



# January 2020 Legislative Session Report

AIA|WA's Spokane delegation with Senate Majority Leader Andy Billig (D-3).  
L-R: Greg Francis AIA, Kathy Russell AIA, Iren Taran AIA, Sen. Billig,  
Corey Zachow AIA, David Buescher AIA.

## AIA WA members meet with 53 legislative offices at Capitol Connections

AIA|WA architects from across the state traversed the capitol campus in Olympia at our annual Capitol Connections lobby day on Jan. 23. Capitol Connections allows our members to meet directly with their representatives and staff, highlight key issues for architects, and learn more about the legislative process.

This year, members met with 53 legislative offices and discussed two issues up for consideration in January:

- C-PACER (Commercial Property Assessed Clean Energy & Resilience), a private financing mechanism for commercial building owners to make deep energy and resiliency retrofits; and
- Bills to expand housing capacity within GMA boundaries. These included HB 2434 to provide incentives for cities to voluntarily enact urban density measures; HB 2570 to require accessory dwelling units in single family zones; and HB 2780 to require duplexes and triplexes in single family zones. More info on these bills is inside.

## Legislative Session Moves Full Steam Ahead

The first three weeks of the Legislative Session saw a flurry of committee hearings and a steady flow of new bills. AIA|WA spent much of this time testifying on our priority bills and strategizing with aligned organizations on issues of mutual concern.

2020 is already proving to be a record-breaking year in terms of the number of bills introduced, particularly for a short, 60-day session. The hundreds of new bills, along with legislation still alive from the 2019 Session, have until Feb. 7 to make it out of their initial policy committee or they are dead for the year. Bills with a fiscal impact have until Feb. 11 to move out of their respective fiscal committees.

Governor Inslee gave his annual State of the State address during week 1, laying out his legislative agenda for 2020. This included legislation to address homelessness and the passage of a low carbon fuel standard. The Governor's proposed budget was also presented to the financial committees; it proposes pulling over \$300 million out of the state's rainy day fund to go toward additional shelters to alleviate homelessness—a request that is unlikely to be popular with legislators.

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## Legislative Session, cont.

Another notable event was the swearing in of the new Speaker of the House, Laurie Jinkins, the first new speaker in over twenty years and Washington's first female speaker. Jinkins, from Tacoma, has indicated her intention to open the policymaking process to include more of her caucus members, including no longer requiring each committee's agenda to be approved by the speaker.

### Legislative Priorities

In the first three weeks, public hearings were held on a number of controversial policy proposals, drawing significant crowds and news coverage. Notably, hearings were held to impose a permanent statewide ban on flavored vaping products and to require sex education reforms in public schools. Several gun bills were also heard, including proposals related to high capacity magazine restriction, assault rifles, and concealed pistol training.

A number of hearings featured unresolved issues left over from the first half of the biennium, including data privacy and facial recognition and the low carbon fuel standard, which passed the full House on Jan. 29 (as it did last year) and will move to the Senate. Policies addressing labor and workplace standards will also be in play again this year, including legislation addressing independent contractors and a bill from last session concerning restrictive scheduling.

There was a slate of new bills introduced that affect the tech industry, including proposals on digitally altered photos and voice recognition technology. Bills to improve accessibility and affordability of early childhood care and to address early childhood learning (funded in part by a capital gains tax) have also been introduced.



*Rep. Laurie Jinkins (D-Tacoma) being sworn in as Washington's first female Speaker of the House.*

Transportation committee meetings included discussions on the impacts of the passage of I-976 and how it will affect transportation budgets going forward. A number of bills were introduced to restrict car tab fees and where those fees can be used, but they are unlikely to move far based on Democratic opposition. Many of the transportation bills introduced this year will serve as conversation starters for a more robust transportation budget bill expected in 2021.

Democratic Leadership from both houses have indicated that, although a record number of bills have been introduced already this session, many these bills are largely meant to be beginning conversations for policies they intend to pass in 2021. The primary focus will instead be on the implementation of policies passed in 2019, including legislative tweaks to bills they didn't get exactly right.



*Eileen McHugh AIA of West Seattle meets with her State Representative, Eileen Cody, as part of AIA|WA's Capitol Connections event. Cody's husband is a residential architect in Seattle.*



# Legislative Session: AIA Priority Issues

AIA|WA's priority issues for each legislative session are determined by our [policy committees](#) and the [Board of Directors](#). If you would like to comment on any of these issues, please contact [Kirsten](#), your Board representative, or one of the policy chairs via the above links. To review AIA|WA's full bill tracking list, click [here](#).

## Practice Issues

### Contracting

AIA|WA continues to oppose [HB 1521](#), legislation to require all state contracts to be evaluated for moving the work in-house. This bill, heard for the fourth year in a row, is championed by the state employees' union and is strongly supported by Democrats. Each year AIA|WA joins engineers, land surveyors, and others asking to be exempted from the bill because the current state contracting system for these professions, where state employees work on smaller projects while managing larger projects performed by contracted firms, works well.

We had hoped that the bill would be dropped this year, but it is currently on the House calendar for a vote on the floor (the bill goes back to the floor rather than through the committee process because that's where it ended up last year.) Last year's bill exempted architects, engineers, and land surveyors for contracts over \$1 million, but it would have impacted all projects between \$10,000 and \$1 million. This year's version has recently been amended by the author to exempt public works construction contracts over \$500,000. This is moving in the right direction, but AIA|WA will continue to oppose the bill for now.

In past years, this bill was ultimately killed by Democratic leadership behind closed doors even though all Democrats voted for the bill in both the House and the Senate (all Republicans voted against). However, with a new Speaker in the House, it is unclear if that will still be the case.

### Licensing

Although common in other states, this year for the first time multiple licensing bills have been introduced to encourage faster licensing for out-of-state individuals entering Washington with an existing professional license. AIA|WA is tracking ten of these

bills, which apply to all licenses issued by the Department of Licensing, including architecture. Although the intent of many of these bills is to address occupations with lower requirements for public safety such as cosmetologists, funeral directors, and security guards, architect licenses get caught up in these bills because the Board of Architects falls under the Department of Licensing (unlike legal, medical, and, for some bills, engineering licenses).

AIA|WA has been strenuously opposing these bills unless architects' licenses are exempted. To date we have been successful in amending two bills which passed out of committee with language exempting professions that have "a reciprocity licensing agreement with a national organization in place to facilitate reciprocal professional licensing of an individual licensed in another state" – language that refers to NCARB's reciprocity agreement. We continue to work on the other bills.



Three of the bills address active military members or spouses with an existing out-of-state license and require these individuals to be provided with temporary or provisional licenses with no further requirements—something that AIA|WA strongly opposes based on the need to protect public safety and the fact that licensed architects entering Washington can practice without a Washington license as long as they work under the supervision of a architect licensed in Washington.

There is an additional bill which AIA|WA does not oppose that requires the Department of Licensing to review its processes for licensing individuals with previous criminal convictions.

To view all of the licensing bills, click [here](#).

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# Legislative Session: AIA Priority Issues *continued*

## Taxes

Democrats continue to work through proposals to address the B&O tax they passed last year, which is not generating the expected level of income (Republican tax proposals have been introduced, but for the most part they are not being considered).

The most likely vehicle is **SB 6492** by Sen. Jamie Pedersen (D-Seattle), which drops the 0.3% surcharge placed on some B&O service taxpayers last year in favor of making the higher rate permanent for all service taxpayers. However, the current draft reduces the top rate to 1.75%. Any business with a gross income of \$1 million or lower will remain at 1.5%.

AIA|WA is monitoring this effort to make sure that architects aren't taxed at rate higher than the 1.8%, but it seems very unlikely at this point.

## Climate

On climate issues, AIA|WA is actively supporting two bills:

### C-PACER

Along with our partners from **Shift Zero**, AIA|WA is strongly advocating for a bill to authorize

Commercial Property Assessed Clean Energy and Resilience (C-PACER) programs in Washington. PACE is a public financing mechanism that counties may choose to adopt to provide private financing for deep retrofit projects related to energy efficiency or resilience.

The loans are administered through county property tax payments and stay with the building if sold, not the owner. Improvements that can be financed by PACE loans include clean energy upgrades such as energy efficiency and renewable energy measures as well as resiliency improvements including seismic retrofits, water conservation, fire protection, and flood readiness.



The House bill, **HB 2405**, sponsored by architect Rep. Davina Duerr (D-Bothell), passed out of her Local Government Committee and is now in the House Appropriations Committee. The Senate version has yet to be voted on in its committee.

### Embodied Carbon

A new version of last year's Buy Clean Washington legislation was introduced by Rep. Beth Doglio (D-Olympia). Buy Clean would require bidders for projects funded by the state's capital budget to identify the embodied carbon emissions represented by construction materials used in each project through environmental product declarations (EPDs).

This year's bill, **HB 2744**, has added a labor element that requires demonstrated compliance with domestic labor laws in countries that produce materials—and

thus a longer name: Buy Clean and Buy Fair Washington. Architects have been among the stakeholders working with the bill's author. The bill will be voted on on Feb. 6, at which time it is expected to be amended to be a report only bill, removing requirement that certain state contracts be awarded (or considered to be awarded) to bids with lower global warming potential. EPD information will still be required to be made public.

### Codes

Along with other stakeholders, AIA|WA has been battling two bills aimed at reducing the authority of the State Building Code Council (SBCC).

The most damaging, **HB 2667**, would delay the implementation of the 2018 residential energy code update for a year; remove "increasing energy efficiency" as the stated goal of the energy code; and allow the SBCC to amend the residential energy code to decrease costs rather than to increase energy efficiency. AIA|WA testified in opposition to this bill. It was heard in the Local Government Committee but appears to have been pulled from the voting calendar by the committee's chairman, Rep. Gerry Pollet (D-NE Seattle, Lake Forest Park, Kenmore).



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# Legislative Session: AIA Priority Issues *continued*

## **Codes, cont.**

A pair of House and Senate bills ([HB 2372](#) and [SB 6464](#)), would change the status of the four legislators assigned to the SBCC from ex officio, meaning they don't vote, to full voting members. This expands the quorum and makes voting at the SBCC more difficult. AIA|WA testified against these bills as well.

It appears that Rep. Pollet may have also pulled HB 2372 from being voted on, but the Senate bill passed out of committee and is currently in the Rules Committee, where it will either be killed or go to the Senate floor for a vote. If it makes it to the House, it will go back to Pollet's committee.

## Growth Management & Climate Change

Democrats have introduced a number of bills to add climate change goals to the state's growth management process and to its transportation planning. AIA has supported the growth management bills in general, but it is unclear if they will move forward. We will know more after the Feb. 7 committee deadline.

## **Livability & Affordability**

### Housing

AIA|WA is strongly supporting three measures aimed at increasing urban density in cities within the state's [Growth Management Area](#). We talked to legislators about these at Capitol Connections and continue to work with other organizations that are also active on housing issues. Our top three priorities, in order of likelihood of passage, are:

### [HB 2343](#) – Expand housing capacity

Rep. Joe Fitzgibbon, D-West Seattle, Burien

This bill identifies a series of actions that cities can choose to take to increase housing supply and, for those that do, would provide incentives that include planning grants and exemptions from legal challenges. Similar legislation, HB 1923, passed last year with bipartisan support and led to important housing reforms. This bill extends the types of voluntary actions that cities can take and provides additional state incentives.



### [HB 2570](#) - ADU reform

Rep. Mia Gregerson (D-SeaTac, Kent) & Rep. Andrew Barkis (R-Yelm, Graham)

This bill would require cities (over 2,500) and counties (over 15,000) within urban growth areas to allow at least one ADU on all single-family zoned lots. It would also remove lot size requirements; eliminate off-street parking and owner-occupancy requirements; limit fees; and address utility connections. This year's bill is also sponsored by the Republicans' issue expert on housing, Rep. Andrew Barkis, so (unlike last year) it may generate some Republican votes.

### [HB 2780](#) – More housing options in single-family zones Rep. Nicole Macri (D-Seattle)

This bill would require cities and counties planning under the Growth Management Act to allow duplexes and triplexes on any lot and up to sixplexes in single-family detached house zones in counties and cities of 15,000 or more. For cities between 10,000 and 15,000, it would require duplexes on any lot.

Because legislators have a difficult time passing bills that place restrictions on local government officials, HB 2780 will be difficult to pass and HB 2570, while more likely, will face a heavy lift. HB 2343 has a better chance of passing because it offers incentives for voluntary measures by cities rather than mandates. HB 2343 is in the House Rules Committee and is very likely to reach the House floor. The other two bills are scheduled for committee votes the week of Feb. 3.

### Homelessness & Affordable Housing

AIA|WA tracks bill related to homelessness policy and funding, and we particularly follow bills that provide additional funding mechanisms for affordable housing across the state. We often take the lead from organizations doing this work on a daily basis, such as the Housing Development Consortium in King County and the statewide Washington Low Income Housing Alliance. You can view the full housing and homelessness tracking list [here](#). As it becomes clear which bills have momentum, we will be more active in our support.

# How can I impact legislation?

## Contacting Your Legislators

Legislators welcome constituent comments on legislative issues throughout the year. During the session, comments on specific bills can be made via the state's [comment website](#). You can also comment directly via email (legislator emails are listed [here](#)) or via phone (the state's "legislative hotline" number is 800-562-6000 and it will connect you to any office).

## Web Resources

The Legislature's website, [leg.wa.gov](#), offers a wide array of resources for looking up bills, learning about legislators, monitoring committee action, and identifying upcoming hearings.

## When Should I Contact My Legislators?

You may contact your legislators anytime. However, they will be most receptive to your comments about a specific bill if they will soon be in a position to act on it. This means that it generally does not do a lot of good to email a legislator about a bill that is in a committee unless that legislator sits on the committee. If she does not, wait for the bill to reach the House or Senate floor to comment; at that point she will be in a position to vote on it.

This can be a tricky process to figure out. Use the Legislature's website to look up the bill you are interested in and see where it is in the process. If it's in a committee, look up that committee and see if one of your legislators is on it. Or, familiarize yourself with the committees your legislators sit on.

**We are happy to help!** If you are interested in a specific bill or issue, we can walk you through where the bill is and when in the process it will be most useful to contact your legislators. AIA|WA will notify members when our priority issues are up for a vote either in your legislator's committee or on the floor. You can decide if the issue being considered is one you want to comment on. For more info, contact [Kirsten](#).



*AIA|WA's 37th District Delegation at Capitol Connections: AIA Executive Director Tammie Sueirro, Geoff Anderson AIA, Rep. Eric Pettigrew, Elizabeth de Regt AIA, Anton Dekom AIA*

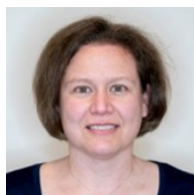


**AIA**  
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