

**Referee's Meeting
December 21st, 2005
Royal Motel, Vacaville, CA**

Meeting called to order at 7:36 p.m. by President Dave Pickett

Roll Call: 10 of 31 Clubs in Attendance

Minutes: Corrections to November minutes: Guests name was misspelled should have read Pat Steinberger.

Correspondence: President received 2 items; 2005 year end report from the AMA and a Christmas card from one of our members.

Guests: Joaquin Orinda from Motorcycle Stuff stopped by to talk with us and answer any questions about their promotion "A Case for Access." Repsol and Motorcycle Stuff will partner with AMA D36 and the Blue Ribbon Coalition to raise funds for the Clear Creek and Eldorado NF Legal Defense Fund. The Promotion will run from January 1 through March 31, 2006 and all Repsol lubricant product sales in Northern California will be counted. 20% of the wholesale cost from these sales will be donated by Repsol and Motorcycle Stuff to the ongoing legal efforts of the Clear Creek Management Area and on the El Dorado National Forest. Thank you to Repsol and Motorcycle Stuff for their involvement in this promotion and to Joaquin Orinda for stopping by to tell us about the promotion.

Committee Reports:

Cross Country: Steward Duane Scott reported:

- Final event of the 05 season was Wilseyville. There were a total of 556 sportsman riders; 157 in the Senior race, 133 A/B riders and 236 C riders. The course was well laid out and 2 +2 provided a water truck which helped with some of the dust. 2 riders received injuries requiring a ride in the life flight helicopter, both are recovering. No protests.
- Next event and the first for the 06 season will be the Prairie City GP.

Youth Cross Country: Steward Al Fitch reported:

- One event Wilseyville. Total youth riders were 186. One injury reported; a broken arm. No protests.

Women: Steward Ann Creson reported:

- For Wilseyville we had a total of 29 women riders. 25 beginner women, 11 C women and 3 B. Two of our B women placed in the top 20 overall.

Enduro: Steward John Davis reported:

- The Cowbell has been dropped as a points paying event.
- Next event will be the Quicksilver National on Feb. 19th.

Youth Enduro: Steward Bill Zakareckis reported:

- One event the Bearfoot Family Enduro, I was unable to attend this event John Davis filled in as event Steward. All reports received indicate that the course and conditions were great. There were 360+ riders for this event. 4 reported injuries and no protests.
- Banquet invitations have been mailed.

Dirt Track: Ralph Lee reported:

- No races to report on.

AMA/Congress: Dave Pickett reported:

- Due to security problems which occurred at this years Congress meeting the AMA has changed hotel accommodations for the 2006 meeting. The new hotel is closer to the airport making it more convenient for those attending.

Banquet: Duane Scott reported:

- Needed: Photos and video from all racing venues for the power point presentation.
- All award lists need to be submitted to Jill Patterson for the banquet program by December 31st.
- All VIP's, Raffle donors and sponsor lists must be received no later than January 7th to be included in the banquet program. Send list to Jill Patterson.

Newsletter: Jill Patterson reported:

- Thank you to everyone who contributed to the January 1st newsletter, this was our first 20 page newsletter and it was mailed out several days ahead of schedule! Special thanks to Jason Smith of Commerce Printing for helping make sure we beat the deadlines.
- Newsletter # 12, April 1st issue will mark the beginning of the fourth year of D36 News. Submission deadline is March 3rd, projected mailing date will be March 24th.

Rulebook: Randy Patterson reported:

- 2 rule proposals to be heard in the Competition meeting.
- Please let Randy know of any problems that you are having with the website and he will make sure that they are addressed with the webmaster.

Membership: Jill Patterson reported:

- 415 memberships processed since last month. 2 new Life Memberships received: Brad Teegarden and Paul Troth. 539 December renewal notices mailed out.
- All event membership applications for 2005 have been received and processed.

Sanctioning: Steward John Davis and Bill Zackareckis reported:

- The Sanction meeting went really well. There has been one date change request since the meeting which was implemented. Schedule was forwarded to the webmaster for posting the following day.

LAO: Dave Pickett reported:

- Many things are happening all at once right now. The key is the OHV Division Commission members and the stunts they have pulled at the last 2 OHV Commission meetings. First was the "cancelled" meeting in November that took place 15 minutes into the meeting. Chair Spitler opened with the comments weather this meeting was even legal due to notification to the public. 4 attorneys made statements on the side of the OHV Division that it was a legally noticed meeting. Spitler has his own attorney from the Attorney Generals office, and he made threats that the Commission members could be given a Misdemeanor citation and fined up to \$5,000 each if the meeting went on. Basically a 4 for and 1 against legal scenario. The Enviro based commission members, Spitler, Thomas, Brissenden and Anderson turned tail, and voted to kill the meeting. Thus, the hundreds of public members, government officials from the USFS & BLM, as well as independent county representatives and staff from the OHV Division wasted their time, and taxpayers money, because of this stunt pulled by Chair Hitler, err, oops, Spitler. This was, and remains, NOT funny, and many from the OHV community have filed complaint letters to various agencies and legislative members. Will keep you in abreast of what transpires.
- The make up Commission meeting, all 3 days of it in December, was more of the same "my way or the highway" mentality of this commission. Good Grants were gutted, and bad grants were financially enhanced. Millions of dollars going to "Restoration" and scraps going to OHV for much needed work on the ground. Pure politics on the part of the Environmental community. The highlight of the day, was when I almost got thrown out. I raised my voice VERY loud when the Chair kept rudely interrupting me while making public comment statements on behalf of the grant

(LAO Report continued)

submitter and #36. It got worse when a new “Policy” was adopted by this commission to basically not allow grants to anyplace in the desert which had water on it. The user groups are probably going to challenge the legality of this, as well as the Division itself. Pressure continues against this commission as to violations of the Brown Act, and hearings are coming up concerning this. Our lobbyist, Terry McHale put out a statement concerning the actions taken, thus the legislature is fully aware of the games the anti-access crowd is playing. It was ugly. CERA member Bruce Brazil was at this meeting and attended all 3 days. After this crap, he may never come back. Thanks Bruce for participation and comment. Take it as a compliment, Herr Spittler does not like you very much.....

- JLAC Hearings will be taking place later in January to follow up, and challenge, the State Parks Program and OHV Commission as a follow up to the Bureau of State Audit, Audit on the OHV Program. Most of the problems found in the Audit happened during the past regime, under Deputy Director Dave Widell and the Commission votes relating to funding issues such as Deer Creek Hills “funny” acquisition and lack of movement at Hollister and Carnegie. Many other issues remain questionable, but wanted to keep this report somewhat short.
- Clear Creek remains a hot topic, and a hearing is scheduled the first week of January. I will be there along with BRC and ORBA for legal status report. BRC legal folks will also be there representing #36. This is where a good chunk of LAO donations go, to legal fees.
- OHV Stakeholders had another meeting. Washington State had folks there explaining their program. Some good, some bad. Gave OHV a good comparison of different, yet the same, programs and the way they are run. My Guest was Bruce Brazil (CERA) and he was able to observe the process. Got quite an education. The prior meeting had a caucus, and I pushed the Motorized Caucus for a vote of solidarity. The issue was standing pat that we want a permanent program. I did put some pressure down, and got ALL participants to agree, via vote, that we would NOT accept anything less than a full, permanent program. We shall see who buckles...
- I also participated at an “invitational” only meeting with Congressman Pombo’s staff and other invited parties concerning the Endangered Species Act. Most of you know we got it out of committee, then to the House of Representatives (where it was supposed to die) but gained victory. On to the Senate, and hopefully the ESA law will be changed. Lots of hard work here, but the benefits and rewards will be huge for OHV nationwide. We expect an onslaught from the Green crowd on this, as they have used this Act to cream OHV...Stay tuned.
- I also went to Los Angeles and attended Grant hearing Meetings down there, as well as private meetings with OHV leadership, including CLORV. California League of Off Highway Vehicle Voters – a group for political recommendations. More to come on this, as the makeup will include leadership from Northern California and many new members, including #36, ORBA (Bill Dart) CNSA (Fred Wiley) and Cal 4 WD – our partners in Coalition for Access via our lobbyist.
- Continued participation at the Rock Creek Collaborative as discussions of the lawsuit inside of a lawsuit and the route Inventory program as well as the new nationwide Forest Service rules. Thanks to Bruce Brazil and Rick Guidice (CERA) Ken Heuser and others for monitoring the process in the El Dorado. It is the poster child for the forest service, albeit some forestry folks in high places do NOT like what is going on in the El Dorado. A tough problem here, with Karen Schumbach and friends, but the OHV leadership is pressing hard for fairness, especially Calif 4 WD Association, another of our partners. A recent evening meeting was well attended, and the staff did NOT like the questions OHV was throwing out. Too bad. It is OUR money.....
- #36 is now involved with the “cost recovery” programs that are coming out of BLM & USFS. They are broke, and want more of our money. We are fighting back from the “inside” now, and not just as a “complainer” after the fact. More to come on this..

(LAO Report continued)

- I have also met with Congressman Lungren about the ESA vote (he voted with us) and building a relationship – I am educating him about OHV, as we have done with Pombo, Doolittle, Herger and others. It is paying dividends.
- I also met in the Bay Area with a large group of OHV leadership from 16 states. Led by the snowmobile community, they have invited all aspects of OHV because they need us – M/C & ATV & 4WD, to move forward with strength and numbers. #2 man from Washington USFS was a speaker, as well as others far up the food chain in the government. They are getting the message that OHV is a legal, legitimate, and desired form of recreation wanted by Americans. We reminded them of who they work for. “They” know that we are putting lots of pressure on them for MORE opportunity and land for OHV recreation.
- I was invited to Los Angeles to be one of the speakers on the sound issue. Was very cool to be sitting with Malcolm Smith on my left, and Jeremy McGrath on my right. (I felt faster as a rider just sitting there!!) Lots of media types, magazine editors like Ken Faught of Dirt Rider Fame, Bill Dart, Daphne Greene – Dep Dir OHV Div) and others. #36 is well respected for our efforts over the years, and I accepted praise on behalf of the #36 BOD & member clubs. Dealer News magazine called me post event, and we did a mini interview. I explained the #36 process of sound implementation, AMA Congress, and compliance. Very cool, and positive.
- Attached is a rare letter from Congressman Herger to the Governor. This is unusual, as the Fed don’t usually interfere with State issues.
- I have tons more, but this is getting long and I have to go up to Carson City and Reno and meet with BLM officials with Fred Wiley and Bill Dart of ORBA. We move forward daily. BRC’s Don Amador and I work together almost daily on issues concerning #36 and northern California issues....More in the next issue. Dave Pickett #36 LAO

Legislative Activist: Ken Heuser reported:

- This past year has been a real education, I have had a chance to meet and talk with many interesting elected officials and I thank the District for giving me this opportunity. The talk at the State Capital right now is all about the Governors appointment of Susan Kennedy who has a history of being a very liberal Democrat. The Governor has appointed some very liberal environmentalists and this is disturbing to many of his supporters. The resignation of Duck Cunningham has brought out all sorts of Politicians wanting to fill his vacant seat. Because of his accomplishments with the OHV division audit there are many in the motorcycle community who would like to see Bill Marrow fill this position. Had dinner with State Senator Dave Cox were we talked a lot about the OHV Division audit. We discussed the last grants meeting and how the OHV Commission disallowed funds for education, law enforcement and trail maintenance as the original law stated. I talked to him about the current petition being prepared by California OHV organizations, representing millions of voters who want this commission disbanded and also pointed out that when the Green sticker program was started we did not even have a commission.

Old Business:

- Jill Patterson reported: she has brought a supply of D-36 membership application books, for anyone who needs to re-stock before the start of the new season.

New Business:

- Dennie and Jane Conrad from the Bushwackers MC introduced Cat Benning of Moxie Racing, Northern California Women’s Motocross Team. Moxie Racing is a new club whose primary goal is to increase participation and interest in the sport of women’s racing. Moxie would like to become more involved with District 36 and the Women’s Cross Country program. Moxie Racing offer’s riding clinics for women held at Prairie City OHV. For more information visit www.moxieracing.com .

Good of the Body:

- Nominations for this years Hutzler award.
- Thank you to Ken Heuser of Chicken Rand Racing for merchandise donated to the Banquet raffle.

Meeting Adjourned at 8:55 p.m.

Competition Committee Meeting

Meeting called to order at 8:55 p.m. By James Davis

Roll Call: 19 of 55 members in attendance

Rulebook:

- Tabled from last month: Cross Country rule clarification regarding AA riders earning District points at the Hollister National event. This year Pat Garrahan did not receive District points because he started on the AA line at the Hollister National. It is not fair to A ranked District riders for AA riders to earn District points because they have the advantage of starting on the front row. However, riders such as Pat Garrahan who are nationally ranked are required to start on the AA row. Since Pat races both the National and District series, he would like to earn points for both. It is agreed that our District riders entering the AA race will receive District 36 Rank points. A change to the wording in the rulebook will be submitted. (Tabled to next Month)
- **Proposal # 1-** Submitted by Mike Anselmi. To change section 11.6.1 to read as follows: **11.6.1 FORMULA 100:** All machines entered shall be manufactured as a 125cc or less four stroke mini-cycle. Maximum wheel size shall be 19-inch front and 16-inch rear. Modified machines may use a maximum of 17-inch rear. **MODIFIED ENGINES MUST USE ORIGINAL CASES.** Frames must be manufactured as a mini-cycle frame or must meet the wheelbase requirements of class 1 in the schoolboy equipment category (max 52 inches for 1996). Engines must be normally aspirated and NO exotic fuels are allowed (high octane race gas may be used). Modified engines may be modified in any manner to achieve total displacement of class. Reason for the proposal: To allow the use of after market parts which are more affordable thus helping class. ***Motion by James Davis to accept proposal as written. Second by Randy Patterson. Vote 20-0 in favor (motion passed)***
- **Proposal # 2-** Submitted by Mike Napoli. Add the following verbiage to rule # 11.1.13: All Clubs or Promoters of CC races will ask for and publish the information regarding rider sponsors. This information will be included with the race results. Reason for the proposal: Gives the rider the ability to advertise who is helping them. Discussion by the Committee: this is already included in rule 11.1.15.3 #3. The current scoring program does not have an option to include sponsors in the race results. James Davis will research if this option can be added to the current program. (Tabled to next month)

Meeting Adjourned at 9:05 p.m.

Board Meeting

Meeting called to order at 9:30 p.m. by President Dave Pickett.

Roll Call: 8 of 9 members present. Missing member is Jamie Williams.

President would like to congratulate the new and returning Board members: James Davis, Bret Eckert, Rich Fern, Al Fitch, Jill Patterson, Randy Patterson, Dave Pickett, Jamie Williams, Bill Zakareckis and alternate Kraig Traum.

Banquet: Duane Scott reported:

- Budget discussion on Comp dinners for Officers, workers, Invited guests, Dignitaries and sponsors. Will keep within the same guidelines as last year. All workers must contact Banquet chairman prior to the banquet to be added to the worker list. Any District officers inviting special guests be sure to get your list to the banquet chairman for the ticket will-call list.

Special Session Board Members Only:

- Vote on Hutzler award recipient.

- Discussion regarding Dirt Track Points and Awards. ***Motion by Al Fitch to postpone the nomination for Dirt Track Steward and Committeemen until January 2006. Second by James Davis. Vote 7-0 in favor. (motion Passed)***

- Bill Zackareckis reported that he is unable to fulfill his commitment as a Board member until March 2006 and offered to turn over his position to the 1st alternate if the Board so chooses. The Board agreed that Bill Zakareckis will give his vote by proxy to the first alternate Kraig Traum until he can return as a Board member in March 2006.

Newsletter: Jill Patterson reported:

- Expense report for Issue # 11 was handed out for review.

Rulebook: Randy Patterson reported:

- 2006 Rulebook is almost complete, need to update Officers and Board. Will email to Board for review before we go to print.
- ***Motion by Randy Patterson to order 300- 2006 rulebooks. Vote 5-0 in favor. (motion passed)***

Membership: Jill Patterson reported:

- Regarding Honey lake card issue. One day applications and payment has been received.
- Putting together a notice letter to be mailed with Committeemen cards that outlines the duties of a Committeeman. Rich Fern would like to point out that all Committeemen are required to attend the annual AMA Sanction meeting or submit a letter stating why they cannot attend.
- Discussion and review of current Committeemen list. There are some Committeemen who have requested to be removed from the list and some who never returned their signed release form from last year. Removed from the list are: Eddie Dias, Chris Sykes, Kevin Greene, Mike Carlo, Dean Joyner and Alan Plumbridge.

Old Business:

- Tabled from last month: Dave Pickett reported on KTM's offer of sponsorship for the LAO. In addition to a contribution to the LAO KTM has offered a contingency for riders. Discussion on what KTM should receive in return. (Tabled to next month)
- Jill Patterson reported on Cycle News Cross Country reporting and Cycle News concern with choosing between stories submitted by 2 different parties. Discussed was the importance to the Cross Country series of getting our events in print rather than on the Cycle News website. Brought up was the possibility of adding a deadline for submission to the Cycle News reporter's contract. James Davis will look into revising the contract. (Tabled to next month)

- Discussion regarding Cross Country Youth and Adult Scoring Equipment. (Tabled for further discussion at the end of the meeting)

New Business:

- On behalf of District 36 Board of Directors 2 Bonus checks were presented to Dave Pickett by Al Fitch and Jill Patterson for his continuous hard work as District 36 LAO Officer
- ***Motion by Jill Patterson for Board approval to donate 2- one year District 36 memberships to the Banquet as raffle prizes. Second by Dave Pickett. Vote 8-0 in favor. (motion passed)***
- Randy Patterson reported that the website is ready to implement increased security for the Message Board.
- LAO Officer requests Board approval for a January contribution to Blue Ribbon Coalition Legal defense fund. Said funds would come from the LAO account and be split 50/50 for Clear Creek and El Dorado NF lawsuits. Board requests to table this request to next month for review of Quarterly report from Treasurer.
- Clubs District Charter submission prior to the annual Sanction meeting / Discussion on how to enforce the issue that Clubs and Promoters need to submit all charter paperwork and fees prior to asking for an event date. ***Motion by Randy Patterson to increase the Charter fee if not received prior to or at the annual Sanction meeting. District 36 Club/Promoter annual Charter fee if received prior to or at the annual sanction meeting will remain at \$50.00. Charter fee received after the annual sanction meeting will be \$100.00. Second by James Davis. Vote 7-0 in favor (motion passed)*** Verbiage will be added to the 2006 District 36 rulebook supporting this motion. Secretary will mail out Charter applications along with a letter instructing clubs/ promoters to submit applications prior to or at the Sanctioning Meeting in September of each year.
- LAO Officer requests funds from LAO account to join ORBA as an associate member. ORBA will be supporting Supervisor Ted Gains campaign for the Assembly seat being vacated by Tim Leslie. ***Motion by Jill Patterson to allocate funds from the LAO account for ORBA associate membership. Vote 6-0 in favor (motion passed)***
- James Davis reported: J&D Custom Embroidery has offered to do the embroidery work on the class champions jackets free of charge to the District, they would like to add a small #929 on the back of the jackets in memory of Ben Davis. The Board has no objection.
- Randy Patterson reported on the repair status of the broken Cross Country scoring computer. Repair costs would exceed the value of the computer, recommend purchasing a new computer. ***Motion by Randy Patterson to purchase a new computer to replace the broken scoring computer and to purchase plastic keyboard protectors for the computers which are used outside. Second by James Davis. Vote 5-0 in favor (motion passed)***
- Dave Pickett reported on offer of rider contingency program from Gas Gas. This contingency program includes an additional 25.00 donation to LAO for 1st place finishers riding a Gas Gas at select events. ***Motion by James Davis to accept Gas Gas contingency program as offered. Second by Bill Zakareckis. Vote 7-0 in favor. (Motion passed)***
- **Election of Officers for 2006**

President-	Dave Pickett
Vice President-	Jamie Williams
Secretary-	Sharon Scott
Treasurer-	Rich Fern
Director of Competition-	James Davis
Sanctioning Steward-	John Davis
Stewards:	
Cross Country-	Duane Scott
Youth CC-	Al Fitch
Woman-	(Heather Wilson nominated- James Davis will contact nominee to verify acceptance. (Tabled to next month)
Enduro-	Kraig Traum
Youth Enduro-	Bill Zakareckis
Dirt Track-	(Tabled to next month)

- James Davis reported: Brian Butler has agreed to MC the awards banquet this year. He has also indicated that he would like to become more involved with the District. ***Motion by James Davis to offer Brian Butler Committeeman status in exchange for his work at the banquet. Second by Al Fitch. Vote 2-6 against. (motion failed)***
- Continued discussion regarding Cross Country Youth and Adult Scoring Equipment. ***Motion by Bill Zakareckis to purchase a second sticker machine and another EZup-shelter to be used for youth transponder sales. Second by James Davis. Vote 5-0 in favor. 2 members abstained from this vote. (motion passed)***

Meeting Adjourned at 12:45 am
Respectfully submitted, Sharon Scott

WALLY HERGER
2nd DISTRICT, CALIFORNIA

PLEASE REPLY TO:
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Congress of the United States
House of Representatives
Washington, DC 20515-0502

January 3, 2006

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEES:
CHAIRMAN
HUMAN RESOURCES
TRADE

Governor Arnold Schwarzenegger
State Capitol, First Floor
Sacramento, CA 95814

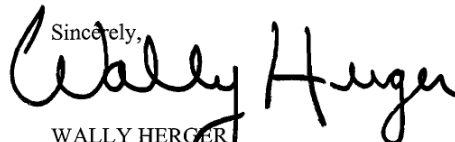
Dear Governor Schwarzenegger:

It is very rare that I comment on matters that are within the purview of state government, but in this case there is such a significant impact on my constituents as well as federal land management agencies that I feel compelled to weigh in.

As outlined in the attached letter and related material from the Blue Ribbon Coalition, California's OHV commission (Commission) appears to have ended the longstanding practice of allocating funding according to a priority list that is developed with input from the public as well as state and federal agencies.

The actions of the Commission have stunned virtually everyone associated with the process, including many of the off-road enthusiasts that I represent. I would appreciate your review of the controversy that has erupted over this issue. Projects occurring on federal lands within my congressional district were summarily zeroed out by the Commission's action. It is my hope that this unilateral abandoning of longstanding practices and criteria can be corrected.

Thank you very much for considering my opinion in this matter.

Sincerely,

WALLY HERGER
Member of Congress

Enclosures (2)