

First Quarter, 2009

Special points of interest:

- Meeting in the Mountains is March 27-28 in Red Lodge, Montana
- Vendor spaces for the 2009 Annual AIA Montana Fall Conference at going FAST! Get yours today! Forms available at the website
- Today is a good day to decide which projects you would like to consider submitting for this year's AIA Montana Design Awards

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AIA Montana News

President's Message

Jeff Sandholm, AIA, President

I would like to thank 2008 President Mike Dowling and the entire AIA Board for all their hard work in 2008. AIA Montana had a number of highlights last year including the first publication of AIA Montana Architect, implementation of a new Large Group Health Insurance option for AIA members, the 2008 Fall Conference and Design Awards, support of the A.J. Gibson traveling exhibit, introduction of the AIA Montana Livable Community Award, as well as continued scholarship support for Montana State University.

As we move into 2009 nothing is on the minds of Montana Architects more than the current state of our economy. AIA Montana members made a trip in February to lobby Congress for support of "Rebuild and Renew", the AIA's comprehensive plan designed to stimulate the design and construction industry. Many of AIA's priorities have been included in the

current bill, including support for planning and design projects, energy efficient commercial buildings and transportation planning. AIA Montana hopes to see an upturn in construction spending as the state begins to award projects funded through the Federal Stimulus package.

The energy crisis and \$4 a gallon gas of 2008 remind us of the unique and critical role architects play in our nation's energy use. The vast proportion of energy use attributed to buildings gives architects a great opportunity to affect the future of our communities from a global, national and local scale. Opportunities for innovation in the way we design and construct our buildings abound. New technology for energy modeling in buildings is changing rapidly and becoming more and more intuitive. Firms that take a leadership role in innovating our energy future will be rewarded as our clients

demand more sustainable solutions to building design.

The economic downturn has also provided many firms with "extra time" to provide pro-bono services to non-profit groups that could otherwise not afford architectural or planning services. These efforts can have long term marketing benefits for firms as well as improving the public perception of architects in general.

2009 will be an interesting year for many firms as we ride this economic wave: however, I am optimistic about the many opportunities to redefine the way we work and secure a bright future for our profession.

Margaret Morgan,
The AIA Montana Lobbyist
2009 Legislative Session

Architects and State Politics

*Margaret Morgan, AIA Montana
Lobbyist*

March 10th marks the 53rd Legislative Day of the 2009 90-Day Session. The Session is scheduled to end on April 25th, but indications are that it will adjourn early.

The Session has been relatively quiet, as Sessions go. Fewer bills have been introduced, largely because of continually declining projected State revenue for the next two years, and because of the 50-50 split in the House between Democrats and Republicans. To date, 1215 bills have been introduced, with 443 of those dead or tabled.

Still to be determined is House Bill 2, which funds state government for the next two years. Montana's constitution requires a structurally balanced budget. The revenue estimates for the State have had to be periodically adjusted downward so there is not extra money for increased funding.

Also enter the Stimulus monies.... Appropriations for those funds will be seen in House Bill 2A. There is a great deal to be determined about those funds, and every day information is unfolding on where the one-time money will be going and how any of those funds can be used to help with funding agencies and projects in House Bill 2. And, since the Stimulus monies are one-time funds, there is concern that they not grow government that will have to be funded in two years by the State when recovery of the economy is so uncertain.

For AIA Montana, our bill did not get introduced for lack of a sponsor. The AIA Montana bill would have changed the

definition under the architect licensure statute of a "public building" to match the definition under the Building Codes statutes, which includes buildings open to members of the public. While our basic reasons to match the definitions are sound—safety and consistency in the law—many legislators did not like the consequences of the change, and saw them as a downside.

Changing the licensure statute definition of public building would mean that any new or structurally altered building used by the public would require an architect's stamp. The only buildings not requiring such a stamp would be those falling under the current basic exemptions: residential, housing under an 8-plex, and farm buildings.

Currently Missoula, Great Falls, Billings, Helena, and Butte have city codes that require an architect's stamp, but the rest of Montana would be affected by this "simple" definition change. And whether it would be a positive or negative affect, depended on each individual legislator's point of view.

Some viewed the new requirement as anti-business and more regulation. Some saw it as added cost to the business owner. Many legislators thought the definition change is a good idea, but thought that the exemptions need to be expanded to exempt small businesses and expand the exemption for agriculture buildings used by the public. As Representative Julie French of Scobey put it, "Many legislators would like to work with the architects on this bill, but they need to take in to consideration that Montana is a very rural state and they must be willing to compromise."

Other bills:

SB335 Prohibit professional board discrimination. This was a terrible bill, as it was introduced, that would have allowed anyone "otherwise qualified" to practice just about any licensed profession without a license. Thanks to our efforts, that bill has been amended and now it really doesn't do much of anything. The bill passed out of the Senate and will be up for a hearing in House Business & Labor Committee. The task now is to be sure the amendments are not stripped from the bill, and it would be just fine if the bill died.

HB417 Registration and regulation of home inspectors. I followed that bill as there was concern that what the inspectors wanted to be able to do might dip into other areas of licensure—such as architecture, electrical, etc. That bill was not well written. It ended up passing out of committee, passing 2nd Reading on the House floor, and finally dying on a close vote on 3rd Reading.

HB 631 Revise credit for preservation of historic buildings and transfer of credit. I testified in favor of this bill on behalf of AIA Montana. The House Taxation Committee has not yet voted on this bill. This is a good bill and I think the Committee was generally favorable to the bill, but the increase in the tax credit has an impact on the budget, so I cannot predict at this time whether it will pass.

I have been following a number of general pro-business bills, land use planning, zoning, and energy conservation building codes. You will hear more about those in my next report.

Margaret Morgan
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Sitting at the Screen

William Grant, AIA, State Government Network

The 61st Montana Legislature session has given our SGN committee some eye opening challenges. The pursuit of changes to the public building "definition" was met with many roadblocks, and the introduction of a bill was subsequently dropped from the efforts of the group.

What went wrong and what went right? The Legislators viewed the "definition" bill as way for Architects to gain more work for themselves. The view that the rural community has not needed an Architect and that there are no Architects in small towns was prevalent. Some thought that utilizing an Architect would

increase building costs and add a layer of government. Legislators said that this bill would cause their constituents to pay more for their building goals.

The AIA Board and SGN group are now aware of the real challenges facing this fight. If the Law is to be changed, it must be comprehensive. In order to gain the Public Building "definition" change, the lawmakers wanted some exemptions. These exemptions were to be in the form of building size, on community size, and especially Agricultural type. Clearly, the language that was being discussed by the Legislators was not on the same playing field being used by the Architects.

Of the arguments used by the Architects, liability by the State in the form of approval of unlicensed documents was our strongest stand. This argument did not make them blink. Protection of our business and licenses did not seem to be an issue.

There was support in the House for our bill. There are legislators that do agree with us. We simply did not think that there was a majority.

As much as I loved Paul Harvey, his promotion of metal buildings hurt the public perception of design work and the work of the local design professional. Metal buildings are one stop shopping – right?

“Clearly, the language that was being discussed by the Legislators was not on the same playing field being used by the Architects.”

Bright Spots

Kent Bray, AIA, President-Elect

Just last week I was telling someone that every day for the past month I have been engaged in a discussion about the economy. That has never happened to me before. It seems there is plenty of unsettling news out there and sometimes you just want to hear something positive. So I will give you my take, not in an effort to down play the seriousness of what is going on, but rather turn the focus for a moment on what could be considered bright spots.

To see the stars we have to have the night. To see the bright spots today, I compare it to the recession of the early 80's. For me, that was the one that rocked my world. After working without getting a paycheck for a couple months, we decided it was time to make a change and we relocated 1,300 miles east where the recovery was taking place. Although that does not appear to

be an option during this recession, there are some things in play now that weren't in play during the 80's.

For instance, by all reports, our area has been the last to feel the impact of the downturn. Montana in particular has comparatively low unemployment rates, just below 5%. At last report, the state with the worst unemployment was Michigan at 9.6%. In the 80's unemployment was around 15%. Also, the financial health of Montana is better than most states.

Construction costs are low; recent bid openings are below estimates (by 25% in some cases). Inflation today is essentially nil, while in the 80's it was over 12%. So by comparison, you could argue that today is a good time to buy and build. And new construction is happening at a stronger pace comparatively; reports show that the downturn in construction starts we are witnessing today is

less than a third of what we experienced in the 80's.

Interest rates are low although finding the money can be difficult (but not impossible). How would you feel if interest rates were 15%? I recall paying around 20% interest on business operating loans in the early 80's. We paid them and stayed in business, although I shake my head in disbelief just thinking about that. I think that was the first time architects actually began to charge clients interest on unpaid balances.

It is probably reasonable to think that most people have home mortgage rates of somewhere between 5-7%. That was unheard of in the 80's; they were 10% and climbing. If I remember correctly, we saw the birth of the adjustable rate mortgages at that time.

These are some of the bright spots I see today when set against the night skies of the eighties.

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Montana Chapter of the
American Institute of
Architects

“Shovel Ready – Shovel Worthy”

**This is a phrase
coined by the AIA
and was very well
received by the
congressional
contingent.**

2009 State Government Network Report

*Richard Shanahan, AIA, SGN
Representative to Grassroots*

The SGN representatives were greeted and welcomed to the meeting held on February 3 and 4, 2009 – just prior to the opening of Grassroots – by the AIA National Staff. In addition to the work being done on behalf of AIA members on the stimulus bill, the staff then gave us a quick overview of items they have been focusing which sustainability, licensing, services tax, procurement and building codes.

The SGN Committee opened with a round table discussion where each of the members was invited to share the activities and concerns for their States. Some of the subjects of interest were:

- There is a real need to educate the public architect's education, qualifications, and technical expertise.
- AIA is working with Governors thru AIA National with National Association of State Energy Officials to open direct dialog allowing information to flow from architects directly to State Energy Officials.
- Point of Interest: The State of Michigan is working on a law to require a 90-day jail time and a \$12,000.00 fine for the first offense of “practicing architecture without a license.” A second offense would be \$25,000.00 fine and up to one year in jail. Michigan AIA feels strong action is necessary. Michigan did not give us a status on the legislation. Strong fines do presently existed in the State.
- Boston is creating legislation to include architects in the liens laws.
- National Home Builders are against the licensing of Interior Designs! This is a big issue in some states and should be kept on the radar in Montana.

Presentations

PACs - Dr. Steve Billets, AIA PAC Consultants and Director, Legislative Affairs, Graduate School of Political Management, Georgetown University presented information on forming a PAC. There is no single factor that determines a successful PAC. “You must do a lot of things right.” A successful PAC should include transparency, look and feel good, ideally be a fulltime job and be managed fulltime, must have a competitor analysis & set bench marks, and be a champion the causes or a cause.

Montana AIA recently formed a Montana AIA Political Action Committee to aid in its attempt to clarify a consistent definition of “Public Building.” Just like Montana, many State AIA Chapters have discovered that money talks! A PAC does not buy votes but it does allow access to those who have received contributions. PAC funding allows Chapters to get bills sponsored, act to help bills to be passed or defeated.

Political Actions Committees – suggested activities:

- Target upcoming (proactive) and/or current (re-active) legislatures.
- Hold fundraiser for legislatures in Architects' offices – suggest contributions of \$75.00.
- Hold Legislative Day – (AIA Montana did this in Helena on January 9. Many that attended felt it was very informative and worth the time.)
- Thank donors seven times. Thank them in many ways.
- Don't stop asking!! The needs never stop.

Stimulus Bill - Mr. Andrew Goldberg – Senior Director, Federal Relations of the Projected Stimulus Package. (Please note

that the Stimulus Bill had passed House and was in the Senate discussion to develop its version.) Stimulus – rebuild and renew – look at sustainability beyond the immediate.

The AIA National – has been in constant communications with many political and congressional members and associates to maintain the following concerns for the stimulus package. Opportunities for Architects:

- Shovel Ready – **Shovel Worthy** (This is a phrase coined by the AIA and was very well received by the congressional contingent.)
- “Rebuild Better” for beyond the recession which is projected for 2 years.
- Look at the Stimulus over the 18 months. (Need to look at project that will become into effect in 24 months or will last a min of 2 years.)
- Energy Efficient Buildings – (The building of an energy structure will be credited a \$1.86 /sf. There is a hope to raise the \$3.00 /sf of a min of \$2.50/sf.

Transportation is a big portion of the Stimulus Bill. These areas will have some spin off for architects. The House version of the Stimulus Bill included 7.8 billion for to redo & retrofit existing buildings. Health Care Reform – will be reintroduced. The Stimulus Money was projected to be available for 18 month. AIA National was using the message to “DO THINGS RIGHT & DO THINGS FAST”.

Trip to Capitol Hill - Communication by Mr. Peter Finn of Finn Communications - when delivering a message be Clear, Concise, Convincing, Connect, Colorful (Standout Different), Consistent and Continual.

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More 2009 State Government Network Report

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Don't use 'Architectural, jargon, have points and believe in them, use simple language and answer questions in a convincing manner.

Partner Updates:

- The IECC is emphasizing the Energy Conservation Code. Every state will be required to update energy codes over the next 8-years.
- ICC -700 –National Green Building Standards – Designated by ANSI for Residential construction – concerned with how buildings affect the environment.
- ICC 90.1 Commercial – Highly engineered document that is hard to enforce. ANSI 189 Commercial Energy Code
- Codes are adopted – not necessarily enforced. ICC is working with States to get codes enforced. Attempting provide a model format for national state guidelines.
- NCARB & AIA are working together to insure policies for architectural licensing process.

Building Codes – David Collins FAIA Codes Advocacy Program Consultant gave possible ADA updates:

- New Rules may be revisited or start over.
- ADA – Civil rights point of view – **only enforced by the** Department of Justice
- Post Office, US Military and some other agencies are independent and have their own ADA requirements.

More Bright Spots

Continued from pg 3 –

And yes, I realize there are other unique and major factors in play today, but we will find our way through them and in reality, we have a lot to be thankful for, it could be worse.

- Elevators can be used as Occupant Egress Elevator for building Taller than 400 feet in height will be adopted soon. This use of elevator for egress is a direct result of the 911 incident and the number of people evacuated and saved by the use of elevators.
- Architecture is an area of interest. 500 people are talking about architecture without you the architects.
- Blogs that mention architects or architecture has received 1.4 million hits. Strong interest.

The most effective messages are the most effective means of communication.

Voter Survey Review

Presentation – Ronald A. Faucheux, Ph.D, President, The Clarus Research Group – Conducted a public survey on behalf of AIA National with the following concerns and finding:

- For tax breaks for energy efficient buildings and renovations
- 86% of people are for energy efficient housing
- Voters concerned about the budget deficit
- Voters worried about cost of bail out
- Stimulus must look at both short and long term, not be short sighted
- The general public very well supports AIA's Public Statements and Positions.

Social Networking – The new means of communication is through Facebook, Spacebook, and Linked-In. The fasted growing members of Spacebook are people from 35 to 50 years of age. This is a new tool for old fashion advocacy and communication. This is the means of communication of the younger generation.

- 10 to 15 quality messages are better than 3,000 of the same letters to a congressman.
- E-mail is considered for old people by the 18-to-25 years age group.
- Texting or messaging on spacebook or twitter is the younger generation means of communication
- Quality personal messages are the most effective means of communication.
- Web tools are a new means of communications and providing information.

A personal observation: Please note that because of lack of political support, AIA Montana withdrew it proposed legislation to change the definition of public building in the Architect Licensing Statute to match that in existing Building Codes. I would like to point out that this relates to the total lack of understanding of what an architect does and what responsibilities an architect assumes by providing services. The public is unaware of the educational and licensing process required to become a licensed architect.

“The general public . . . supports AIA's Public Statements & Positions.”

In closing, let me mention one last thing that I feel is the brightest spot of all. Architecture is creative problem solving, right? Perfect, we just happen to find ourselves surrounded. So how can we use our talents to help bring value to our clients who still have needs? With all the challenges they face, it is the time for us to understand what they need most and find a way we can use our skills and talents to help them improve their bottom line and help their clients and customers?

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The AIA Mission Statement:

The American Institute of Architects is the voice of the architecture profession dedicated to serving its members, advancing their values and improving the quality of the built environment.

Through a culture of innovation, the American Institute of Architects empowers its members and inspires creation of a better built environment.

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Montana Chapter of the American Institute of Architects was founded on June 4, 1921.

From the AIA Montana Office

Dean A. Sparaco

- MSU Graduate
- Bachelor of Architecture 1995
- Enrolling in Masters Degree Program
- On way to licensure—passed 3 portions of the ARE
- Vast experience. Wants to return to Montana from Arizona. He can be reached at dean@fortisdesigngroup.com

Newsletter Ink and AIA Montana are beginning work on the 2009 publication of Montana Architect. It is scheduled for printing on November 1, 2009. If you have not received as issue there are additional copies available at the AIA Montana office. This magazine was very well received and promises to be even bigger and better this year. Since with have an issue to show—reflecting the quality of this publication—do not delay in getting your ad developed for 2009. Today is a good day to begin.

The current lists of AIA Contract Documents are available at the website: www.aia-mt.org There are two lists – one for members and one for non-members. There have been many updated and new

documents during this past year – check to make sure that you are using the most current and supported Contract Documents. For those of you using of the “Document ON-DEMAND” link on the AIA Montana website – this future will be down while AIA National locates a new company to provide these services. You may still order the paper documents here at the AIA Montana Office or you may wish to visit www.aia.org and explore the possibility of using the full electronic document feature.

AIA National recently upgraded their Continuing Education program to reflect the new Sustainability requirements effective for membership on January 1 of this year. The

upgrade for the most part went smoothly. Some of the self-reported LUs did not transfer as smoothly. AIA National was hard at work restoring these but it would be a very good idea to check and make sure none of your units are missing.

The Nomination Form for this year’s Livable Community Award will be posted at the www.aia-mt.org on May 1, 2009. Make plans to help AIA Montana to identify those individuals that are responsible in helping to promote Livable Communities in Montana.

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