

# AIA MASSACHUSETTS

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52 Broad Street • Boston MA 02109-4301 • 617-951-1433 • 800-662-1235 (in Massachusetts) • Fax: 617-951-0845

## Legislative Affairs Committee 10 March 2009

Date: 10 March 2009

In Attendance were: George Bachrach Esq., James Carr, David Johnson AIA, John Nunnari Assoc. AIA (co-chair), Paul Pezzella, Russel Feldman, Margaret Minor Wood, Marcus Springer AIA, Eric White

### 1. Legislative Update:

Paul Pezzella and George Bachrach presenting.

- **New Speaker of the House** – there are a few new House and Committee chairs. It is important that the LAC establish rapport and be in communication in matters which affect the BSA.

#### b. **Gas tax/toll tax status:**

The toll increase is scheduled for later in March. There is some pressure therefore for the legislature to act on the Governor's alternate proposal – an increase in the state gasoline tax (currently about 19 cents per gallon increase) in lieu of an increase in tolls, which would place a heavy burden on fewer people. LAC members did not express a preference. There is an understanding that the Turnpike deficit has to be addressed and resolved. Transportation reform is part of this discussion and will probably continue beyond the decision date of the gasoline tax vs. toll increase resolution.

#### c. **Casinos – slots or destinations:**

The Governor has reservations concerning implementation. Or there may be distractions diverting attention. It is not clear.

#### d. **Stimulus funding:**

Beside \$153m in transportation, where is it going?

Selection of assigned stimulus funded projects are slowly working through the selection process. Policy issues like “shovel ready” lacks clarity; are design issues included? Can there be several potentially stand alone parts included, as a single project?

The housing stimulus funding is designated as a federal housing initiative, rather than a state housing initiative and therefore may not be part of the state stimulus funding process.

#### e. **Budget:**

This will be a big problem, because policy for reform is basic to many budget problems and must pre-date a line item budget resolution.

#### f. **Interior Design – Registration/Certification:**

Mr. Pezzella advised that the interior design bill has been filed this session by the interior designers, and that he thought, having read the published caption that the bill was the same as the BSA Certification version presented last year. He has not read the text.

The LAC requested advice, following a clear understanding of the written text. There was also a request for information of similar bills processed in other states. Need to set up a meeting with new Chair of Consumer Protection/Licensure Spelliottis.

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**g. Construction Reform Bill:**

Senator Brian Joyce (who has replaced Senator Wilkerson as Chair) and Representative Walsh are sponsors of the bill. There appears to be no action. The participants appear not to be in communication. Previous reports indicate that the MA Bldg Trades Association has a wider interest in reform but does not oppose the proposed limited scope of the current bill.

**h. Mechanics Lien Law amendment 254:**

The BSA wishes to amend the current law to allow architects to file liens against owners who fail to pay design fees for completed work specific to an owner/architect agreement. Mr. Pezzella advised that this bill has proceeded to the Judiciary Committee and that Majority Leader Vallee and Senator Spilka are the sponsors.

- Landscape Architects have agreed to support
- Rep. Vallee should be invited to Architects Day on the Hill or Build Boston
- LAC should reconnect with Rep. Vallees staff

Mr. Pezzella also advised that the Interior Design bill, Construction Reform bill and the Mechanics Lien Law amendment will require close attention and input by the LAC.

**i. Massachusetts Historic Tax Credit**

This initiative is intended to encourage renovations of older buildings, especially in downtown areas of cities and towns – a boon to developers. Mayors want this to enhance community development in “gateway cities.” The proposal is to increase the cap from \$50 million to \$100 million. Mr. Pezzella is working with Preservation MA on this bill.

**j. MA Bills Pending:**

Over 4000 bills have been filed in the current session.

**2. Update of MA Zero Energy Task Force.**

Mr Davis and Mr. Springer reporting:

An outline of the Task Force agenda is contained in the LAC report dated 12 December 2008. This is a broad interest subject that will affect several individual subject bills. The discussion was more in the nature of monitoring individual subject developments rather than specific action.

- Tomorrow the recommendations will become public
- David Cash, EOEEA Assist. Sect. for Policy is being considered for EPA Regional Administrator
- Architects should try and “get out in front” in making recommendations for implementation
- Stretch Codes and Building Certificates will probably be the two biggest items to come out of the report.

**3. LAC Activity since the last report:**

Mr. Nunnari reporting:

**MAAB Adoption**

The MAAB has pursued revisions to the MAAB regulations which, in their opinion establish “equivalency” with the federal ADA regulations. Similar initiative died last legislative session.

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Their activity currently appears to be a new text for the existing regulations. It is against this background that a letter, under the letterhead of AIA Massachusetts (the three AIA MA chapters) dated 4 March 2009, addressed to Mr. Gerald LeBlanc, Chairman, MAAB, was discussed.

The letter was a strong recommendation for the adoption of Chapter 11 of the International Building Code (IBC) including an amendment for provisions unique to Massachusetts. No response has been received. The LAC is also aware of the activity of the MA Building Board of Regulations and Standards (BBRS) to promulgate the 8<sup>th</sup> Edition of the MA State Building Code, based on the 2009 IBC. This initiative is therefore timely.

### **Stretch Codes Adoptions:**

The LAC was not given a text for this discussion on how it may be organized as a new regulation. It remains, therefore, more in the nature of a policy discussion.

- public/private initiatives
- tax credits for special incentives, many of which have the Governor's special attention.

### **Sustainable Design Action Planning Meeting:**

12 March 2009

### **DOER Meeting regarding Stretch Codes**

16 March 2009

### **New Climate Change:**

This concern could be the source of a tax credit to spark interest. Reps. Straus and Petrolati and Sens. Pacheco and Morrissey are directing this initiative.

### **Architects Day on Beacon Hill:**

Scheduled for Tuesday 28 April 2009

The intent is to schedule fewer subjects for discussion but with more in-depth information for each.

### **Next Meeting:**

Tuesday 14 April 2009 beginning at 8:30 am in the BSA fifth floor conference room, 52 Broad street Boston MA.

### **End of Meeting Minutes**