

2022 CAPITOL UPDATE

YEAR IN REVIEW



2022 Michigan Legislature

2022 was an election year with big changes to the make-up of the Michigan legislature. For the first time in 40 years the House, Senate and Executive Office are all controlled by Democrats. Governor Gretchen Whitmer, Attorney General Dana Nessel, and Secretary of State Jocelyn Benson were all re-elected along with 57 new legislators. The 2021-2022 legislative session ended in early December after a shorter than usual 'lame duck' session.

A summary of key legislation affecting the A/E industry is provided in this update.

Local Federal Aid Exchange Program

Senate Bills [465](#) & [466](#) amends PA 51 to establish the local federal aid exchange program and requires MDOT to award money from the State Trunkline Fund (STF) to local road agencies in exchange for federal aid obligation authority allocated to local road agency projects (\$0.90 STF for \$1.00 of federal aid). Amounts available: FY 22-23: \$25 million; FY 23-24: \$35 million; FY 24-25: \$45 million.

The bills were sponsored by Sen. Jim Runestad and Sen. Michael MacDonald and were signed into law by the Governor on March 29, 2022.



Former MDOT Director Paul J. Ajegba, PE, Governor Gretchen Whitmer, and Ronald Brenke, PE, ACEC/Michigan, at the 2022 MDOT-ACEC Partnering Workshop

Michigan-Indiana Line Remonumentation Act

[Senate Bill 627](#) creates a new act, the Michigan-Indiana State Line Remonumentation Act, which would create the Michigan-Indiana State Line Commission within the Department of Licensing and Regulatory Affairs (LARA). The commission will administer a survey of the Michigan-Indiana state line and recover and reestablish monuments along the boundary as required under the bill. [SB 628](#) amends the State Survey and Remonumentation Act to allow the legislature to appropriate up to \$500,000 to pay for the State's equitable share of costs for monumentation of the Michigan-Indiana state boundary line.

Both bills were sponsored by Senator Kim LaSata and were signed into law by the Governor on May 19, 2022.

Extension of Remonumentation Fee

[Senate Bill 1133](#) amends the Revised Judicature Act to extend the \$4 remonumentation fee for an additional 20 years (to January 1, 2043). The fee is collected by a county register of deeds for recording instruments (such as a deed, mortgage, easement, or lease) and is deposited in the State Survey and Remonumentation Fund. Without the extension, the fee would be reduced to \$2 and the fund would experience an annual revenue reduction of \$3.5 million.

The bill was sponsored by Senator Wayne Schmidt and signed into law by the Governor on December 22, 2022.

Design Build for Schools

[House Bill 5538](#) would allow a "design-builder" who employs an architect or professional engineer to prepare the plans and specifications and oversee the construction of a school building. ACEC and other groups, including AGC, opposed the bill as it is in direct conflict with Article 20 of the occupational code for firms offering architectural or engineering services (2/3 of principals must be licensed design professionals).

The bill was sponsored by Rep. Sara Cambensy and was approved by the House. The bill did not get a vote in the Senate and died at the end of the legislative session.

Automated Vehicle Roadway Systems

Senate Bill 706 amends the Michigan Vehicle Code to authorize the Michigan Department of Transportation (MDOT) to: designate a segment of roadway under its jurisdiction as an automated vehicle roadway, designate a lane or ramp of an automated vehicle roadway as an automated vehicle roadway lane, require a user fee for the use of the roadway or lane, and enter into an agreement with an automated vehicle roadway system provider to design, construct, manufacture, operate, maintain or manage an automated vehicle roadway system. The bill keeps Michigan out front in the automated vehicle space.

The bill was sponsored by Senator Ken Horn and signed into law by Governor Whitmer on July 25, 2022.

QBS For State Agencies

Senate Bill 642 would amend the Management and Budget Act and require all state agencies to use a Qualifications-Based Selection (QBS) process for the procurement of architectural, engineering and surveying services. The bill mirrored the Federal Brooks Act of 1972 that is used for all Federal design work.

The bill passed the Senate unanimously in January 2022 and was passed by the House during the December lame duck session. Unfortunately, the bill, sponsored by Jim Ananich, was not signed by the Governor (Pocket Veto) due to concerns from DTMB, which insisted on including the total estimated hours (cost) as a factor in the evaluation and selection process. ACEC will reintroduce the legislation in the new session.

Engineers' Legislative Day



Legislative Day Webinar:

March 1, 8:00 am

Reception with Legislators:

March 1, 4:30 pm

Virtual appointments with Legislators:

Friday, March 3

[REGISTRATION](#)

Michigan has 57 new members in the legislature, and they can now serve up to 12 years before being term-limited due to the passage of Proposal 1 in the 2022 general election. It is crucial that engineers take this time to meet with their State Representative and Senator, develop a relationship, and educate them about engineering issues that are important to our industry.

Our key issues for this year's event include QBS, Infrastructure Funding, and improvements to PA 132 (surveyors).

2022 PAC Honor Roll

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***Met or exceeded 2022 Firm Goal**