

Original sponsors: Bradley, Croft
and Chance

Offered: 5/19/76
Referred: Finance

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 201

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the elimination of architectural
7 barriers in public buildings and facilities for physi-
8 cally handicapped, aged or infirm persons; and pro-
9 viding for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 35.10.015 is amended to read:

12 Sec. 35.10.015. ARCHITECTURAL BARRIER REGULATIONS; ENFORCEMENT.

13 The Department of Public Works shall prepare, promulgate and enforce
14 [IS RESPONSIBLE FOR PREPARING AND PROMULGATING] regulations governing
15 the construction of public buildings and facilities by or for the state,
16 including the University of Alaska, and its political subdivisions,
17 whether financed in whole or in part by federal, state or other public
18 funds, to insure that the public buildings and facilities are accessible
19 to, and usable by, the physically handicapped, aged or infirm. The
20 regulations of the department shall conform to applicable provisions of
21 federal law or regulation and [AS FAR AS IT IS FEASIBLE] to the publi-
22 cation entitled "American Standard Specifications for Making Buildings
23 and Facilities Accessible to and Usable by the Physically Handicapped"
24 or any amendments to this publication as approved by the American
25 Standards Association, Incorporated, under the sponsorship of the
26 National Society for Crippled Children and Adults and the President's
27 Committee on Employment of the Physically Handicapped.

28 * Sec. 2. AS 35.10.015 is amended by adding a new subsection to read:

29 (b) In (a) of this section, "public facilities" includes vessels

1 owned by the state and operated by the division of marine transportation
2 of the Department of Public Works as a part of the Alaska marine highway
3 system. All ferries owned or operated by the state shall be equipped
4 with elevators or other passenger lifting equipment, ramps, or other
5 facilities and devices to ensure that these vessels are accessible to
6 and usable by physically handicapped, aged or infirm passengers. In
7 this subsection, "accessible to and usable by" means that a physically
8 handicapped, aged or infirm passenger can board, disembark and move
9 between decks and about the public areas aboard a state ferry with
10 personal comfort and with safety to himself, other passengers and mem-
11 bers of the crew.

12 * Sec. 3. After the effective date of this Act, no ferry may be con-
13 structed, lengthened, completely renovated, or purchased for use or entered
14 into service by the division of marine transportation of the Department of
15 Public Works as a part of the Alaska marine highway system that does not
16 include adequate facilities and devices to ensure that the vessel is acces-
17 sible to and usable by physically handicapped, aged or infirm passengers.
18 Some staterooms and all restrooms, indoor passageways, outdoor weather decks,
19 and other public areas aboard the vessel shall be so designed and constructed
20 as to permit access and use by physically handicapped, aged or infirm pas-
21 sengers, including but not limited to those persons occupying a wheelchair.

22 * Sec. 4. After the effective date of this Act, no public building or
23 facility in the state may be designed, financed, or constructed unless it
24 meets the standards established under AS 35.10.015, as amended by this Act.
25 A public building or facility in existence on the effective date of this Act
26 that does not conform to the standards prescribed in AS 35.10.015 shall be
27 brought into conformity with those standards not later than 10 years after
28 the effective date of this Act. If the commissioner of public works con-
29 siders it impractical to meet the standards prescribed by AS 35.10.015 within

1 the 10-year period, he may modify or waive the prescribed standards on a
2 case-by-case basis upon application made by the head of the state department,
3 agency or other instrumentality concerned. The commissioner shall make a
4 finding and a determination that a modification or waiver is clearly neces-
5 sary under this Act and shall set out his reasons for the same and the
6 projected timetable for compliance where a modification or a temporary waiver
7 has been granted.

8 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).

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