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Politics

Builders unafraid to fight rough in hostile environment

11/25/2002

Associated Press

OLYMPIA – Conservative, combative and well-heeled, the Building Industry Association of Washington isn't afraid to use a little political muscle.

In this month's election, the political arm of the homebuilding industry helped swing control of the state Senate to the Republicans, persuaded voters to repeal a tax change it opposed, and came within a few hundred votes of putting its chosen candidate on the state Supreme Court.

Where other business groups tread lightly, the BIAW isn't afraid stomp around on a political system it sees as fundamentally hostile.

Sometimes its bare-knuckled intensity makes enemies. And sometimes its gambles pay off.

"We have a mission, which is to protect free enterprise and affordable housing," says Tom McCabe, executive director of the 9,500-member group. "We do not shy away from a fight if it involves those principles. We live in a liberal state that in many respects is antibusiness and antigrowth. We want to develop and grow, so we're up against it."

While McCabe concedes that not every builder follows the BIAW's line, there's little question that he speaks for most as he ticks of a list of issues that, well, tick him off.

The Growth Management Act, intended to reduce suburban sprawl and its many associated problems? An elitist plan that lets yuppie environmentalists ride their bicycles through green fields, while housing prices inside artificial urban growth boundaries skyrocket beyond the means of ordinary folks, McCabe says.

The state's workplace ergonomics rule, designed to cut down on injuries caused by repetitive motion and heavy lifting? Government regulation run rampant, totally unsuited to the fluid work environment of a building site, the BIAW contends.

And the list goes on: the workers compensation system, the unemployment insurance system, the sales tax on labor that goes into building houses.

So the group fights. It's spent hundreds of thousands of dollars on politics this year. It plays hardball in campaigns for the Legislature and lobbies lawmakers hard once they get to Olympia.



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"They are known by everybody, their friends and foes alike, as being super-aggressive politically," says David Groves, a spokesman for the Washington State Labor Council, which often finds itself at odds with the builders. "They oppose worker safety standards. They oppose anything they consider a burden for business. They're definitely somebody that we butt heads with."

And if the group doesn't like what comes out of the Legislature, they're not afraid to go straight to the voters.

That's what happened this year when the BIAW found itself on the losing end of a rewrite of the unemployment insurance system, long criticized for favoring the builders.

The builders wasted little time hiring signature gatherers to force a statewide vote on the issue.

Once the referendum – a confusing issue dealing with a tax – was before voters – it was all over but the shouting because a "no" vote achieved the BIAW's goal. The association spent more than \$360,000 on the campaign and won easily on Election Day. Gov. Gary Locke, the business groups that supported the rewrite have asked the state Supreme Court to invalidate the referendum.

The association can afford all this politicking partly through member dues, but mainly through a quirk in the workers compensation system. Groups of businesses can band together to share the risks of workers compensation insurance, and share the refunds if the group's claims are less than its premiums each year.

The BIAW runs such a group and takes 20 percent of the refunds, which adds up to millions each year. Some goes to administer the program, but there's plenty left over for politics.

Attempts by unions and the Department of Labor and Industries to cut the association's take have failed. McCabe points out that the system is voluntary and doesn't work unless safety improves.

A big chunk of that money goes into campaigns for the Legislature.

Like other big players in Olympia, the builders give to many candidates, maintaining access to lawmakers sympathetic to their causes. Direct contributions to candidates are strictly limited so the real money is in independent spending that isn't coordinated with campaigns.

Just before Election Day, the BIAW spent almost \$10,000 to support Whatcom County Sheriff Dale Brandland's challenge to incumbent Georgia Gardner, D-Blaine. The money bought an oversize color mailer for Brandland and a Post-It-like note stuck to every copy of the local paper just before the election. Brandland won by 1,156 votes, and the GOP took control of the Senate 25-24.

Less successful was perhaps the BIAW's biggest political gamble of the year – a bid to get Jim Johnson elected to an open seat on the Supreme Court – a prime prize for an organization that often turns to the courts in an attempt to recoup its losses in the Legislature.

The builders spent more than \$200,000 on Johnson – the bulk of the money that went to his campaign. Johnson, a flamboyant appellate lawyer with a penchant for conservative causes, lost by 3,368 votes to Mary Fairhurst, the candidate backed by labor, environmentalists and other BIAW foes.

"At least they lost one," says Groves. "Money can't buy you everything, can it?"

Just what the BIAW can accomplish may be tested next year. Incoming association president Randy Gold wants to mount an initiative to repeal the ergonomics regulations, which are in place but won't be enforced until 2004.

"If we don't kill ergonomics it will kill us," Gold says.

But the ergonomics rule is a shining accomplishment for labor groups, which contend the BIAW is drastically overstating its costs. Unions will likely fight tooth and nail to keep it. And it's a tougher sell than getting people to vote no on a confusing tax referendum, Groves said.

"If you have to convince somebody to vote yes proactively to repeal a workplace safety law, that would be a little bit tougher," Groves said.

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