

**Legislative Affairs Committee (LAC) 13 May 2008**

Date: 15 May 2008

In attendance were: George Bachrach Esq., Andrew Baldwin, Michael Davis, (Co-Chair) Ernest O. Edwards, Russel Feldman, Robert Hoye, David Johnson, John Nunnari, (Co-Chair), Paul Pezzella, Marcus Springer, Daniel Toberty, J. Christopher Walsh, Laura Wernick, Margaret Minor Wood, Elise Woodward.

1. **Legislative Update** - Mr. Paul Pezzella and Mr. George Bachrach, Esq.

The legislative session is moving toward the end of this legislative year. The House budget is passed and the Senate version is expected to be completed by next week.

a. **Transportation Bond Bill**: This bill will be reported out of committee and maybe acted on this session.

b. **The Education Bond Bill**: This bill has experienced more difficulties, requiring more time and may not make it in this session.

c. **HB-4561: The Environmental Bond Bill** The Senate version is not moving. Mr. Pezzella recommends that the BSA correspond with the Senate sponsor to urge completion of the Senate version in this session.

d. **HB1412 - Intumescent Paint** requirement for certain residential buildings.

- The LAC has submitted opposition to the House sponsor, which has generated small word changes, i.e., it is no longer excluding out-of-state manufacturers.
- Postponement of reporting out of conference is recommended until research maybe completed to determine:

Expansion of intumescent paint on door and frame assemblies. Will door open freely in a fire emergency?

Air quality that may adversely affect evacuation of a building in a fire emergency.

Will buildings fully equipped with automatic sprinkler systems be exempt from current bill?

Will noncombustible interior surfaces be exempt from current bill?

So far our efforts to additional change has been resisted.

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e. **The Emeritus Category Bill**: This bill continues to take no notice and may die in committee. Grandfathering may be an issue.

f. **HB-3209 - Interior Design Licensing**: This bill remains active, without urgency. It may not reach legislative action this session.

2. **HB-3170 - Three or Equal Legislation**: This is a subcontractor's bill, proposed to increase competition, and with it, less selectivity by the Architect, while increasing his area of responsibility. There is great pressure on the sponsor to move this bill out of the House Ways and Means Committee. The dialogue to this point has been open. Mr. Pezzella agreed to urge the Chair of the Ways and Means Committee to hold the bill in committee to allow further dialogue.

### 3. **Architect's Day on Beacon Hill**

#### General

The sense of the participating members is that we have achieved a level of improvement over past years. The presentation data was better prepared. The messengers were better briefed. The Legislators' staff was focused and receptive. The message was well received. The BSA is gaining respect as a valued, balanced, resource to fairly analyze and report merits of proposed legislation.

It was noted that both Houses were in session at the time of the visit, which made legislators less available, and many more visitors were in the building due to that circumstance. Security clearance, and elevator operations took additional time to complete.

Ms. Wood, in her BSA staff responsibility for this program raised a possible change in locations for this event; i.e., local legislators home districts, at the time of scheduled for local constituents.

or

Are alternate version of that model, which is a team of architects, coached on proposed legislation of special interest to the BSA for presentation in legislators home districts, away from Boston, especially in Central and Western Massachusetts. This model may or may not be tied to the annual visit to Beacon Hill.

Ms. Wood will continue to advise on these possible changed to our presentation as conditions develop.

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4. **A draft of a letter to the Green Bill Conference Committee:** This is an on going discussion, and as the end of this session approaches, time available to improve the text becomes less available.

Our legal counsel submitted a 5-page draft of a letter dated 5/12/08 addressed to 6 members of the House and Senator versions of the subject bill. This draft captioned **House 4373, An Act Relative to Green Communities, and Senator 2468, An Act to Generate Renewable Energy and Efficiency Now**, is included in these minutes by reference.

Following a general statement of the organizations that are represented in this letter, counsel addresses the subject legislation with recommendations for change under 3 headings:

- **Three Transformative Reforms**
  - Energy Efficiency and demand reduction.
  - Net Metering.
  - Long term contracts for Renewable Power.
- **Green Building Code Provisions**
  - Adoption of the International Energy Conservation Code.
  - Green Community Building Codes.
- **Additional Significant Provisions**
  - A Green Building Tax Credit.
  - Green Building Plan Commission
  - Home Energy Scoring.
  - Energy Pay and Save Program.

Discussion for revision followed. Mr. Pezzella urged immediate action and advised that the BSA do not address issues concerning the Energy Trust fund.

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5. **Building Code Reform Commission**: This agenda item reflects frustration to update the State Building Code at regular short term, 2 or 3 year intervals, addressing the process for change rather than technology or material orientation.

Senator Timilty has indicated interest in sponsoring this bill. If it could be filed in this session it could be active by 1 January 2009.

or

It could be effective under Executive order.

6. **Next Meeting**

Tuesday, 10 June 2008, beginning at 8:30 a.m. in the BSA 5th Floor Conference Room, 52 Broad Street - Boston, MA.

**End of Meeting Minutes**