



March 11, 2013

By Email to bvisner@house.mi.gov

The Honorable Hugh Crawford, Chair
Michigan House Regulatory Reform Committee
Anderson House Office Bldg.
887 House Office Building
Lansing, MI 48933

Re: HB 4378 Interior Design Regulation

Dear Chairman Crawford:

On behalf of the National Kitchen & Bath Association (NKBA), an international trade association representing all facets of the Kitchen & Bath Industry and its 1,867 Members in the State of Michigan, and the related trades with whom our members routinely work such as installers, tile showrooms, cabinet companies and contractors, I would like to express to you our strong support of HB 4378 and the deregulation of interior designers. We wholeheartedly concur with recommendation #B10 by the Office of Regulatory Reinvention (ORR) that the State should cease administering a list of interior designers who have passed an independent, private exam (the NCIDQ) over which the State has no input or control and which is wholly duplicative of what is already available to those same designers and the public without State funding or involvement. In fact, if the Michigan registered interior designers are similar to those in other states, the vast majority were grandfathered and do not possess the requirements that they now insist everyone else must have in order to become registered.

State registration merely duplicates what is already available to Michigan citizens to help them distinguish between the credentials of different designers. If the purpose of the statute is to enable the public to locate a "qualified" designer, the means are already available for it to do so. The National Council for Interior Design Qualification, the organization which administers and owns the private NCIDQ exam and which passage of same is the sole criteria for inclusion on the State's registry, has on its website a section known as the Q Search that enables the public to find a designer who has passed that test. See www.ncidq.org/. In addition, each of the private design membership organizations have websites which allow members of the public to locate a designer based upon his or her qualifications and credentials. For example, the American Society of Interior Designers, which similarly requires passage of the NCIDQ exam for Professional Membership, has on its website, www.asid.org, a section entitled "Find A Designer" which allows the public to search for a Professional Member of ASID. Similarly, the Michigan Chapter of ASID on its website, <http://asidmi.org/>, enables the public to search for a designer by zip code and distance and indicates those

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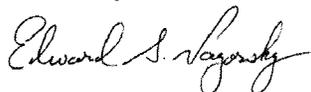
who have passed the NCIDQ through Professional Membership. The National Kitchen & Bath Association has its own website, www.nkba.org, which allows the public to search for a designer and also indicates if he or she is a member of ASID as well (many of our members are). The Interior Design Society and the National Association of the Remodeling Industry similarly provide the means of locating a designer by city and state. Michigan's list merely reproduces those listings for no reason other than to benefit a small faction of designers and grant them a competitive marketing edge over their competitors by virtue of "state recognitions".

As ORR readily acknowledged in its recommendation, the existing law has nothing to do with protecting the health, safety and welfare of the public. Rather, the true purpose of the statute is to serve as a marketing tool and to protect the special interests of a select few within the interior design industry. As such, it in no way promotes or advances any rational, justifiable or necessary public policy. If anything, this law presents a threat to the public health, safety and welfare in that it implies to the public that the person so registered is in fact regulated by the State of Michigan which again, as ORR recognized, is not the case.

In addition, the existing law is anti-competitive in that it favors one group of interior designers over other members of the design community and again, does so without serving any identifiable, valid public policy. It is reasonable to presume that consumers will attach value to the state registration, thus placing non-registered interior design professionals who constitute the vast majority of designers in the State at an unfair competitive disadvantage.

On behalf of the National Kitchen & Bath Association and its members, we would like to thank you for your efforts on behalf of the business community to eliminate pointless barriers to economic opportunity and allow entrepreneurs and small businesses to thrive, hire more worker, and grow their businesses. Of course, if we can provide any additional information or testimony, we would be more than pleased to do so.

Sincerely,



Edward S. Nagorsky
General Counsel
National Kitchen & Bath Association