

S

B

8

4

6



Alaska State Legislature

Senate

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

TO: Senator Fischer, Chairman
Senate State Affairs Committee

FROM: Senator Ferguson, Chairman *RF*
REAA Budget Oversight Committee

SUBJ: Senate Bill 846 - Architectural Barrier Regulations

DATE: March 29, 1982

Testimony received by the REAA Budget Oversight Committee has indicated that regulations regarding architectural barriers have had an adverse impact on maintenance and operations costs as well as construction costs in the rural school districts. These regulations include both the interim regulations for barrier-free facilities as well as the exterior ramps required by these regulations. Compliance involves an abnormal amount of manual labor during the winter months to keep the ramps free of snow and ice.

Although a multi-story structure has proven to be the most fuel efficient, the code requirements for elevators cause many districts having "bush" schools to utilize single story construction. The primary objection to the elevator installation in bush communities is the prohibitive costs of maintenance and restricted availability of service. The result of this code restriction is less energy efficient buildings.

REAA school districts are required to build ramps for the handicapped and to comply with other regulations for the access of the handicapped in villages without sidewalks or roads.

Senate Bill 846 would allow the Commissioner of DOTPF to make exemptions to these regulations in such cases as those that have been occurring in the REAA school districts.

*Deborah Bear
Spec Asst.*

APR 16 1982

Berrier
Alternative 1,
4/16/82

Original sponsor: Rules Committee
by request

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 HOUSE CS FOR SENATE BILL NO. 846 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to waiver of compliance with architec-
7 tural barrier regulations; and providing for an effec-
8 tive date."

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

10 * Section 1. AS 35.10.015 is amended by adding a new subsection to read:

11 (f) A waiver of strict compliance with the regulations adopted
12 under (a) of this section may be granted only by the commissioner of
13 transportation and public facilities based on

14 (1) a recommendation by the Governor's Committee on the
15 Employment of the Handicapped that the waiver be granted; and

16 (2) a finding by the Governor's Committee on the Employment
17 of the Handicapped that there are practical difficulties in complying
18 with the regulations and that the public interest will be served by the
19 waiver.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

As comment
Preferred ->
① to have effect immediately upon
② simpler - less cumbersome if that be
adequate & provide incentives to disabled
③ Sec. 1 prefer
④ Add not volume
⑤ improve fine



APR 23 1982

ANCHORAGE COMMUNITY COLLEGE
2533 PROVIDENCE AVENUE • ANCHORAGE, ALASKA 99504 • (907) 263-1200

April 19, 1982

Joyce

Chairman Betty Cato
Alaska State Legislature
House Transportation Committee
Pouch V
Juneau, Alaska 99811

Re: Senate Bill No. 846

Dear Chairman Cato:

I would like to take this time to object to the underlined portion of this bill i.e. However, when it is clearly demonstrated....any other provisions of law.

Although there are certainly cases where it is impracticable to enforce such a regulation as this, I think it is also clear that this decision should not be left to the discretion of one person. In all due respect for the competence, integrity, and forthrightness of any individual, I believe it is unreasonable to expect such an individual will not be unduly swayed by the various pressures that will be asserted by the differing segments of our society.

In addition to pressure groups, is the very real concern that if the waiver process is too easy, there will be a plethora of waiver requests which would not be initiated if the process were somewhat more difficult.

In difference to the proposed wording, I would suggest the establishment of specific criteria by which the reasonableness of a waiver could be evaluated or in lieu of this, establishment of a committee of specialists who would be responsible for hearing and acting upon such requests.

Sincerely,

Robert G. Stewart, Ph.D.
Director of Counseling Services

RS:jh

APR 13 1982

MSG 82-00020667 PRTY 1 04/13/82 13:46:56 ORIG: LA05 IN= 0005 OUT= 0076
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: F O M PAGE 0001

TO: SENATOR BILL RAY
REPRESENTATIVE BETTE CATO

FROM: DAVID MALTMAN, 325 E. THIRD AVENUE-SECOND FLOOR, ANC 99501
HM 278-4990 WK 274-3658

RE: SENATE BILL 846

THE STANDARD FOR ALLOWING A WAIVER TO ACCESSIBILITY REGULATIONS IS MUCH TOO VAGUE AND WILL CREATE MANY OBSTACLES TO ENFORCEMENT. DOT EXERCISES MANY OPTIONS TO AVOID ADDRESSING ACCESSIBILITY NEEDS OF PERSONS WITH HANDICAPS. WE ASK YOU TO STRIKE THIS WAIVER FROM SB 846. PLEASE READ THIS INTO THE RECORD AT PUBLIC HEARING.

/S/ DAVID MALTMAN
PROTECTION AND ADVOCACY FOR THE
DEVELOPMENTALLY DISABLED



Alaska State Legislature

Senate

Official Business

20544
Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

TO: Senator Fischer, Chairman
Senate State Affairs Committee

FROM: Senator Ferguson, Chairman *RF*
REAA Budget Oversight Committee

SUBJ: Senate Bill 846 - Architectural Barrier Regulations

DATE: March 29, 1982

Testimony received by the REAA Budget Oversight Committee has indicated that regulations regarding architectural barriers have had an adverse impact on maintenance and operations costs as well as construction costs in the rural school districts. These regulations include both the interim regulations for barrier-free facilities as well as the exterior ramps required by these regulations. Compliance involves an abnormal amount of manual labor during the winter months to keep the ramps free of snow and ice.

Although a multi-story structure has proven to be the most fuel efficient, the code requirements for elevators cause many districts having "bush" schools to utilize single story construction. The primary objection to the elevator installation in bush communities is the prohibitive costs of maintenance and restricted availability of service. The result of this code restriction is less energy efficient buildings.

REAA school districts are required to build ramps for the handicapped and to comply with other regulations for the access of the handicapped in villages without sidewalks or roads.

Senate Bill 846 would allow the Commissioner of DOTPF to make exemptions to these regulations in such cases as those that have been occurring in the REAA school districts.