



2019 Legislative Session Report #2

2.26.19

The State Legislative Session hit its first cut-off date on Friday, Feb. 22. By the end of that day, all bills that had not passed out of their policy committees were considered dead for the year. There is an exception for fiscal and transportation bills, which get an extra week to pass out of committee. Bills in the following committees remain alive but must be passed by March 1: Finance (House), Appropriations (House), Ways and Means (Senate), Capital Budget (House), Transportation (Senate and House).

Non-architecture related bills that are making headlines thus far in the session include efforts to: remove the personal and philosophical objection exceptions for vaccines required to attend school; raise the tobacco consumption age to 21; and institute permanent daylight savings time. Last week, Senator Steve Hobbs (D-Snohomish County), chair of the Senate Transportation Committee, introduced a \$17 billion statewide transportation revenue package which, among other things, includes a carbon fee and raises the state's fuel tax rate by six cents per gallon. For the current biennium, the state is facing a \$3 billion structural deficit, which means everyone is asking about cost, particularly for new proposals.

Here's a look at AIA|WA's top legislative priorities:

Architects' Practice Act

AIA|WA's [bill](#) to amend the Architects' Practice Act is in the House Rules Committee waiting to be assigned to the House floor. The bill addresses NCARB-approved changes to the path to licensure, including eliminating a year of AXP electives and allowing all candidates to complete the experience and testing portions of licensure non-sequentially. In addition, the bill removes the use of the word "intern" for associate architects with degrees (per AIA National policy) and adds language to clarify the definition of the practice of architecture to reduce the possibility that non-architects are allowed to stamp architecture plans. You can read a summary of the legislation [here](#).

B&O Tax

Governor Inslee's budget includes a 22.3% increase from current spending, including a 9% capital gains tax and a 67% increase in the B&O tax on service businesses, including architecture (from 1.5% to 2.5%). Although this bill was heard during the first week of the session, little has happened since that time as budget discussions do not begin in earnest until March. AIA|WA opposes the B&O increase and has called for structural tax reform instead of one-off tax increases to an already flawed B&O tax structure.

Condo Liability Reform

[Legislation](#) to address issues related to condo liability by defining condo warranties is moving along quickly with wide support. The Senate bill, sponsored by Senator Jaime Pedersen (D-

Seattle), passed the Senate unanimously this week. AIA|WA has supported the bill although warranties are not applicable to architects. Additional [legislation](#) introduced by Rep. Tana Senn (D-Mercer Island/Bellevue) to require a simple majority of HOA members to approve the filing of a lawsuit related to construction was amended at the request of the association for HOAs to require a simple majority of members to vote to reject a lawsuit or it moves forward. This amendment reduces the efficacy of the bill for architects, but it remains better than current law. AIA|WA would like to see this language further amended to require a simple majority of votes cast rather than of the entire membership.

School construction

[Legislation](#) that would amend the state constitution to lower the threshold for voters to approve school bonds to 50% of eligible voters from 60% remains alive. A separate bill to lower the threshold to 55% did not survive the cut-off. A number of bills to address school construction funding are still being considered by fiscal committees, as are two bills related to school safety— including [a bill](#) to address school safety through design.

Climate

Legislation to address climate change continues to perform strongly in the early part of the session. Gov. Inslee's clean buildings bill has moved into both House and Senate fiscal committees, as have bills on requiring fossil-free electricity by 2045, reducing HFCs in refrigerants, addressing toxic materials in building products and authorizing a commercial property assessed clean energy and resilience program in Washington.

Capital budget & alternative project delivery

AIA|WA is supporting [legislation](#) requested by the Capital Projects Advisory Review Board to make adjustments to design-build and job order contracting statute language. Both House and Senate versions will be voted on in fiscal committees this week. You can read a summary of the provisions [here](#).

Codes

[Legislation](#) that would have lengthened the State Building Code Council's code cycle from three years to five was heard in committee but never received a vote. AIA|WA testified against the bill, arguing that a five-year cycle would delay the incorporation of important changes related to safety, efficiency and performance.

Contracting

AIA|WA testified on [legislation](#) that would require state contracts to be evaluated for moving the work in-house, repeating our message from the previous two sessions that architectural and engineering contracts should not be included. The bill would exempt architects, engineers and land surveyors for contracts over \$1 million but would continue to impact projects between \$10,000 and \$999,999. AIA|WA continues to push for an amendment that would offer architects a full exemption from the bill.

[Legislation](#) that would have required state contractors to verify computer hours by installing software to track computer use in the form of keyboard use, mouse clicks and screen shots was

defeated after testimony by AIA|WA and ACEC, the American Council of Engineering Companies. The company that sells the software has had the legislation introduced in 22 states this year. In Washington, the bill was never heard in its Senate committee and the House committee heard it but did not schedule it for a vote.

Livability & Affordability

Efforts by Sen. Guy Palumbo (D-Bothell, Maltby) to increase density inside Growth Management Act areas have survived to this week, as have a number of bills related to funding low-income housing at the state and local levels. A [bill](#) to allow two ADUs per lot and to prohibit common ADU restrictions such as off-street parking is currently in the Rules Committee in both the House and Senate, which means it is likely reach both floors. On transportation, AIA|WA will oppose bills that attempt to reduce funding for Sound Transit. Sen. Palumbo's [bill](#) to establish minimum density standards around Sound Transit 3 stations failed to advance.

More Info

View AIA|WA's bill tracking report [here](#).

Contact AIA|WA staff:

Jeffrey Hamlett

Executive Director

hamlett@aiawa.org

425.314.3847

Kirsten Smith

Manager, Policy & Advocacy

kirstens@aiaseattle.org

206-957-1926

Get involved

We need your participation to make sure we are accurately representing your interests. Here are some ways you can get involved:

- Let us know what you think – we always want to hear from you!
- Join an AIA|WA [policy committee](#)
- [Communicate with your legislators](#) about issues that are important to you.