

# Meeting Minutes

## **AIA Massachusetts – Government Affairs Committee (GAC)**

**Date:** June 11, 2025

**Location:** Virtual (Zoom)

**Topic:** Legislative & Regulatory Updates; SJC Indemnification Ruling; Green and Healthy Schools

### **1. Welcome and Introductions**

Russ Feldman, Co-Chair, opened the meeting and welcomed attendees. Larry Spang, Co-Chair, provided a brief overview of the day's agenda, highlighting discussion of recent state hearings, the Supreme Judicial Court (SJC) ruling on indemnification, and next steps for the Green and Healthy Schools initiative. John Nunnari, Executive Director, outlined goals for the session and thanked members for their continued engagement.

### **2. Legislative and Regulatory Updates**

**John Nunnari** provided a comprehensive update on recent hearings and state-level developments:

- **Interior Design Licensure:** Productive discussions continue among the coalition partners (AIA MA, IIDA NE, ACEC MA, MFBO). A revised bill incorporating shared language on scope, reciprocity, and CEU requirements is expected to advance to the Joint Committee on Consumer Protection and Professional Licensure in July.
- **Green and Healthy Schools – Higher Education (June 3 Hearing):** The bill expanding the Green and Healthy Schools program to higher education institutions was well received, with Sen. Joanne Comerford requesting AIA MA's participation in drafting implementation recommendations. Several members expressed interest in joining the review team.
- **MAAB Subcommittee on Regulations – 30% Rule (May 28):** The Subcommittee reviewed a working draft addressing accessibility upgrades under the "30% rule." While movement is positive, design community members continue to advocate for a Level 2/Level 3 model consistent with the International Existing Building Code.
- **Board of Fire Prevention Regulations (June 5):** The BFPR is reviewing proposals related to fire alarm standards and code alignment with the upcoming 11th Edition Building Code.
- **BBRS (June 10 Meeting):** The Board advanced several Technical Advisory Committee appointments and reaffirmed that new proposals not previously approved for public hearing must wait until the 11th Edition cycle, per legal counsel Charles Kilb.
- **Historic District Commission Legislation (June 10 Hearing):** Testimony on proposed revisions to M.G.L. Chapter 40C indicated broad consensus on clarifying local commission authority, but differences remain regarding appeal procedures and the Secretary of the Interior's standards.

### **3. Supreme Judicial Court (SJC) Ruling on Statute of Repose / Indemnification**

**Discussion led by:** John Nunnari as AIA MA's representatives to ACEC MA's Working Group. John summarized the SJC's recent ruling in *Trustees of Boston University v. C&A Construction Management* concerning indemnification clauses and the statute of repose. The Court determined that contractual indemnification claims are subject to the six-year repose period, aligning with design liability statutes.

- The decision provides clarity but also new risk exposure for architects and engineers.
- ACEC MA, with support from AIA MA and legal counsel David Hatem, is drafting legislative language and a coalition strategy to restore balance and reduce liability beyond an architect's control.

- Members discussed outreach to Rep. David DeCoste and Sen. Michael Moore, both of whom have expressed prior interest in construction contract reform.
- The GAC agreed to coordinate advocacy with ACEC, prioritizing the July 11 MACIC meeting as the next opportunity for joint discussion.

#### **4. Green and Healthy Schools Study**

**Overview:** John reviewed the origins of the Green and Healthy Schools initiative, citing AIA MA's longstanding partnership with Sen. Comerford and the MA Department of Public Health. The next phase aims to evaluate how public higher education facilities integrate health, sustainability, and building performance standards.

- Volunteers were sought for a review team to assist in drafting AIA MA's recommendations.
- Larry Spang emphasized the opportunity for AIA to showcase its expertise in design for health and well-being.
- Interested members were asked to contact John directly to participate in follow-up discussions later in June.

#### **5. Discussion & Q&A**

Moderated discussion topics included:

- Ensuring that AIA MA's legislative priorities align with the broader State Climate and Energy Plan;
- Opportunities for collaboration with allied groups such as Preservation Massachusetts and MassEnergize;
- Potential for AIA MA to co-host a late-summer legislative briefing on accessibility and healthy schools policy.

#### **6. Next Steps**

- John to circulate the SJC decision summary and draft indemnification memo once finalized by ACEC MA.
- Members interested in the Green and Healthy Schools review team to confirm participation by June 21.
- Legislative and regulatory tracking updates to continue through the summer, with July's meeting focused on housing, code reform, and single-stair research.

#### **7. Adjournment**

Meeting adjourned at 10:00 a.m.

**Next Meeting: Wednesday, July 9, 2025 – Topic: TBD**