



February 2022 Advocacy Newsletter

2022 State Legislative Session – Week 7 Report

With just under two weeks to go until the end of this year’s session, legislators are focused on making decisions on bills from the opposite house. In addition, each body released its operating, capital and transportation supplemental budgets last week. Supplemental budgets make adjustments to the two-year budgets that are passed in odd years. The supplemental budgets will be heavily amended and then will need to be reconciled with the opposite house’s version in order to come up with final state budgets. You can review all of the budgets [here](#), including summary documents.

Supplemental Capital Budgets

Both capital budgets utilize significant federal dollars under the American Rescue Plan Act and the Infrastructure Investment and Jobs Act, and they propose large investments in areas such as housing, broadband access, environmental projects, and school seismic safety.

Notably, the Senate capital budget contains \$39.5 million for an “Inflation and Contingency Fund” to address cost escalation for existing capital budget projects that were previously funded. In practice, some of this money will already be designated to specific projects. The House budget contains no funding to address cost escalation, but we expect some amount to be added. AIA has had initial conversations with budget writers about the looming crisis of under-funded projects due to cost escalation related to inflation, rising cost of labor and materials, and other factors.

Negotiations between House and Senate budget writers are underway; final budgets must be agreed to by the scheduled end of session on March 10.



Washington State

Economic and Revenue Forecast Council

Unprecedented Revenue Forecasts

Last week, the state Economic and Revenue Forecast Council released the [February Revenue Forecast](#), which projected a \$2.77 billion increase in revenue. This amount combined with prior increases since lawmakers adopted the 2021-23 budget mean that revenues have now exceeded expectations by \$10.5 billion. This outcome, unimaginable back when Gov. Inslee was vetoing as many bills as he could due to cost impacts after the 2020 session, has escalated calls by Republicans to lower taxes and those by Democrats to use the money to shore up social programs in the wake of COVID.

AIA Issues: Legislative Session

Below is a review of the issues AIA Washington Council is tracking in Olympia that remain alive. All bills must have passed out of their opposite house fiscal committee by Feb. 28 and must be passed out of the opposite house by March 4. If a bill was amended by the opposite house, it must go back to the first house to be re-approved. All legislative activity must be completed by March 10.



For bills that have survived this gauntlet, the governor has five days to sign or veto them if they reach his desk more than five days before the end of session. Bills that arrive within five days of the end of session are allowed up to 20 days for signature or veto. A governor can also choose not to act on a bill and allow it to become law without his signature; usually this is reserved for a bill that has the votes to withstand a veto.

Practice Issues

This year's legislative session was unusually light on practice issues. Bills that did not survive included legislation to allow provisional licenses for military spouses with existing licenses from another state and legislation to eliminate local government review of plans stamped by engineers and architects.



Tax & Education Funding

School Seismic Grants **SB 5933**

A bill to authorize a grant program to cover the cost of retrofitting or relocating K-12 public school or state-tribal education compact school facilities located in high seismic areas or tsunami zones remains alive. Although specific funding was eliminated from the bill, both the House and Senate capital budgets contain supplemental funding for this program through June 2023. The Senate budget includes \$115 million and the House budget includes \$36 million.



School Bonds **HJR 4200**

Legislation to amend the state constitution to allow a simple majority of voters to authorize school district bonds for facilities improvements failed to pass again this year.

Tax

Tax legislation was not seriously considered in 2022. The state's Tax Structure Work Group, charged with identifying potential reforms to Washington's taxation system, is expected to release major tax restructuring recommendations this summer with legislation following during the 2023 session. AIA has been monitoring this process, particularly with respect to the B&O tax.

Continued next page

AIA Issues: Legislative Session, cont.

Climate

Three bills addressing the climate impact of buildings remain alive in this year's session:

Residential Energy Reach Code **HB 1770**

Authorizes the State Building Code Council to create a new, local option residential energy code that is stronger than statewide code. Local governments would be able to adopt one or the other. In the Senate, this bill was amended to remove a net zero ready requirement for all new construction starting in 2034, a provision that AIA did not support. HB 1770 is currently on the Senate floor calendar for a final vote.

State Buildings **HB 1280**

Requires medium- and larger-size state building projects to conduct an electrification life-cycle cost study in the pre-design phase. Projects would not be required to be built all-electric. This requirement would replace the existing requirement for a LEED Silver analysis for these buildings.

Building Performance Standard **SB 5722**

Expands some requirements of the state's existing building performance standard, the Clean Buildings Act (2019), to smaller commercial (20,000-50,000 sq ft) and multifamily buildings (over 20,000 sq ft). As a first step, the bill would require that these buildings conduct energy data reporting and implement energy management plans.



Credit: Sheri Newbold, live-work-play

You can view AIA's full bill tracking list [here](#).

Housing

HB 1782 on missing middle housing did not survive this year. It would have required local governments to allow zoning for duplexes, triplexes and more based on city size and frequent transit criteria. Ultimately, legislators could not find agreement in the face of strong opposition by cities and counties.

HB 1880 to create a housing benefit districts pilot program for affordable housing near transit stops also failed to progress.

AIA-supported housing bills that remain alive include:

- **HB 1660** to reduce local restrictions on ADUs, including owner-occupancy requirements.
- **SB 5818** to limit SEPA appeals for affordable housing projects.
- **HB 1643** to provide a Real Estate Excise Tax exemption for selling property to nonprofits and public housing authorities to use for affordable housing.

Democrats move forward with New Transportation Package

The big news of the second half of the session was the release by Democrats of a **transportation investment package** called “Move Ahead Washington.” The plan is separate from the state’s transportation budget and is notable for its significant support for non-car-related projects and for freezing Republicans out of the conversation.



Big transportation improvement packages have traditionally relied on the state issuing bonds backed by revenue from the gas tax and other sources. Bonds—putting the state in debt—require a supermajority of the legislature and thus votes from minority Republicans.

But this year Democrats were able to tap new sources of money for roads, ferries, transit, and other modes of transportation, allowing them to pay for the plan without issuing debt. The \$16.8 billion, 16-year transportation package includes \$5.4 billion from the Climate Commitment

Act, the state’s new cap-and-trade system for major producers of carbon emissions. That law was specifically written to direct significant money toward reducing the carbon footprint of the state’s transportation system.

The package also uses \$3.4 billion in new federal infrastructure money and a highly unusual \$2 billion subsidy from the state’s general fund, which is flush from an influx of federal money. The package avoids an increase in Washington’s gas tax, as promised by new Senate Transportation Committee Chair Marko Liias (D-Mukilteo), but it does include a tax on refined fuel exported to other states. This tax has angered officials in Oregon, Alaska, and Idaho; over 90 percent of Oregon’s fuel comes from Washington. House Transportation Chair Rep. Jake Fey (D-Tacoma) is working to remove this provision.

With no need to solicit Republican votes, Democratic transportation leaders wrote a spending plan much more focused on non-driving forms of transportation than previous plans, including \$3 billion for transit and more than \$1.2 billion for pedestrian and bike projects. This is possible in part because of the smaller reliance on gas tax money, which can only be spent on highways and the vehicle-hauling aspects of the ferry system.

The plan also includes \$1.5 billion for the ferry system, including \$400 million from the cap-and-trade money to begin electrifying the ferry fleet. Road projects include replacing the I-5 bridge over the Columbia River (\$1 billion), widening State Route 18 in East King County (\$640 million), and improving the Highway 2 trestle in Snohomish County (\$210 million).



Thank you to the AIA members who testified virtually “in” Olympia and beyond in February.

Architect advocacy makes a difference!



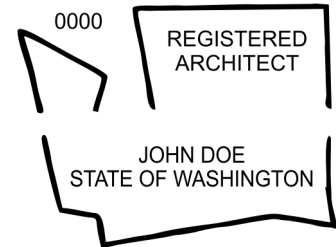
- **Chris Hellstern** | The Miller Hull Partnership | HB 1770 energy codes
- **Mark Dorsey** | Weber Thompson | HB 1660 DADUs
- **Nancy Henderson** | ArchEcology | SBCC Commercial Energy Code
- **Peggy Heim** | VIA Architecture | King County Commercial Building Code
- **Duane Jonlin** | City of Seattle | HB 1770 energy codes

OPPORTUNITIES

Washington Board for Architects Position Open

The Washington State Board for Architects will have a Board Member position open starting in June 2022. The seven-member, governor-appointed board is made up of one member of the public and six registered architects who reside in Washington and have at least eight years' experience in responsible charge of architectural work. The Board's primary function is to protect the public's health, safety, and welfare through regulating the practice of architecture. Board member responsibilities include:

- Attending board meetings (approx. four a year)
- Participating on board committees for specific projects
- Acting as a case manager or as part of the judicial panel in disciplinary cases
- Representing the board responsibly to the profession and the public
- Attending national council meetings as needed
- Reviewing applications as needed



More information about this position is available [here](#). Applications can be found [here](#), and should be submitted by close of business April 15.



Congratulations Kjell Anderson FAIA

Kjell Anderson FAIA of LMN Architects has been elevated to AIA's College of Fellows.

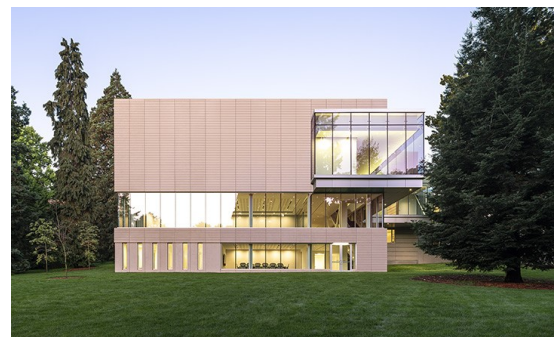
AIA Fellows are recognized with the AIA's highest membership honor for their exceptional work and contributions to architecture and society. Only three percent of the AIA members have this distinction.

Kjell practices architecture and serves as a Principal and the Director of Sustainable Design at LMN Architects in Seattle. He contributes to all LMN projects, assisting teams to help clients set and exceed sustainability goals, incorporating resilience, future-proofing, and climate-mitigating design.

From the College of Fellows: "Through unwavering advocacy, innovative leadership and a foundation of technical expertise, Kjell has profoundly advanced architects' engagement and progress in sustainable design, especially in the crisis issues of energy, carbon, and embodied carbon."

Over 20 years in practice, Kjell has designed buildings in many countries, regions and climates, adapting designs to the strengths of each one. He keynoted the 2016 SimBuild energy modeling conference and has presented at the AIA+2030 Series, Greenbuild, ASHRAE, and the AIA Convention along with many webcasts with BuildingGreen and other organizations.

Kjell currently serves on the Washington State Building Code Council and Chairs the Energy Code Technical Advisory Group. He also serves on the AIA National Energy Leadership Group and AIA|WA's Climate Committee. He helped author the AIA's first statement on climate change as well as the 2018 AIA Energy Modeling Design Guide.



Dave Buescher AIA Joins AIA Washington Council Board of Directors

Dave Buescher AIA joined the AIA Washington Council Board of Directors on Jan. 1 representing AIA Spokane. His term runs through Dec. 2024.

Dave is the Chief Operating Officer at HDG Architecture in Spokane. He holds degrees in both Architecture and Environmental Design from the University of Colorado.

His broad base of architectural experience ranges between commercial, higher education, residential, and civic projects. He has demonstrated continued and significant volunteer experience in the architectural field both locally and statewide.

In Spokane, Dave has been heavily involved with the local AIA chapter and was president in 2018; he has also participated as a member of the city's Design Review Board and Arts Commission.

Sustainable construction and environmental issues have long been a passion that have guided Dave's involvement on the City of Spokane's Climate Action Subcommittee. Consequently, Dave helped to formulate the city's climate action plan and has been involved with the AIA|WA Climate Committee since 2019.



Thanks Dave, for your service to AIA|WA!

reminder



National Building Performance Standards Coalition

At the United States Conference of Mayors winter meeting in January, President Biden **announced** a new partnership with state and local governments to reduce carbon emissions from the built environment. Known as the **Building Performance Standards Coalition**, participating jurisdictions include the states of Washington and Colorado and 31 cities, including Seattle. This partnership will support Seattle and state efforts to equitably transition our buildings off fossil fuels to a clean energy future and energize policy innovation.

AIA is currently working with Seattle's Office of Sustainability and Environment and the Washington Dept. of Commerce to determine how architects can participate in this effort.

2021 Washington State Commercial Energy Code

The 2021 commercial energy code amendments will be voted on by State Building Code Council members on April 22. You can view the proposed rule [here](#). Public comments can be submitted to the Council through March 11 via email: sbcc@des.wa.gov.

AIA|WA Energy code info session: Kjell Anderson FAIA, the architects' representative to the SBCC, presented to AIA members on the proposals that are up for consideration. You can view that recording [here](#).

The Capital Budget Explained

Did you miss Walter Schacht FAIA's presentation on how to track what's happening with the state Capital Budget? You can watch the video [here](#).



COMPONENT EVENTS

AIA Seattle

Diversity by Design: Equity in Architecture offers an opportunity for underrepresented architects to showcase their work and highlights the experience and impact community involvement has on the architect of color, the design of the building, and the community in which the building resides.

AIA Spokane

- Spokane Design Awards
March 4: Registration deadline
April 1: Submission deadline
April 21: Awards ceremony, Spokane Convention Center
- Architecture Month—April. Theme: Tomorrow Defined Today

AIA Southwest Washington

- AIA Vancouver Golf Tournament - July 14, Lewis River Golf Course
- AIA SW WA Golf Tournament - June 24, The Links at Hawks Prairie

Lunch Hour CEUs

- March 24 - "PVC Roofing Materials" by Carlisle Syn Tec
- May 26 - "The Economic Value of Art and Design in the Workplace" by Apparatus Design



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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