



To: House Regulatory Reform Committee Members  
From: Sean Hammond, Policy Director and Abigail Wallace, Policy Specialist,  
Michigan Environmental Council  
Date: June 8, 2021  
Re: Testimony in Opposition to House Bill 4648

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Thank you Chair Hauck, Majority Vice Chair Hoytenga, Minority Vice Chair Hertel and members of the committee for the opportunity to testify in opposition to House Bill 4648, which creates a series of advisory committees for each of the different building codes.

Building codes are a set of rules that outline the minimum standards for construction on buildings, and their purpose is to protect human health, safety and wellbeing. The International Code Council is a 501(c)(3) nonprofit that is the foremost international source of model codes, which are updated every three years. The states take those model codes and use them as the starting point for crafting Michigan-specific codes.

In Michigan, LARA's Bureau of Construction Codes oversees the code adoption process and is advised in that process by a stakeholder advisory committee called the Construction Codes Commission. The Construction codes Commission is made up of representatives from a variety of building sectors including, industrial management, architecture, professional engineering, building contracting, organized labor, premanufactured building, municipal building inspection, and residential builders. There are also two spots designated for members of the general public. For years, the Construction Code Commission has successfully advised LARA on code development and other issues related to the building codes.

Given the existence of a diverse and effective advisory commission, we view HB 4648 as a solution in search of a problem. The bill purports to create stakeholder engagement in the code adoption process where that stakeholder engagement already exists.

What is more, the bill would require LARA to appoint members to multiple advisory committees, which is a large and unnecessary administrative burden for the department and would bog down this crucial process with unnecessary bureaucracy. In short, this bill would be a major hindrance to the already slow code adoption process.

In addition, we also oppose this bill because it would change the process right in the middle of Michigan undertaking the update of one of the most important and outdated codes- the energy conservation code. Michigan's energy conservation code has not been updated since 2015 and a new model 2021 energy conservation code for residential and commercial buildings was

just released by the IECC. As dictated by Michigan statute, LARA will soon commence a formal rulemaking to update Michigan's energy conservation building codes. As members of the committee as likely aware, navigating a rulemaking process can already be difficult for stakeholders and the public. The existing codes commission creates an understood venue through which various sectors can voice their opinions or concerns to the department. If the legislature adopts this bill it will be effectively changing that venue mid-code update, requiring the department to appoint new advisory committee members, and creating more confusion for stakeholders trying to navigate the code updates. Instead of creating more transparency and more stakeholder input into the codes, this bill would create unnecessary confusion and make it more difficult for people to understand how and when to weigh in on the code updates.

Finally, MEC is concerned about the make-up of the advisory councils and, in particular, the prescriptive requirements for significant industry representation on the energy conservation code advisory council.

For these reasons, the Michigan Environmental Council opposes House Bill 4648. Thanks for your time.

Sincerely,

Sean Hammond, Policy Director, Michigan Environmental Council

Abigail Wallace, Policy Specialist, Michigan Environmental Council