adgcommunications.com.

Stay in touch with email!

ESMTA has begun to publish periodic email updates for members to communicate important, time-sensitive information about legislation, regulatory activity, or organization news.

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