

Legislative Report
April 2018

We continue to work to defeat HB 4438, legislation to allow farmers to provide and transport porta johns and bypass a licensed septic hauler. The bill passed the House in a "blink" as sponsor Rep. Tom Barrett, R-Potterville is the Committee chair. The bill has received one hearing by the Senate Natural Resources Committee and is on hold because of the intense push back by MSTA. We have teamed up with the Michigan Environmental Council and the Michigan Migrant Workers Council and prepared and sent a press release outlining the problems with allowing farmers to ignore important rules and laws when moving and servicing porta johns. Committee Chair Senator Tom Casperson, R-Escanaba does not support the bill, but he is under intense pressure by the Speaker of the House to get the bill moved through the senate committee. Senator Phil Pavlov, R-St. Clair vows he will not budge from his position of "opposition". Pavlov thinks farmers get enough exemptions and he does not like workers being put at possible risk along with putting our food chain at risk. Senator Rebekah Warren, D-Ann Arbor is also squarely opposed to the bill for the same reasons. Committee member Senator Jim Stamas, R-Midland has been working on preparing an amendment which will be agreeable to Farm Bureau and MSTA---it is not going well.

The Legislature is on spring recess and when they return 100% of their focus will be the primary campaigns. My plan is to drag this issue out until it is less important than the Senate race for Rep. Tom Barrett. It is anticipated that Rep. Barrett will win the Republican election against Rep. Brett Roberts, but he will then go head to head against Kelly Rossman-McKinney of Delta Township, a longtime Lansing public relations executive with strong democratic connections and money. She has amazing fundraising ability and outmigration from Lansing of Democratic voters to areas like Delta Township and DeWitt. This is the race politic pundits are watching because it could easily flip from Republican to Democratic in a blink.

Legislation creating a Statewide Sanitary Code and a database on where systems are located was introduced in the House the last day of the winter session. Rep. Abdullah Hammoud, D-Dearborn and Rep. Jim Lower, R-Cedar Lake introduced HB 5752 and HB 5753 to improve inspection and maintenance of septic systems. Currently, the state does not define the malfunction or failure of an onsite wastewater treatment system. "The problem is that Michigan lacks basic protections on the issues, Mr. Hammond commented. " We are the only state without protections".

The bills were referred to the House Natural Resources Committee chaired by Rep. Gary Howell, R-North Branch. The bills are supported by the DEQ as they served as the primary writers of the bills. Dave Snyder and I were involved in one conference call with the DEQ relative the issue last summer. The DEQ held various conference calls with other stakeholders on the issue in their effort to come up with compromise legislation, but the bills continue to be a work in progress. Under the bills, state and local standards, including allowing alternative septic systems on a statewide basis as long as the systems have proper permitting and construction would be created. They would also place a certain trigger on systems for more regular inspections. "When systems fail and are left undetected, we face the consequences" Rep. Lower said. "This plan will provide the framework for a robust inspection process that helps to increase awareness for the trouble that can impact areas, both financially and ecologically, when systems fail. Promoting proper maintenance will be a vehicle to preventing failures."