

Minutes of the May 10, 2023 meeting of the Government Affairs Committee

Location Teleconference via Zoom

Present

(*AIA MA board members)

(**GAC Co-chairs)

Andrew Kollar	Gary Brock	Lisa Cunningham
Casey Mahoney	Jean Carroon	Nathaniel May
Christine Clements	John Nunnari	Pasqualino Pannone
Daniel Russoniello	Jon Seward	Rafael Posada
Dorrie Brooks*	Kate Bubriski*	Russel Feldman**
Edward Ransom	Kerry Dietz	Sarah Oakes
Ellen Watts*	Larissa Sattler	Thomas Ellis
Emily Miyares	Laura Wernick	Zhen Wu
G. Drake Jacobs	Laurence Spang**	

Legislative, Regulatory Updates:

- See attached write-ups from John Nunnari:
 - Legislative and Regulatory update
 - JN: Best guess is that practitioners should expect 10th ed. (780 CMR – state building code) to come into effect this fall, with the usual 6 month concurrency period.

Follow-up to Apr-12 discussion on use of titles:

- Larry S: note that terms “project architect” and “architectural designer” are commonly used in firms, discuss how to accommodate that need.
- EW: the problem is less about titles and more about licensing. The word “architect” is used for so many other contexts (systems architect, policy architect), we can’t control the use of that word. Better advocacy goal would be to use “licensed architect” in requests for proposals.
- SO: laws around use of title should be modernized.
- JN: note that the title usage is tied to the statutory definition of the “practice of architecture” found in MGL c. 112 § 60A. The restriction doesn’t appear to apply to uses of the word “architect” outside the offering of professional services/practice.
- KD: what is AIA MA proposing to the AIA board? JN: just to replace “Intern-Architect” with “Architect In Training”, like engineers use.
- JN: if members know of contractors e.g. claiming to provide architectural services if they don’t have a licensed architect on staff, report to MA AIA. We can submit the expression of concern directly to DPL so individuals don’t have to be concerned with any personal retaliation.
- DR: the recent active enforcement by the Registration Board should be accompanied by outreach to people affected, e.g. BSA announcements and events, architecture schools’ involvement, online polls to Associate AIA members.
- EM: I am a licensing advisor at my firm. Many employees with non-US-degrees, can have high hurdles to get licensing in MA. Larry S: please send details to MA AIA board for consideration.

- Larissa S: this policy makes me feel a lack of identity/belonging to the profession when I can use only the word “designer”, while working towards full licensure.
- RF: recognize that, since this statutory restriction pertains to the practice of architecture, those designers working under the direction of a registered architect might be allowed to call themselves an architectural designer. We could approach the registration board with this logic to get a policy change or, if necessary, revised statutory language. Larry S: similarly NCARB requires interns to be working in the practice.
- GDJ: was told by his firm principal that because the firm didn’t need him to be licensed they wouldn’t pay licensing costs. We need to counter that message to firms.
- EM: internationally trained staff have a higher cost to get licensed. It makes it harder for them to afford to support seeking a license.
- GDJ: some insurance companies offered lower rates for higher percentage of licensed architects.

**MA AIA 2023
Legislative Bills
reviewed:**

- **Gary B**
 - **HD 1650**: clarifies definition of fraud, to include intentional misrepresentation. JN: from Hanover high school case, GC qualified under one name then worked under another without unions.
 - Recommendation: support. RF: incentivize subcontractors and improve contractual environment.
 - Medium priority
 - Task: send support letter
 - **HD 1655**: proposes to amend c149A to redefine bonding requirements, allow CM to insure subs. This has already been happening. Bonding was optional however, this would make it mandatory. Protects CM from subcontractors.
 - Recommendation: track, not oppose
 - Medium priority
 - Task: if passes, notify membership
 - **HD 2397**: amends public design-build proposals to allow the pricing proposal to be submitted later, after the technical proposal. Currently price and technical proposals are submitted together. Reason not obvious, would it allow time for collusion after tech? RF: contrary to design/build goal of collaboration, we should oppose unless there’s a clear rationale.
 - Recommendation: need more info
 - Medium priority
 - Task: JN to investigate background with sponsor Rep. Kilcoyne
 - **HD 117**: commission a study on effectiveness of MSBA. SO: notes this is the same bill as Senate SD 1324.
 - Recommendation: support, likewise SD 1324
 - High priority
 - Task: track
- **Sarah O:**
 - **SD 2395**: state to return federal covid relief money to MSBA projects. JN: another bill doing the same thing.
 - Recommendation: neutral, more money for school construction

- Medium priority
- Task: track if budget impact
- **HD 2474:** IAQ for communities affected by pollution, Ch III Public Health many revised and proposed definitions, AQ testing along highways and require higher air filtration in public buildings subject to higher pollutant levels. This also adds a ban on gas stoves. SO: better to address by building code than by law, update MA amendments to code. JN: gas stove ban would be struck from bill, because of IO community fossil fuel free pilot program. Better path is to direct DOER to amend energy code. KB: energy code doesn't address IAQ at all.
 - Recommendation: support with revisions (amending the language to put the requirements into the proper code (likely the building code) and tie requirements to a standard and not a specific type of filter)
 - Medium priority
 - Task: propose revisions
- Others in chat:
 - Lisa Cunningham: "I have to jump off as well but would love to give updates on the movement on the Specialized Code and the IO community FFF demonstration program and our legislation to expand this program next month."
 - Ellen Watts: "There are 3 embodied carbon bills which I believe are positive steps in the right direction. I urge AIA MA to support."

Other agenda items:

- RF: Rep Roy's policy director asks an important question: what's driving resistance to Net Zero?
 - NM: misinformation about what it really involves, costs/benefits.
 - Newsletter article recommended: <https://heated.world/p/big-oils-favorite-way-to-lie-paltering>
 - JN will contact the Rep's policy director to clarify their interest.
- LC in chat: "Quickly, now 16 communities who have voted in the Specialized code, representing over 17% of the State's population, with another 20 or so communities on track to pass this year (which will bring the total to over 22% of the State's population, far more in terms of building activity)."

Upcoming meeting topics, speakers:

- *Tom Hartman has a program/learning unit on carbon education, can publicize/offer to members.*
- *Invite Amy Dain (5 part series for Commonwealth, formed basis for housing choice initiative) as future speaker, re: zoning, housing, MBTA policy. Ask members for architects who serve on local zoning boards to participate.*

Respectfully Submitted,



Christine M Clements, AIA
Secretary, Government Affairs Committee

