



Home Builders Association of Michigan Capitol Update December 21, 2018

The Home Builders Association of Michigan works to positively promote the building industry and impact the legislative, regulatory and legal issues affecting housing affordability.

This newsletter will update you on issues that impact the home building industry, along with bigger issues as they move through the legislative process.

Lame Duck Session

The 99th Legislature is almost officially over – we say officially as they still need to hold a sine die session which will be ceremonial only. The legislature went in on Thursday at 10:00 am and the House adjourned THIS MORNING at 8:03 am and the Senate adjourned THIS MORNING at 7:35 a.m.

If It Looks Like a Duck, and Quacks Like a Duck....

Your government affairs team fought the good fight the last two days of session, but at the end of the day House Bill 5376 goose was cooked. Below are the details.

As close to 400 bills were sent to the governor this lame duck session, we will only be reporting on HB 5376 in this issue. Our office will be closed between Christmas and New Year, returning on January 2, 2019. We will send out a detailed year end update the first of the year.

56, 20 But Not 1

56, 20 and 1. It's saying among the lobbying community which recognizes you need 56 Yes votes in the House, 20 Yes votes in the Senate and 1 signature from the Governor. We succeeded with the first two but not the last. Late Thursday night the Governor killed HB 5376 with a phone call.

House Bill 5376, introduced by Representative Brandt Iden, would have restored the use of broad-based balanced code review committees and ended the new process started by the Department of Licensing and Regulatory Reform of only having two people review the codes. HB 5376 was supported by the largest alliance of construction industry and public safety officials in years. The members of the Alliance can be found below.

HB 5376 was approved in the House by a bipartisan vote. The bill had been declared dead four times in the Senate. Once when it failed to get out of the Senate Regulatory Reform Committee, again when the votes weren't there on the Senate floor for the unamended House version after the bill was discharged to the floor and again when the votes weren't there Thursday morning for the amended compromise version. We managed to resurrect the corpse three times but....

Thursday morning at 11:00 we were 12 Yes votes short. Thursday afternoon at 4:00 we were 6 Yes votes short. At 5:25 we were given a 6:00 deadline to pick up the final “hard yes” votes we needed. Working a full court press Senator Jim Stamas, ABC, NFIB, the Grand Rapids Chamber, Home Builders and got to 21 by 5:50.

LARA’s lobbyists left the Capitol at close to noon, confident that the bill was (again) dead. They rushed back to the Senate floor around 4:30 when they heard we were closing in on magic number 20.

Department lobbyists are allowed to be on the floor of the House and Senate while we ordinary lobbyists are not. So while they are walking from desk to desk lobbying legislators, we’re all outside standing on the black and white tile floors sending in notes and hoping the legislators come out to talk with us. Last night LARA’s lobbyist spent hours going from senator to senator trying to turn at least two of our 21 Yes votes.

When they couldn’t turn any of our votes they had the Governor call the Senate Majority Leader to tell him the bill would be vetoed if it got to his desk. For the fourth time the bill was declared dead but this time the declaration was correct. RIP HB 5376.

The fact HB 5376 didn’t pass doesn’t mean our efforts stop.

We firmly believe the Governor looked at this issue strictly from the standpoint of streamlining and speed up the code promulgation process and never considered (or was never told) the ramifications of this change. Next year we’ll have a new Governor and a new director in the department. This gives a new chance to make our case for returning to the old but better code promulgation process with a Governor who is not wedded to the new one. All out hard work done by the Alliance didn’t get us across the goal line this year but it moved us to just a few feet away.

The Alliance

American Subcontractors Association of Michigan
American Wood Council
APA – The Engineered Wood Association
Associated Builders and Contractors of Michigan
Associated General Contractors of Michigan
Bill Benoit (State Construction Code Commission Chair representing himself)
Ben Tiseo (Representing Tiseo Architects)
Building Owners and Managers Association
Burglar Fire Alarm Association
Bryan Lindfors PE (representing himself)
Charter Township of Garfield Building Department
Code Officials Conference of Michigan Board of Directors
Detroit Area Contractors Association
Grand Rapids Area Chamber of Commerce
Green Oak Township
Huron Valley Association of Code Officials
Ken Misiewicz (State Construction Code Commission Member representing himself)
Michigan Air Conditioning Contractors Association
Michigan Concrete Association
Michigan Forest Products Council
Michigan Mechanical Inspectors Association
Michigan Plumbers and Mechanical Contractors Association
National Federation of Independent Business/Michigan
Northern Michigan Code Officials Association
Plune Service Company
Wayne Jewell, Green Oak Township Building Official

Merry Christmas and a Happy New Year from your HBA of Michigan Government Relations Team!

Lee and Dawn

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You can find additional information on what is taking place legislatively, and otherwise, by liking us on Facebook. We can be found at www.facebook.com/homebuildersassociationofmichigan.

