The highlight of 2011 (by far!) was the passage of SB 77 after a 5 1/2 year effort. SB 77 solves the problems created by the 2006 Ostroth decision and restores the applicable limitation periods to their previous durations and also the long-established rules that govern them. The legislation will bar stale claims and require plaintiffs to be diligent in bringing claims forward in a timely manner (2 years). It puts Michigan's statute back in line with the other states across the country and makes Michigan more business-friendly for professional engineers, architects and surveyors.

The Governor's special message: “Reinventing Michigan's Infrastructure: Better Roads Drive Better Jobs” was delivered October 26, 2011 and called for a sound and modern infrastructure that “is vital to attracting and retaining jobs”. During his press conference, the Governor warned the legislature not to ignore the fact that Michigan’s infrastructure is deteriorating from lack of investment and that a “do nothing” alternative is unacceptable. Key transportation points the Governor called for included: eliminating the gas tax and replacing it with a uniform tax at the wholesale level, reform Act 51, allow county governments to absorb county road commissions, raise additional revenue by increasing state registration fees and allow local registration fees. He also urged the sale of $650 million in bonds approved by the voters in 2002 for water and sewer improvements. The bulk of the legislation to address the items in the Governor's message has been introduced.
Statute of Limitations for claims against Engineers/ Surveyors (ACEC Supported)

(Senate Bill 77) Sen. Schuitmaker
Enacted into law as PA 162 of 2011. PA 162 takes effect on January 1, 2012 and restores the statute of limitations as they existed prior to the Ostroth decision in 2006.

Funding for SRF S-2 Grants (ACEC Supported)

(HB 4407)
Sen. Moss
Enacted into law as PA 50 of 2011. The supplemental appropriations bill provides $40 million in S-2 grants to assist municipalities in completing loan application requirements for financing water quality improvement projects and $30 million for non-point source projects.

New International Trade Crossing-Detroit Bridge (ACEC Supported)

(SB 410 & 411)
Sen. Richardville
Failed in Committee.
These bills would have authorized the building of a new bridge between Detroit and Windsor using a public-private partnership.

Community Revitalization Program (ACEC Supported)

(SB 566-568, 644)
Pappageorge, Kowall, Geoff
Enacted into law as PA 251 of 2011. PA 251 creates a new Community Revitalization Program to provide incentives for certain investments in the state through grants, loans, and other economic assistance. Provides a replacement for the brownfield and historic preservation tax credits which were elimi-nated.

SRF Advisory Committee

The State Water Pollution Control Revolving Fund Advisory Committee completed their report and it was submitted to the legislature and the MDEQ Director in September pursuant to Public Act 231 of 2010. ACEC/Michigan Executive Director Ron Brenke was appointed by MDEQ Director Dan Wyat to serve on the committee in February 2011. The Advisory Committee was charged with developing recommendations to increase the level of investment in water/sewer projects to prevent water pollution. Governor Rick Snyder strongly supported the recommendations by the Advisory Committee and included them in his Special Message on Infrastructure on October 26, 2011. Presentations to key legislative committees are planned for January 2012.

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2011 PAC Chairs:
Mark Smolinski & Amy Trahey

2012 State & National Legislative Days

March 14, 2012
Christman Building
Lansing, MI

April 17 & 18, 2012
Grand Hyatt
Washington D.C.

2011 LEGISLATIVE WRAP UP

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