

November 2020 Advocacy Newsletter

State Legislative Session Preview

The 2021 state legislative session begins on January 11 (it runs for 105 calendar days) and will be unlike anything we have seen before. As a result of COVID restrictions, all legislative business will operate virtually, with a handful of legislators expected to be present in Olympia at any one time. Committee hearings and floor sessions will all take place over Zoom, and technical hang-ups are expected during the first few weeks. The one exception to the online rule will be the first day of session, when legislators are required to vote in person to change House and Senate rules to permit virtual voting.

The public will not be allowed in any buildings on the capitol campus. All meetings with legislators and all committee testimony by the public will take place virtually. Members of the public who want to testify will sign up the day before and will be given access to a Zoom room where they can wait until they are called to speak. While this will likely slow down the legislative process, it does open access to many who would not normally be able to be in Olympia for the session. The number of residents wishing to testify on many bills is expected to be much larger than in previous years.



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State Legislative Election Results

While the focus was on the federal races during the November general election, all seats in the State House and half of the State Senate seats were also put before voters. The results were familiar: control of the House and Senate will remain in Democratic hands, and the split between parties will remain exactly the same after both parties lost one seat in each chamber. In general, districts that were already Democratic went more so, with the same being true for Republican districts.

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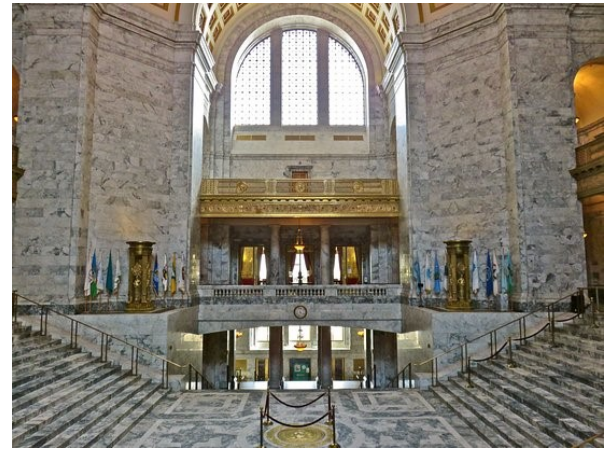
State Legislative Session Preview, cont.

As a result, legislators have been told by their leadership that they must limit the number of bills they introduce. Legislators do not seem to have taken this to heart, though, as their agendas remain expansive and many are working on “omnibus” bills that include many items in a single bill.

Legislators will likely vote on fewer bills, covering fewer topics. Leadership and committee chairs will be charged with deciding which bills can be considered in 2021 and which will have to wait for future years. Very complex bills that have not been considered previously are unlikely to pass unless they become a top priority for Democratic leaders, who control both chambers.

The Senate has released its operating rules for the session and has committed to a “no surprise” schedule for debating and voting on bills—meaning that schedules will be released at least a day in advance.

According to the state constitution, legislators are required to do only one thing during the session – pass the 2021-2023



biennial budget that begins on July 1, 2021 (technically, this includes three budgets: the Operating Budget, the Capital Budget, and the Transportation Budget).

But of course lawmakers have much more on their agenda. Big ticket items expected to take up a lot of time during the session are listed in the box below.

Major Issues Facing Legislators During the 2021 Session

- COVID relief: appropriating any federal funding and/or fine-tuning state relief programs.
- New revenue sources—largely new or revised taxes; this will almost certainly include a capital gains tax.
- Criminal justice and police reform
- The ongoing housing and homelessness crises
- Transportation project funding – before COVID, Senate Transportation Committee Chair Steve Hobbs (D-eastern Snohomish County) was expected to introduce a large transportation package that would change the way the state funds projects; it is unclear if this will happen now.
- Climate: a climate “pricing” proposal that is like a climate tax but technically not a tax; a Low Carbon Fuel Standard; and codification of environmental justice principles.



From AIA|WA’s perspective, having fewer bills under consideration means that bills we do not like are less likely to survive the committee process, but the same is true for bills we support—and this is particularly true for new proposals.

Regardless of what does make it onto the larger agenda, we are committed to ensuring that our members have the information they need to have an active voice as legislative policies and budgets are crafted and passed next year.

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State Legislative Session Preview

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Here is a look at the legislative issues AIA|WA will be watching carefully in 2021:



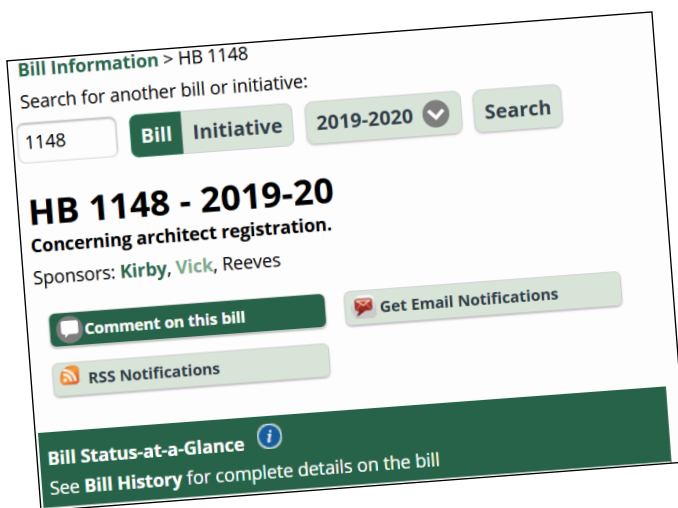
Practice Issues

- **Licensing:** we will be watching for the potential return of bills that would waive or delay licensing requirements for individuals entering Washington with an existing license from another state. These bills are aimed at professions like cosmetologists and funeral directors, but they impact architect licenses because all are licensed under the same entity—the Department of Licensing.
- **Alternative Project Delivery Reauthorization:** this bill, recommended by the Capital Projects Advisory Review Board (CPARB), is required to reauthorize the law that allows for alternative public works contracting procurement methods. AIA|WA supports reauthorization.
- **Contracting issues:** we will monitor bills that impact state contract requirements.

Tax, Capital Budget + Education

- **B&O tax reform:** legislators held work sessions on tax reform during the interim period. It is unknown if the B&O tax will be considered for adjustments, but if it is AIA|WA will push for a system that is income-based rather than revenue-based. The engineers will join us in this effort, as firms in both professions pay a significant amount of their revenue to subcontractors, where the money is taxed a second time.
- **Capital Budget:** AIA|WA always lobbies for a robust Capital Budget. This year in particular there will be a lot of demands on limited revenues. While we cannot lobby on behalf of specific projects, we can help you identify the legislators who are the most likely to support your project.
- **School Bonds:** in previous years, AIA|WA has supported legislation that would lower the percentage of votes required for local school district bonds, which would require a Constitutional amendment. This issue has not gotten much traction in recent sessions, however.
- **School safety:** if the legislature appropriates state funding for school safety projects, AIA|WA will advocate for design work to be included in the type of work funded.

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WEBINAR: How to Navigate the Legislative Session

January 8, 2021

Join us for this webinar immediately before the legislative session begins. We will review how the legislative process works and help you learn to navigate the state's legislative website with ease. These skills will allow you to follow the bills and issues you are interested in and better understand how you can maximize contacts to your legislators and best impact the political process.

More info or to sign up [here](#).

State Legislative Session Preview

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Livability + Affordability

- State Housing Trust Fund (HTF): support strong HTF funding in the biennial Capital Budget and establish a permanent funding source.
- Growth Management: AIA|WA supports major changes to Washington's Growth Management Act (GMA) that would address climate change, housing affordability, and environmental justice in GMA planning. The current proposal would amend the GMA's existing housing element by adding requirements for counties to:
 - ◇ Plan for housing based on targets, income, and type
 - ◇ Require planning for duplexes, triplexes, and townhomes
 - ◇ Require planning for homeless housing
 - ◇ Work to limit displacement from market forces in high risk areas
 - ◇ Further fair housing principles
- Accessory Dwelling Units: incentivize and remove barriers to building and siting ADUs.
- Housing Availability: address missing-middle housing requirements in cities, such as requiring cities to allow 'plexes, stacked flats, townhouses, and courtyard apartments in areas zoned for residential use that allow for the development of detached single-family residences.
- Housing Benefit Districts: establish these districts for planning and land acquisition around high capacity transit stations for complete communities, with a focus on low-income housing.

Climate

- Building electrification: AIA|WA works with Shift Zero to support state and local policies aimed at electrifying buildings and reducing the use of fossil gas. This effort will be ongoing over many years; specific proposals for the 2021 Legislature include:
 - ◇ Require no fossil fuel use in new state buildings and new state-supported buildings.
 - ◇ Eliminate fossil gas tax incentives and make neutral statutory preferences for gas.
 - ◇ Support studies to plan the transition of gas infrastructure to meet climate and decarbonization targets, including workforce impacts.
 - ◇ Allow local governments to collect higher fees from gas utilities to support gas-related impacts to health, infrastructure, and services.
 - ◇ Expand the state's Weatherization Plus Health program to help fund fuel switching for low-income residents.
- Embodied carbon: measure and assess the greenhouse gas emissions resulting from the manufacturing, transportation and installation of building materials for state-funded projects.
- State Building Code Council (SBCC): protect the SBCC from attempts to weaken it structurally or alter its mission.
- Energy code: modify state statute to provide clear legislative direction to the SBCC to adopt building energy codes meeting energy efficiency and greenhouse gas emission requirements (current language includes only energy efficiency).
- Growth Management: add a climate element to Growth Management Act planning requirements that would require counties to plan for climate change.

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State Legislative Session Preview

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AIA|WA will be tracking policy issues related to race and social justice during the 2021 legislative session. While we may not be able to actively support the wide array of proposals in this category, we intend to make members aware of them and provide information on how individuals can offer support. We will also be addressing race and social justice elements as they impact our full policy agenda.

For firms signing on to the **NOMA Call-to-Action Pledge**, AIA|WA will be tracking policies and notifying you about opportunities to engage on a personal or firm level in one of the Pledge's ongoing commitments: *Become engaged at the state and local levels in public, housing and education policy. Advocate for policies that promote integrated neighborhoods; legislation that benefits the growth, resources, infrastructure and, therefore, prosperity of all communities and demographics.*

This information will be part of our regular communication with members during the session, but, if you would like to be on the email distribution list for the most timely updates on these issues, let **Kirsten** know.



During the 2021 session, legislative efforts to support BIPOC communities may include (but are not limited to):

- Assistance for individuals and families hit hardest by COVID
- Criminal justice system reform
- Police reform
- Homeownership opportunities: policy solutions that reflect the role of accessible and affordable home ownership to improve wealth building for individuals and families affected by racial and ethnic segregation, marginalization, and discrimination.
- Housing barriers: eliminate barriers to rental housing for those exiting the criminal justice system; address the post-COVID policy eviction crisis.
- Investments and revenue: provide new investments in BIPOC communities and maintain existing social safety net programs. Identify more progressive sources of revenue to invest in long-term commitments.



Feedback

We welcome your comments on this agenda; please contact **Kirsten**.

Equity Update from AIA National

AIA National has posted information on the ongoing actions it has taken to address systemic racial injustice and inequity since this summer. Read its report [here](#).

State Legislative Election Results

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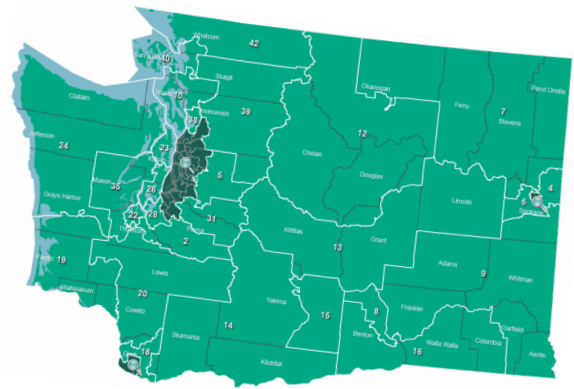
Two districts flipped party control very clearly: District 19 (Aberdeen and the SW Olympic Peninsula), which flipped fully to the Republicans, and District 42 (Bellingham and northern Whatcom County), where both House seats flipped to the Democrats.

State Senate

In the Senate, Democrats will continue to hold a 27-22 majority with one Democrat (Senator Tim Sheldon of Shelton) caucusing with the Republicans. Incumbent Republican Senator Steve O'Ban (University Place, Dupont) lost to challenger T'wina Nobles while incumbent Democratic Senator Dean Takko (Aberdeen and the SW corner of the Olympic Peninsula) lost to Republican challenger Jeff Wilson. Nobles will become the first Black member of the Senate since 2010.

One Senate race remains unfinalized. Incumbent Senator Mark Mullet (Issaquah and eastern King County) leads his Democratic challenger, Ingrid Anderson, by 57 votes after all votes have been tallied. By law, a hand recount will begin on Dec. 1. Because both candidates are Democrats, the outcome of this race will not change the Democrat-Republican margin in the Senate. But Anderson is significantly more liberal than Mullet, and should she be declared the winner, the Senate will move marginally to the left.

Nobles' victory also moves the Senate slightly to the left, as she is more progressive than the Democratic incumbent who lost (Dean Takko). This small movement might be noticeable on issues like climate policy and tax reform in the Senate. In addition, Senator O'Ban has been a strong critic of Sound Transit, and his loss is expected to give a boost to mass transit policy in the Senate.



State House

In the House, the Democrats continue to hold a 57-41 majority. Democratic incumbent Representative Brian Blake (Aberdeen and the SW corner of the Olympic Peninsula) lost to his Republican challenger, Joel McEntire, while Republican Representative Luanne Van Werven (northern Whatcom County and part of Bellingham) lost to her Democratic challenger, Alicia Rule. Incumbent Democratic Representative Zack Hudgins (Tukwila and the Georgetown neighborhood of Seattle) lost to a Democratic challenger, David Hackney.

The House was already more liberal than the Senate due to a larger majority of Democrats, and its political tilt is not expected to change.

Overall, these results match what we saw nationwide in the Congressional elections: very little movement either way. In Washington, this is a disappointment for state Democrats, who thought they would receive a stronger boost from the presidential election.

2021 Washington State Energy Strategy

As part of the 2019 Clean Energy Transformation Act, the state legislature directed the Department of Commerce to update the [state energy strategy](#) to identify the policies and actions needed to meet the state's climate goals. A [draft of the strategy](#) is now available, and public comment will be taken between now and a public hearing to be held on December 7.

Section D, which focuses on energy consumption and emissions from the built environment, covers pages 63-90. If you'd like to make comments on the draft, you can email the authors directly at energystrate-gy@commerce.wa.gov or, to have your comments considered for inclusion in AIA|WA's feedback, send them to [Kirsten](#). You may also review comments that have already been submitted, [here](#).

Clean Buildings Energy Performance Standard

The Washington State Department of Commerce has published **final rules** for setting energy performance standards for existing commercial buildings. The work now turns to developing **guidelines for early adopter incentives**, which will be available beginning in July 2021.

Learn More: Webinar for Architects

AIA|WA will host an architect-focused webinar on the Clean Buildings program on Dec. 11. The Department of Commerce will provide an overview of the program, followed by an extensive Q&A. This webinar is designed to help architects understand the new Clean Buildings standards (voluntary until 2026) and to start thinking through the types of conversations they will need to have with commercial clients about it. Sign up [here](#).

Join Us at Capitol Connections

Jan. 25-29, 2021

Capitol Connections is AIA|WA's annual lobby day in Olympia, where architects discuss issues important to the profession directly with their legislators. The event will be entirely virtual this year, with a kick-off webinar briefing, an opportunity to hear from key legislators on our issues, and online meetings with your legislators throughout the week. Be part of the political process from your home office or dining room!

Because of the online format, the 2021 edition of Capitol Connections will take place over a full week. For each participant, this means joining us for the kick-off session to familiarize you with our issues and attending up to three 15-minute Zoom meetings with your legislators throughout the week. Architects from your home legislative district will attend these meetings with you, with one person designated as the lead to help facilitate the meeting. We will provide all the background materials and talking points you will need.

This is a great opportunity to get a glimpse into how your state legislature operates and an easy way to start building relationships with your legislators. It will not ever get easier to participate than in 2021, so please consider joining your fellow architects from across the state in this important outreach effort.

About the Commercial Energy Performance Standard

- The standard will apply to large, non-residential buildings greater than 50,000 square feet in floor area.
- Large multi-family residential buildings will be eligible for the incentive program but are not covered by the mandatory requirements.
- From 2021 to 2026, the standard will be used to administer a voluntary efficiency incentive program. Beginning in 2026, the standard will be implemented as a mandatory requirement.
- All buildings will need to develop energy management plans, including creating energy benchmarking reports.
- The mandatory standard will require building owners to demonstrate that their buildings consume less energy than a specified energy use intensity target or be in the process of reducing the building's energy use intensity.
- The incentive program will provide early adopters financial support when they demonstrate they have moved a non-compliant building into compliance with the standard.

For more information about the Clean Buildings program, see Commerce's [website](#).



Join us in "Olympia" for Capitol Connections week, Jan. 25-29! For more info or to sign up, click [here](#).

Welcome New Board Members

The AIA Washington Board of Directors welcomes two new members as of January:



Jed Ballew, AIA—Northwest Washington
Principal, Zervas (Bellingham)



Tom Rieger, AIA—Southwest Washington
Architect, Thomas Architecture Studios (Olympia)

AIA Southwest Washington Seeks Applications for Executive Director

AIA Southwest Washington, based in Tacoma, is hiring a new executive director. Details are available on the [SWW website](#). Email aia@aiasww.org for more information and a more detailed position description.

Thank You Departing Board Members!

Thank you to our Board members who are finishing their terms at the end of this year. We appreciate your service to AIA|WA!

Jill Cohn—Southwest Washington

Lois Wardell—Northwest Washington



AIA
Washington Council

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AIA Washington Council serves as the collective voice for and a resource on state government policies that impact the practice of architecture for all architects and the profession through AIA components in Washington State.

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