



## January 2021 Advocacy Newsletter

### Virtual Legislative Session Underway

The State Legislative session began on January 11 and is being conducted almost entirely online. To date, virtual hearings, legislator meetings, caucus meetings, and public testimony have been happening on schedule and with few technical glitches.

This year's session offers an unprecedented level of public participation, as anyone can register an opinion on a bill, submit a written statement, or testify during a public hearing directly from your home or office computer or phone. Members of the public who are not able to travel to Olympia are no longer limited to emailing their legislators; the remote participation options now allow you to offer your opinion directly to the committee members who are considering each bill.

Architects have taken advantage of this proximity, testifying on bills related to building electrification, embodied carbon, and plan review by local governments. Thanks to all those who have testified during committee hearings on behalf of your fellow architects. It makes a difference!



*Alex Ianchenko, AIA, of The Miller Hull Partnership testifies on embodied carbon legislation.*

### Your Feedback is Critical

The following pages provide an overview of the work AIA|WA is doing during this year's legislative session. If you have questions, comments, or if you would like us to consider working on a specific bill, please let **Kirsten** know.

And remember that most of AIA|WA's policy work is conducted through our policy committees: Climate; Code; Livability & Affordability; Practice; Tax, Education & Capital Budget. Some committees meet regularly and others confer only by email. Participation is welcomed from all AIA members; contact **Kirsten** for more information.

*Brian Carter, AIA, of Integrus Architecture explains to legislators why exempting plans from code review is not a great idea.*

# Practice Legislation

AIA|WA's top priority each session are bills that impact the practice of architecture. A quiet year on this front is a good year for architects. 2021 is mixed, with several practice-related bills that we have seen in prior sessions.

## State Contracting

**SB 5032** by Sen. Bob Hasegawa (D-Seattle, Tukwila, Renton) would reauthorize the use of alternative project delivery for state contracts. The Legislature's previous authorization sunsets this year. AIA supports this bill, which was developed by CPARB (the Capital Projects Advisory Review Board) and which should not face strong opposition.

**HB 1259** by Rep. Sharon Tomiko Santos (D-Seattle) cracks down on firms that are using loopholes to qualify as WMBE contractors and requires state agencies to set targets for annual minority contracting. AIA would like to see stronger legislation on the WMBE program, but we supports this bill.

## A&E Plan Approval

AIA|WA and the American Council of Engineering Companies (ACEC) oppose **SB 5243** by Sen. Chris Gildon (R-Puyallup), which would require local government reviewers to accept any plans stamped by an architect or engineer as long as they meet zoning requirements. Brian Carter, AIA, testified in opposition, telling legislators that code reviewers offer an important second set of eyes on plans and that eliminating their review would increase the liability for architects and engineers. This bill is not expected to get a vote in committee.

## Liability

**HB 1076** by Rep. Drew Hansen (D-Kitsap Peninsula) would allow private lawsuits against employers on behalf of employees on labor and employment laws, allowing attorneys to seek out employees on whose behalf they can sue and then collect a portion of the settlement. This is known as a qui tam action. AIA|WA opposes the bill.

*Rep. Davina Duerr (D-Bothell) is the only licensed architect in the Legislature. She spoke to AIA|WA members on Jan. 25 as part of our Capitol Connections lobby week. This year she is sponsoring a number of climate-related bills supported by AIA|WA.*

## Licensing Bills

Last year, AIA|WA worked to defeat legislation that would have required any licensing board under the Dept. of Licensing, including the Board for Architects, to develop a provisional license that would automatically be given to individuals with an existing out-of-state license upon moving to Washington.

Another bill would have allowed the Dept. of Licensing to replace exam-based or other existing licensing protocols with a competency-based licensing pathway.

Still other licensing bills would have required the Dept. of Licensing to continually review its licenses to determine which could be modified or eliminated.

These bills did not pass, but they are back this year.

Based on our work last year, the two most onerous bills already contain the language AIA|WA successfully had amended in last year; this language exempts licenses that are covered by a national reciprocal licensing agreement (as architects are by NCARB).

A third bill allows felons who have served their time to appeal to individual licensing boards to become licensed. AIA|WA supports this bill because it allows the Board of Architects to make its own determination on a case-by-case basis.

Additional bills on reviewing licensees for modification or elimination are unlikely to impact architects and are not expected to move this year. In their current form, AIA|WA will maintain a neutral position.

You may view all of these licensing bills [here](#).



# Climate Legislation

Bills to address climate change continue to be a top priority for Democrats in the Legislature. The House in particular saw a number of complex bills introduced, with hearings held very early in the session. Many of these bills have already passed out of their policy committee. AIA|WA supports all of the bills listed here.

## Building Electrification

Two bills to move buildings away from operating on fossil fuels were introduced by Rep. Alex Ramel (D-Bellingham/San Juan County).

**HB 1084** would require the State Building Code Council to ensure that all new buildings be fossil fuel free by 2030; allow local governments to voluntarily amend the state's residential energy code to be stronger; extend the state's benchmarking and operations requirements under 2019's Clean Buildings Act to smaller commercial buildings; require gas utilities to begin to decarbonize their operations; support a just transition to electricity by helping gas industry workers and low-income ratepayers; and create a state-funded heat pump lab. *Note: we expect some of these provisions to be removed as the bill moves through the legislative process.*

**HB 1280** would require additional energy evaluation criteria in the planning of major state-owned or leased facilities for both new construction and renovations. Specifically, all-electric energy systems would have to be considered as part of the analysis already conducted as part of existing life-cycle cost analysis guidelines. The bill would also mandate a consideration of greenhouse gas emissions in addition to energy consumption when evaluating new projects.

## Other Climate Legislation

The Legislature is also considering several climate bills that do not directly impact the built environment. AIA|WA is not working on these, but we are watching them carefully:

- **SB 5126**: establishes a cap and invest program for greenhouse gas emissions
- **SB 5373**: creates a carbon pollution tax
- **HB 1091**: establishes a clean fuel standard
- **HB 1204/SB 5256**: requires all new cars sold beginning in 2030 to be electric



## HFCs/Refrigerants

**HB 1050** by Rep. Joe Fitzgibbon (D-Seattle) restricts the maximum global warming potential for hydrofluorocarbons (HFCs) used in new stationary air conditioning and stationary refrigeration and directs the Dept. of Ecology to establish a refrigerant management program. This legislation builds on a **2019 bill** that established deadlines for banning the use of HFCs in refrigerants.

## Embodied Carbon

**HB 1103** by Rep. Davina Duerr would, over time, require Environmental Product Declarations (EPDs) for materials used on large state projects and additional reporting on labor practices by the manufacturers of the materials used in the project. Contractors would be required to report this information to the state, which would develop a database that would eventually be used to inform requirements related to lowest-carbon materials.

## Greywater Reuse

**HB 1184** by Rep. Davina Duerr would establish state standards for non-potable water reuse systems (greywater) in buildings. Currently, such systems are being permitted on an exception basis by local governments.

## Environmental Equity

AIA is supporting **HB 5141** by Sen. Rebecca Saldaña (D-Seattle) to implement the recommendations of the state's environmental justice task force, adding measures to incorporate environmental justice analysis and decision-making into future state agency actions.



## Livability + Affordability Legislation

AIA|WA advocates for the benefits of robust regional planning, tracking issues related to affordable housing, zoning, transportation, protection of the Growth Management Act and more.

### GMA

In 2021, AIA|WA is supporting legislation to add key elements to local planning requirements under the Growth Management Act. These include:

- **HB 1099**: requires planning for climate impacts, including a focus on compact communities that reduce vehicle miles traveled.
- **HB 1220**: broadens existing GMA requirements on housing to include planning to address housing for all income-levels, including the homeless; to prevent displacement; and to address historical racial bias.
- Not yet introduced is an equity requirement to include low-income and BIPOC communities in local planning and to plan for communities that are most impacted by pollution, at the greatest risk of displacement, and who face the poorest transportation choices.

This language may be added into one or both the above bills.



### Housing & Housing Financing

AIA|WA supports legislation to provide robust financing for affordable housing and to incentivize more housing at all income levels.

- **HB 1128** creates Housing Benefit Districts to enable local governments to fund the acquisition of land around transit centers for low-income and middle-income housing and community development projects.
- **HB 1189/SB 5211** authorizes the creation of property tax-based tax increment financing districts to pay for infrastructure improvements.
- AIA|WA supports strong funding of the state's Housing Trust Fund in the Capital Budget; affordable housing advocates are currently asking for \$240 million.

You may view all the housing bills on AIA|WA's tracking list [here](#).



## Racial + Social Justice Legislation

This year AIA|WA is tracking bills related to eviction, rent relief, housing discrimination, health disparities, criminal justice and other legal changes, and additional issues related to racial and social equity. While we are not able to directly lobby on many of these issues, our intent is to make them available to our members to be able to support individual bills and issues.



**NOMA | nw**

National Organization of Minority Architects

For firms that have signed onto the [NOMA NW Call to Action Pledge](#), this section and AIA|WA's work on housing legislation can help you address Ongoing Commitment #5:

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.

See page 5 for examples of bills we are tracking in this category and more information on how you can register your opinion with legislators on specific bills.

To see the full list of racial and social justice bills on our tracking list, click [here](#).

If you are aware of bills to add to our list, please [let us know](#).

# Racial + Social Justice Bills

## Health

**SB 5052:** health equity zones

## Criminal Justice/Legal

- **SB 5055:** law enforcement personnel collective bargaining
- **SB 5134:** strengthening law enforcement accountability
- **HB 1054:** requirements for tactics and equipment used by peace officers
- **SB 5051/HB 1082:** state oversight and accountability of peace officers and corrections officers
- **HB 1078/SB 5086:** restoring voter eligibility for post-sentence felony offenders

## Eviction Prevention

- **HB 1236:** protects tenants from unlawful lease provisions and limits reasons for evictions
- **HB 1277/SB 5279:** funding for eviction prevention and housing stability services
- **SB 5139:** limits rent increases for the first year after the eviction moratorium ends
- **SB 5160:** provides tenant protections during and after public health emergencies; provides for legal representation in eviction cases; authorizes landlord access to state rental assistance programs



More information on navigating the Legislature's website is available at the [Legislative Center](#) on AIA|WA's website.

If you need help, please let [Kirsten](#) know.



## Contacting the Legislature

There are many more ways for individuals to have an impact at the virtual Legislature than in normal years. If you are interested in weighing in on a specific bill, here are your options:

1. Email your legislators directly.
  - Email addresses can be found [here](#)
  - Look up your legislators [here](#)
  - Remember to reference the bill number
2. When a bill has a public hearing in committee, members of the public can register their option by:
  - Signing in pro, con, or other
  - Submitting written comments
  - Testifying before the committee via Zoom

AIA|WA can help you navigate all of these options. The first two are particularly easy and can be done via the Legislature's online form. You will need to know the bill number as well as the committee where it will be heard and the date of the hearing. Here's how:

- Look up a bill by number or by search term [here](#).
- Scroll down to Bill History to determine what committee the bill will be heard in and when.
- Go to the "[Participating in Committee Hearings](#)" page and click on "Register to Testify Remotely During a Hearing."
- Choose House or Senate depending on which committee will be hearing the bill. Then select the committee name and the date and time of the hearing.
- Select the bill you would like to comment on.
- Select one of the three above options for registering your opinion and you will be provided with additional details.

# AIA Webinar: 2018 WA Commercial Energy Code

This webinar will cover significant changes to the 2018 Washington State Energy Code for Commercial Buildings, which will go into effect on Feb 1. We will explore the new code's impact on building performance and how it will perform in the context of Washington's energy code goals; alignment with the new state energy strategy; and the state's implementation timeline.

Topics discussed will include:

- Building envelope insulation and air barrier testing requirement changes
- The new C407 Total Building Performance Energy Modeling Protocol
- The new HVAC Total System Performance Ratio (HVAC TSPR) Energy Modeling requirement
- A shift of focus to carbon emissions instead of energy savings
- The compliance paths for the energy code, including updates for each path

February 10  
3:00-4:30 pm  
[RSVP here](#)

## Presenters



**Kjell Anderson**  
Principal,  
LMN Architects



**Eric Vander Mey**  
Principal,  
Rushing

## **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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