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1 IN THE SENATE BY THE FREE CONFERENCE COMMITTEE
2 FREE CONFERENCE CS FOR 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 funds, to insure that
18 the public buildings and facilities are accessible to, and usable by,
19 the physically handicapped, aged or infirm. The regulations of the
20 department shall conform to a standard comparable to the applicable
21 provisions of federal law or regulation and [AS FAR AS IT IS FEASIBLE]
22 to the publication entitled "American Standard Specifications for Making
23 Buildings and Facilities Accessible to and Usable by the Physically
24 Handicapped" or any amendments to this publication as approved by the
25 American Standards Association, Incorporated, under the sponsorship of
26 the 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 new subsections to read:

29 (b) The department shall develop and maintain an inventory of all

1 public buildings and facilities with respect to their compliance with
2 the regulations adopted under (a) of this section. The department shall
3 make an annual report to the governor and the legislature describing
4 work performed in the preceding calendar year to upgrade public build-
5 ings and facilities to conform with the regulations. In addition, the
6 department shall develop cost estimates and recommended priorities for
7 the upgrading of public buildings and facilities that do not conform
8 with the regulations adopted under (a) of this section and shall include
9 these estimates and the recommended priorities in the annual report to
10 the governor and the legislature.

11 (c) In this section, "public facilities" includes vessels owned by
12 the state and operated by the division of marine transportation of the
13 Department of Public Works as a part of the Alaska marine highway
14 system. All ferries owned or operated by the state shall be equipped
15 with elevators or other passenger lifting equipment, ramps, or other
16 facilities and devices to ensure that these vessels are accessible to
17 and usable by physically handicapped, aged or infirm passengers. In
18 this subsection, "accessible to and usable by" means that a physically
19 handicapped, aged or infirm passenger can board, disembark and move
20 between decks and about the public areas aboard a state ferry with
21 personal comfort and with safety to himself, other passengers and mem-
22 bers of the crew.

23 * Sec. 3. After the effective date of this Act, no ferry may be con-
24 structed, lengthened, completely renovated, or purchased for use or entered
25 into service by the division of marine transportation of the Department of
26 Public Works as a part of the Alaska marine highway system that does not
27 include adequate facilities and devices to ensure that the vessel is acces-
28 sible to and usable by physically handicapped, aged or infirm passengers.
29 Some staterooms and all restrooms, indoor passageways, outdoor weather decks,

1 and other public areas aboard the vessel shall be so designed and constructed
2 as to permit access and use by physically handicapped, aged or infirm pas-
3 sengers, including but not limited to those persons occupying a wheelchair.

4 * Sec. 4. After the effective date of this Act, no public building or
5 facility in the state may be planned, designed, financed, constructed, opened
6 to public use, or otherwise placed in operation unless it meets the standards
7 established under AS 35.10.015, as amended by sec. 1 of this Act.

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

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