

May 15, 2013

The Honorable Scott Dianda

PO Box 30014

Lansing, MI 48909-7514

Subject: HB 4692, to abolish the Ski Area Safety Board

Dear Representative Scott Dianda

As a constituent of yours and the Operator of two ski areas, Mt Zion and Porcupine Mountains, as well as the Director of Ski Area Management at Gogebic Community College, I am writing in opposition to HB 4692, as introduced by Rep. McMillan and referred to the Committee on Regulatory Reform. If passed, this bill would dismantle the Ski Area Safety Board, which serves a vital role in the safety of Skiers and Snowboarders in the state of Michigan. Skiing/snowboarding is a 4.2 billion dollar industry in our state, and the number-one reason for winter recreational travel during Michigan's winters. As a member of this vibrant industry, I oppose House Bill 4692 and ask you to do the same.

HB4692 is the result of a report by the Office of Regulatory Reform Reinvention regarding occupational licensing. Page A-46 of that report reads as follows:

Scheduling board meetings, creating agendas and minutes, as well as staffing the occupational board meeting takes up valuable department staff time that could be best spent on other responsibilities. In the absence of an occupational board, the staff could seek input from industry leaders when necessary to determine appropriate regulations.

... the Ski Area Safety Board does not appear to provide any significant benefits to the regulation of the occupation that could not otherwise be accomplished with consultation with industry leaders.

The above recommendation maintains that the Ski Area Safety Board is expensive to operate. However, this is not true. The House Fiscal Agency analysis on HB4692 show a savings of only \$468 based on 2012 fiscal year. The members of the board donate their time and the Chair of the Ski Area Safety Board creates the agenda so there is no expense to the State for this. The only expense that the state incurs is the cost of time by state employees to attend the meetings. Since there are usually now five or more state employees at each meeting, costs could be reduced by sending fewer state employees. In the past only the department head of Ski- Amusement and a representative from Licensing were at meetings.

Since the department offers this as the main reason for abolishing the board, I feel that the department needs to show some transparency and provide their actual costs.

The recommendation also states, "In the absence of an occupational board, the staff could seek input from industry leaders when necessary to determine appropriate regulations." The issue here is the word "could" as the industry sees it. Dismantling the Ski Area Safety Board would grant authority to one person in state government to decide issues that have the potential to adversely affect ski areas and skier safety.

The ORR report also maintains that the Ski Area Safety Board doesn't provide significant benefits to the regulation of the occupation. This is also untrue. The Ski Area safety Board has provided necessary and vital services to our state. One important case in point is when the Ski Area Safety Board made important changes to the Administrative Rules regarding the use of snowmobiles on ski slopes. Today, Michigan has the most stringent rules regarding the use of snowmobiles on ski slope in the nation. Another example is the changes to Administrative Rules regarding signage in Terrain Parks. These changes were made to align Michigan with the rest of the country and provide a uniform method of warning the skiing public that terrain features are present.

On the Ski Area Safety Board agenda, for the June 5th, 2013 meeting is the recommendation for adoption of the American National Standards Institute B.77-2011 standards for ski lifts. We are currently using ANSI B.77-2006 and after review are ready to recommend this change. Another issue on the agenda is a recommendation for a change in the rates for inspection that HB 4692 does not address. Charges for inspections need to be addressed as they have not been for many years, as no proposals have come from the department the Board is moving forward with its own recommendations. A third issue on the agenda is the qualifications for independent inspectors. The current law allows for independent inspectors, but the qualification of such has never been discussed and the hope is to have a recommendation on this issue for the fall 2013 meeting.

Again on behalf of the skiing public- my customers- I ask you to oppose HB 4692 and keep the Michigan Ski Area safety Board intact.

Sincerely,

Arnold (Jim) Vander Spoel

Director of Ski Area Management

Gogebic Community College