



Introduced: 4/15/85  
Referred: Transportation  
and Finance

1 IN THE HOUSE

BY GOLL AND KOPONEN

2

HOUSE BILL NO. 377

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act requiring inclusion of recommended plans for  
7 improving access by the handicapped to public build-  
8 ings and facilities in the capital improvement  
9 program recommended by the governor to the  
10 legislature."

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

12 \* Section 1. AS 37.07.060(a) is amended to read:

13 (a) The governor shall formulate the operating and capital  
14 improvements programs and financial plans required to be recommended  
15 to the legislature by AS 37.07.020 after considering the state agency  
16 proposed program and financial plans, and other programs and alterna-  
17 tives that the governor considers appropriate. The plans shall  
18 include the governor's recommended goals and policies, recommended  
19 plans to implement the goals and policies, recommended operating  
20 program for the succeeding fiscal year, recommended capital improve-  
21 ments program for the succeeding six fiscal years, recommended pro-  
22 grams for the upgrading of public buildings and facilities prepared in  
23 accordance with AS 35.10.015, and recommended revenue measures to  
24 support the programs.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: HB 377  
 Title: Plans for Improving Access to Public Facilities  
 Sponsor: Goll & Koponen  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: DOT&PF  
 Program Category Affected: Transportation  
 BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary

Prepared By: Daniel F. Malick *DM* Phone: 465-4070  
 Division: HQ Plans & Programs Date: 4/24/85  
 Approved by Commissioner: *Dick Pappas* Date: 4/24/85  
 Agency: DOT&PF

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

7/1/84

Introduced: 4/15/85  
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support the programs.



## Dept. of Transportation & Public Facilities

# Position Paper

**BILL NO:** House Bill 377

**APPROVED:**   
R. J. Knapp  
Commissioner

**TITLE:** plans for Improving Access to Public  
Facilities

**DATE:** 4-23-85

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The Department supports House Bill 377.

House Bill 377 requires the Governor to recommend public facility projects which would bring public buildings into conformance with handicapped access codes. The Department currently produces an Architectural Barrier Program Report as required by Section 35.10.15. House Bill 377 merely requires the Governor to recommend projects within his capital budget request reflecting a level of priority and funding commitment to projects noted in the Architectural Barrier Report.

The purpose and intent of House Bill 377 is to encourage the State to bring its public buildings into conformance with handicapped access codes. The Department fully supports this goal realizing that its current activities in this regard are limited by appropriated funding.



STATE OF ALASKA  
HOUSE OF REPRESENTATIVES

MEMORANDUM

April 18, 1985

TO: Representative Bette Cato  
Chair House Committee on Transportation

FROM: Representative Peter Goll *Peter Goll*

SUBJECT: HB 377

For years, citizens have been complaining about the absence of elevators on the LeConte and the Aurora. The lack of these facilities has caused extreme hardship for many of our infirm and disabled citizens. This situation is not unique to our ferries, but is widespread in the state's public facilities.

In 1983, the Ombudsman's office began investigating a complaint regarding the alleged failure of the Department of Transportation to comply with the mandate of the 1976 law, AS 35.10.015, which requires the state to ensure complete access to its public facilities, including ferries, by the disabled.

Although the Department agreed to proceed with the implementation of the law, it was discovered in mid-1984, that no substantial progress had occurred.

It was discovered that although the law required that the upgrade of facilities take place, these projects were given a low priority in comparison with non-mandated projects.

Regarding elevators, AS 35.10.015 states that: "All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, 'accessible to and usable by' means that a physically handicapped, aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew."

Representative Bette Cato  
Page 2  
April 18, 1985

Recently, when the Ombudsman asked the DOT about plans for FY86, he was advised that although there is no budget item directed to handicapped accessibility, two entries could "possibly be used" for handicapped access. These included \$61,000 for Southeast facilities and code performance and \$320,000 for ferry terminal upgrades.

It is doubtful that even the \$61,000 will in fact be used to improve access. I know of no other funds dedicated to this purpose on the ferries themselves.

From 1976 until 1983, with the first Sheffield budget, no systematic steps were taken to respond to the 1976 law. Even with the Governor's increased commitment, the departmental priority level for providing access to the disabled remains low. I am concerned that with declining revenues, the state's commitment to disabled access could decline further.

To address the problem, I offer this amendment to the Executive Budget Act which would specifically require the administration to submit with its annual capital budget request "recommended programs for upgrading of public buildings and facilities prepared in accordance with AS 35.10.015" and to recommend revenue measures to support the programs.

Such an amendment would require the implementation of the program set out in the AS 35.10.015, requiring the systematic upgrading of all public facilities to provide access to the disabled.

A final comment for those interested in the LeConte and Aurora specifically is that under the law (AS 35.10.015 (d)), no ferry may be purchased or completely renovated that "does not include adequate facilities and devices to ensure that the vessel is accessible to and usable by physically handicapped, aged or infirm passengers, including but not limited to those persons occupying a wheelchair." While other ferries have undergone such renovation and been equipped with elevators, neither the LeConte nor the Aurora has received a complete renovation since 1976.

considers advisable. This section does not apply to the construction of school buildings in incorporated cities, unless the construction is done in whole or in part with state funds, or to the construction of school buildings when the construction amounts to less than \$2,000. (§ 1 art III title III ch 152 SLA 1957)

Am. Jur. 2d reference. — 64 Am. Jur. 2d, Public Works and Contracts, § 1 et seq.

**Sec. 35.10.015. Architectural barrier regulations: enforcement.** (a) The department shall prepare, promulgate and enforce regulations governing the construction of public buildings and facilities by or for the state, including the University of Alaska, and its political subdivisions, whether financed in whole or in part by federal funds, to ensure that the public buildings and facilities are accessible to, and usable by, the physically handicapped, aged or infirm. The regulations of the department shall conform to a standard comparable to the applicable provisions of federal law or regulation and to the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" or any amendments to this publication as approved by the American Standards Association, Incorporated, under the sponsorship of the National Society for Crippled Children and Adults and the President's Committee on Employment of the Physically Handicapped.

(b) The department shall develop and maintain an inventory of all public buildings and facilities with respect to their compliance with the regulations adopted under (a) of this section. The department shall make an annual report to the governor and the legislature describing work performed in the preceding calendar year to upgrade public buildings and facilities to conform with the regulations. In addition, the department shall develop cost estimates and recommended priorities for the upgrading of public buildings and facilities that do not conform with the regulations adopted under (a) of this section and shall include these estimates and the recommended priorities in the annual report to the governor and the legislature.

(c) In this section, "public facilities" includes vessels owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped, aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

(d) After June 25, 1976, no ferry may be constructed, lengthened, completely renovated, or purchased for use or entered into service by the division of marine transportation of the Department of Public Works as a part of the Alaska marine highway system that does not include adequate facilities and devices to ensure that the vessel is accessible to and usable by physically handicapped, aged or infirm passengers. Some staterooms and all restrooms, indoor passageways, outdoor weather decks, and other public areas aboard the vessel shall be so designed and constructed as to permit access and use by physically handicapped, aged or infirm passengers, including but not limited to those persons occupying a wheelchair.

(e) After June 25, 1976, no public building or facility in the state may be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation unless it meets the standards established under this section. (§ 1 ch 119 SLA 1966; am § 1 ch 48 SLA 1972; am §§ 1 — 4 ch 249 SLA 1976; am Executive Order No. 39, § 11 (1977))

**Revisor's note.** — Subsections (d) and (e) of this section were enacted as §§ 3 and 4, ch. 249, SLA 1976, rather than as a part of this section.

**Effect of amendments.** — The 1976 amendment, in the first sentence of present subsection (a), substituted "shall prepare, promulgate and enforce" for "is responsible for preparing and promulgating," inserted "whether financed in whole or in part by federal funds" and added "aged or infirm" to the

end of the sentence. The amendment also substituted "to a standard comparable to the applicable provisions of federal law or regulation and" for "as far as it is feasible" in the second sentence of present subsection (a), and added subsections (b) and (c).

The 1977 amendment, substituted "department" for "Department of Public Works" in the first sentence of subsections (a) and (c).

**Sec. 35.10.020. Consultation with municipal planning commissions.**

Repealed by § 4 ch 143 SLA 1977.

**Cross reference.** — For provisions requiring the review and approval by local planning authorities before commencing construction of a public project, see AS 35.30.010. For provisions requiring compliance with municipal ordinances, see AS 35.30.020. For provisions providing for

waiver of local planning authority approval and the compliance requirement, see AS 35.30.030.

**Editor's note.** — The repealed section derived from § 2, art. III, title III, ch. 152, SLA 1957; § 1, ch. 63, SLA 1974; § 1, ch. 96, SLA 1975; § 1, ch. 50, SLA 1976.

**Sec. 35.10.025. Compliance with local building codes.** A public building shall be built in accordance with applicable local building codes including the obtaining of required permits. This section applies to all buildings of the state and corporate authorities of the state. (§ 1 ch 89 SLA 1968)



SUSAN K. FLEISCHHAUER  
LEGISLATIVE LIAISON  
OFFICE OF THE COMMISSIONER

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES  
POUCH Z  
JUNEAU, ALASKA 99811

JUNEAU (907) 465-3900

HANDICAP ACCESS

Current Projects:

°Modification of four restrooms:

Alaska Office Building (2)  
State Office Building (2)

\$28,500

°Modification of Community Building, 3rd St., Juneau

Entry for access

\$ 7,500

°Improvements to Hoonah ferry terminal

Included in the \$35,000 improvements to the  
ferry terminal, restrooms are being remodeled.

FY 86 Budget Request:

°Ketchikan Court and Office Building

Modifications of restrooms and elevators

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\$24,000  
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An analysis on the costs, etc., of the impact to DOT&PF  
to follow mandate, will be completed by next week, and you  
will be provided a copy.

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH Z  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3200

March 4, 1985

The Honorable Peter Goll  
Alaska State House of Representatives  
Pouch V  
Juneau, AK 99811

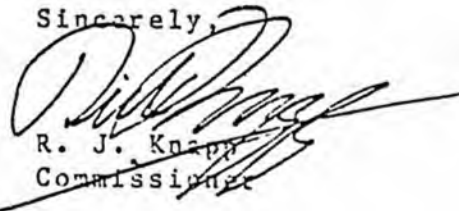
Dear Representative Goll:

This is in response to your letter concerning installation of elevators on the M/V AURORA and M/V LeCONTE. The estimated cost to install a suitable elevator is between \$500,000 to \$650,000 per vessel. However the last definitive cost data we have in this area was for installation of an elevator on the M/V MALASPINA in 1982. The cost was approximately \$300,000 to install an elevator in an existing shaft. No elevator shafts currently exist on either the AURORA or the LeCONTE.

The restricted space in the 235' class vessel significantly complicates options for placement of an elevator shaft. Currently, the fore deck area is too limited to effectively accommodate an elevator, and the stairwells are too narrow for a mechanized platform. It would require a major re-work of crew and passenger areas to overcome these restrictions.

Considering the importance of handicap access, we certainly will keep that subject in mind during future appropriation requests. The feasibility of elevator installation can be examined next year and included within the budget cycle as a code up-grade project. At present, the overall needs of the system are considerable, but every reasonable effort will be made to include the elevators in next year's budget request.

Sincerely,



R. J. Knapp  
Commissioner

cc: Joe D. Camp, Deputy Commissioner  
Alaska Marine Highway System



# Ombudsman

John B. Chenoweth

State of Alaska

February 26, 1985

The Honorable Peter Goll  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811-3100

Reply to:

3201 C Street, Suite 606  
Anchorage, Alaska 99503  
(907) 563-3673

Pouch WO  
Juneau, Alaska 99811  
(907) 465-4970

P.O. Box 74358  
Fairbanks, Alaska 99707  
(907) 452-4001

Dear Representative Goll:

In March 1983 my office received a complaint alleging failure on the part of the Department of Transportation and Public Facilities to enforce applicable statutes and regulations relating to access by handicapped persons to the principal agency-occupied state buildings in Juneau. (The complaint was filed with specific reference to the Goldbelt Building, partially occupied by the Alaska Department of Education.)

Following investigation, in a September 1983 letter I found the complaint "justified" and, due to correction of some of the deficiencies in the Goldbelt building, "partially resolved." However, I also presented three recommendations to the Department of Transportation and Public Facilities, urging the department to:

(1) complete and formally adopt a comprehensive statewide plan of enforcement of standards to remove barriers to accessibility in public buildings;

(2) coordinate its efforts and experience with the Department of Administration to assure that applicable standards are applied to state-leased space (including the specific leased space cited in this complaint); and

(3) complete and maintain the inventory, cost estimates, and priority list required by AS 35.10.015(b) and, based on that information, requests for FY 85 and after the appropriation of amounts sufficient to enforce provisions of the laws and regulations applicable to removal of barriers to the handicapped from public buildings.

In an October 17 reply, then-deputy commissioner Fred Seeger answered in part:

DOT&PF has informally developed and is in the process of formally adopting a comprehensive

Statewide plan for enforcement of barrier-free regulations with the goal of making all public buildings accessible. As a part of this effort, the current DOT&PF amendments will be modified as necessary to clarify requirements. Once developed, this plan of enforcement will be formally adopted.

The above Statewide plan for enforcement will address making State-leased space accessible. DOT&PF will work with DOA to develop and implement this enforcement program.

In response to AS 35.10.015(b), DOT&PF has recently completed the Inventory and Condition Survey of all State owned and operated facilities. This survey identifies code deficiencies and associated upgrade costs not only for compliance with barrier-free regulations but also for fire and life safety codes. The estimated cost to correct all code deficiencies for all state facilities exceeds 200 million dollars, 50 million of which is to correct accessibility deficiencies. . . . Priorities have not been established for barrier-free upgrades separate from fire and life safety code upgrades, as both are necessary.

On the basis of the department's assurance that my recommendations had been accepted and were in the process of being implemented by the department, I closed the case in November 1983 as "rectified."

In July 1984, as part of my office's routine follow-up procedures, I sent a letter to then-acting deputy commissioner Dan Malick in which, to assess the degree my recommendations had been implemented, I asked several questions regarding the department's progress towards enforcement of handicapped accessibility statutes. Because I received no response, I subpoenaed Mr. Malick for the information I had requested and met with him and two of his staff on October 23.

From the information Mr. Malick provided me and from a subsequent discussion with him and his staff, I concluded that: (1) regulations providing for enforcement guidelines had not been adopted (though Mr. Malick provided me with several drafted proposals for regulations, it was clear to me that the department was no where near promulgating regulations); (2) a statewide enforcement strategy, preferably by way of a policies and procedures statement, had not been established (here again, various draft proposals of policies and procedures were provided, but none were near being accepted by the department); (3) the enforcement of handicapped access legislation was but one of many projects mandated by law to the department, and as such, held a position of low priority; (4) enforcement activities competed with various other nonmandated projects, most of which were, for the department, also of higher priority than handicapped access enforcement; and (5) these departmental priorities were reflected in budget priorities, where

little money had been appropriated specifically to handicapped accessibility.

At the October 23 meeting Mr. Malick assured me the department would continue pursuing the adoption of regulations as well as policies and procedures that together would outline a handicapped access enforcement strategy. Additionally, he told me the department had revised its method for establishing FY 86 budget priorities. According to Mr. Malick, 28 program areas had been identified by the department as requiring funding. One of the 28 project areas was handicapped accessibility and fire and life/safety code performance. It was the assessment of Mr. Malick and his two staff that, with this component identified for funding, the chance that the FY 86 department's budget request would include an allocation for correcting accessibility deficiencies was greater than any fiscal year of the past.

Concluding the meeting, I encouraged department officials to continue pursuit of regulations and policies and procedures that would outline departmental enforcement strategies. I also assured Mr. Malick that I would monitor the budgetary process to evaluate the extent to which accessibility received attention.

The concern you expressed about handicapped accessibility on the ferry system, then, seemed to me a logical extension of my office's own concern. There is no doubt that the Department of Transportation and Public Facilities is charged with enforcing handicapped accessibility on ferries. AS 35.10.015(a) requires that the department ensure that public buildings and facilities constructed after 1976, the year the legislation was passed, are accessible to, and usable by, the physically handicapped, aged or infirm. AS 35.10.015(c) defines "public facilities" as including vessels,

owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped, aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

Our February 6 meeting prompted me to examine Governor Sheffield's budget request for FY 86. I could find no item in the Capital Budget directed specifically for handicapped accessibility and have since questioned Mr. Malick on the matter. He pointed to four entries that "possibly could be used" for handicapped accessibility improvements--\$550,000 for annual improvements to the Anchorage International Airport, \$300,000 for annual improvements to the Fairbanks International Airport,

\$61,000 for Southeast facilities and code performance, and \$320,000 for Alaska marine highway terminal facility improvements. He admitted that the \$61,000 for facilities and code performance could be (and would likely be) used for improvements other than handicapped accessibility. He described the \$61,000 entry as the closest one to handicapped accessibility per se and that even it could be used for fire and life/safety code performance rather than handicapped accessibility.

As to the department's budgetary process that was supposed to have assured monies for handicapped accessibility, Mr. Malick explained that, indeed, the department's original request had included 28 program areas and that one of those areas had been handicapped accessibility and code performance. The department, he told me, first presented the governor with a capital budget of \$229 million, of which \$2.6 million was dedicated to handicapped accessibility and code performance. When the governor cut that budget to \$76 million, all but the \$61,000 of the \$2.6 million was sliced in favor of programs which the department deemed to be of higher priority. He pointed out several areas where funding requests had been maintained as ones for which the federal government provides matching funds, sometimes on a 9 to 1 basis. In a time of budgetary priority, he stated, it would be foolish to cut those areas. He told me that funding for other areas, most notably highway construction and improvement, were viewed by the department and the public as being essential. Finally, he noted that the handicapped were not a very strong lobbying force.

Mr. Malick suggested that I talk to Dave Waldron, Director of Maintenance and Operations for the Southeast Region, Department of Transportation and Public Facilities, to assess the degree the department had addressed handicapped accessibility in Southeast. Mr. Waldron told me that his FY 85 and 86 budgets had reserved \$100,000 and \$66,000 respectively for handicapped accessibility upgrade to buildings. In addition, he said, as a routine part of departmental upgrade of buildings, accessibility upgrades were made at the department's own expense.

Mr. Waldron was candid enough to advise that, despite the fact the department had been charged with the enforcement of accessibility statutes since 1976, not until 1983 did it begin a substantial effort to upgrade its own facilities in Southeast. He pointed me to the enclosed December 28, 1983 memo from Jon Scribner, then-acting deputy commissioner for the southeastern region, in which estimates for projects to improve handicapped accessibility were given and in which projects were assigned "current" and "future" priority status. He told me that the priorities as stated in that memo had changed in March 1984 as a result of a review of state buildings by a committee of handicapped people. The results of that review are represented in the enclosed March 7, 1984 memo, which, he said, currently serves to prioritize handicapped accessibility projects in Southeast. Finally, on February 14, 1985, he sent me a progress report of the Southeastern Handicapped Access Program, which lists projects that have been completed to date. I enclose that report. You will notice that most improvements have been made to buildings in Juneau.

As a last source of information, I questioned John McGrath, an engineer for the southeast ferry system, specifically about the LeConte and the Aurora. He verified that both ferries lacked proper handicapped accessibility. He told me that in the past several years, all other ferries on the state's southeast line had undergone major renovation which included handicapped accessibility improvements--most notably, the installation of elevators--had been made. He stated that neither of the two ferries in question had undergone major renovation since they had been purchased by the state--that both had only received routine maintenance each year, requiring a three- to ten-day dry dock. Finally, he explained in detail the problems associated with installing elevators in both ferries--noting the primacy of space, the lack of elevator shafts, and major safety and fire code problems--and estimated that the installation of a suitable elevator would cost between \$500,000 and \$650,000 for each of the two ferries. He said that such a major project was not currently scheduled for the future.

My review of the matter of handicapped accessibility on the LeConte and the Aurora has verified what I already suspected--the department has generally "dragged its feet" on the enforcement of handicapped accessibility. Not until 1983, seven years after being mandated by law, did the department complete the Inventory and Condition of all state owned and operated facilities. Not until 1983 did it substantially begin efforts to upgrade its own facilities. In short, since 1976 the enforcement of accessibility has remained for the department a low priority. Now, with the major budgetary difficulties being experienced by the state, I suspect it will receive even less attention.

It is, of course, ever more expensive to complete proper enforcement and upgrade. According to Mr. Malick, the \$50 million estimate given to me by Mr. Seeger in 1983 has been revised to one of approximately \$65 million. Nor can I deny the fact that the department has made certain improvements to its own facilities. Yet, I can't help but believe the gap between the responsibilities mandated to the department by law and the activities the department has undertaken to fulfill those responsibilities grows ever-larger.

In light of declining revenues, your choices, realistically, seem to be these:

(1) If legislative attention turns back to general obligation bonding as a source of revenue for capital projects, you may want to add to any bond proposing funding the cost of transportation projects elevators in the LeConte and the Aurora--an estimated \$1.3 to \$1.5 million.

My experience (five years in Legislative Affairs as a bill draftsman) suggests that legislators seriously consider general obligation bond proposals only in a second session, since bonds are submitted to the voters at the general election. A bond bill submitted in a first session would certainly attract some attention, albeit no action; therefore, I would urge you to review the bond idea with your House colleagues before actually offering any legislation.

(2) While revenue is a concern, if you want the administration to commit itself to complete improvements to these two vessels, you need to overcome the mind set of department budget analysts and planners who favor projects drawing a "federal match." You need to remind department officials that, though being prepared to secure all available federal match money is a worthy objective, they must remember that the legislature, by law, has directed the department to attend to handicapped access to the state's buildings and transportation facilities.

Why not, then, specifically direct the governor to prepare and submit his FY 87 capital budget with priority assigned to handicapped access projects, as the legislature has identified or specified by law? If you want the administration to do this but one time (say just for the FY 87 budget submission), you should offer a House Concurrent Resolution. On the other hand, if you want handicapped access priorities addressed as a regular part of the governor's annual budget submission, you would have to prepare a bill that amends the Executive Budget Act (AS 37.07). I would suggest the following:

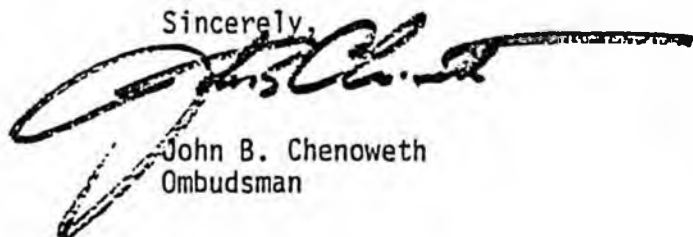
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(a) The governor shall formulate the operating and capital improvements programs and financial plans required to be recommended to the legislature by AS 37.07.020 after considering the state agency proposed program and financial plans, and other programs and alternatives that the governor considers appropriate. The plans shall include the governor's recommended goals and policies, recommended operating program for the succeeding fiscal year, recommended capital improvements programs for the succeeding six fiscal years, recommended programs for the upgrading of public buildings and facilities prepared in accordance with AS 35.10.015, and recommended revenue measures to support the programs.

My track record is such that I could not hope to achieve any success were I to bring this matter to the attention of the administration. Despite the good intentions of Commissioner Knapp and Mr. Malick, their failure to assure handicapped access a place in the FY 86 capital budget suggests that, for the future, the inclusion of handicapped access as a component of state budgeting--on even a small scale--will surely require a second legislative mandate.

Please advise if there is more I may do on this matter.

Sincerely,



John B. Chenoweth  
Ombudsman

JBC:LJB:jdt  
Enclosures

# MEMORANDUM

State of Alaska  
Department of Transportation & Public Facilities

TO: Jonathan W. Scribner  
Deputy Commissioner  
Southeastern Region

DATE: December 28, 1983

FILE NO:

TELEPHONE NO: 789-3483

FROM: David L. Waldron, Director  
Maintenance and Operations  
Southeastern Region

SUBJECT: Handicapped Access to  
State owned Buildings

Attached is our total program for upgrading state owned facilities maintained by the Southeastern Region of DOT&PF to improve handicapped access.

Those items listed as current are or will be included in our FY 84 and FY 85 in-house work programs. These projects will require CIP funds in the amount of \$18,000 in addition to that portion of our operating funds which we plan to use in support of this program.

Those items listed as future are those items which for the most part we anticipate accomplishing by contract in future fiscal years. We anticipate having approximately \$80,000 available to support this program in FY 85 which will be adequate to accomplish about \$55,000 to \$60,000 of the work listed.

DLW:cmt

STATE OFFICE BUILDING CONTINUED

Controls, Identification & Warning - Lower alarm pulls to 48". Lower elevator call buttons to 48". No recommendation regarding switches. Provide warning strips and knurled door handles at stairwells. Provide raised numerals at elevator lobbies to identify each floor. Install visible alarm system. \$ 12,000

Drinking Fountains - Lower drinking fountains to 34". \$ 3,000

Elevators - Lower handrails to 32". Lower controls to 48" maximum and provide tactile identification. \$ 10,000

ALASKA OFFICE BUILDING

CURRENT:

Parking signage \$ 200

Modify public counters \$ 500

Replace drinking fountains \$ 3,000

Install adequate signage \$ 150

FUTURE:

Toilets - It is recommended that rather than modifying existing toilet rooms in the Alaska Office Building, signs be installed directing handicap users to toilet facilities located in the State Office Building. \$ 250

Controls, Identification & Warning - Install as required. Provide tactile identification 60" high at sides of doors \$ 6,000

Elevators - Lower handrails. Install new controls with tactile identification and maximum height to top of panel 78". \$ 2,000

ACCOMPLISHED:

Replace entry doors at 3rd, 4th and Main.St. entrances. Est. Complete 1-31-84

SUPPORT BUILDING

CURRENT:

Designate parking spaces \$ 100

Install adequate signage \$ 500

Replace drinking fountain \$ 500

FUTURE:

Parking - Designate handicap parking spaces at area entrances adjacent to facility on the east and south walls. As the only access to the vessel repair section is through the middle bay section, additional parking should be provided. Provide curb cuts, signage, additional lighting, and related items. \$ 2,000

SUPPORT BUILDING CONTINUED

Facility Access - Grade surfaces. Provide pedestrian entrance to middle bay (see Life/Fire Safety). Construct curb cuts. Install signs. Install parking bumpers. \$ 3,000

Entrances - Grade entrance surfaces. Recess door mats. Provide 1' - 6" clearance as required. \$ 2,000

Exterior Doors - Install new doors with 32" minimum clear width, vision panels at 40". Flush or beveled thresholds. \$ 1,500

Interior - Fill expansion joints to level surface with flexible material. Remove obstructions. Level surfaces. Change ramps. \$ 2,000

Toilets - Modify toilets in F&G offices in conformance with standards. Renovate toilet room and install new fixtures in National Guard area. Remove shelf and expand toilet room. Install new fixtures in Marine Trans. area. Provide access route to toilets in vessel repair section. Install ramp to allow access to toilet room. Install new fixtures. \$ 20,000

Controls, Identification & Warning - Install identification and warning as required. Lower control height to 48". \$ 2,500

ALASKA STATE MUSEUM

CURRENT:

Parking with signage \$ 500

Provide identifiers at curb cuts \$ 250

Automatic door openers \$ 3,000

Modify door closers \$ 200

Install beveled thresholds \$ 200

Reset interior door handles \$ 2,000

Replace stair fire doors \$ 1,000

Modify work stations \$ 1,000

Install raised numerals at doors \$ 200

Knurled handles and abrasive floor strips \$ 500

Replace drinking fountains \$ 1,000

Lower elevator handrails \$ 100

Install tactile identification \$ 300

Install adequate signage \$ 250

FUTURE:

Facility Access - Construct compliant ramp, south side of entrance only. Suggest switchback arrangement. Lower handrails and extend 12" beyond ramp. Provide additional lighting. \$ 15,000

ALASKA STATE MUSEUM CONTINUED

Exterior Stairs - Install new handrails in conformance with applicable standards.	\$ 5,000
Toilet Facilities - Existing facilities difficult to modify due to space limitations. Recommend development unisexual toilet facility for handicap use.	\$ 10,000
Controls, Identification & Warning - Install as required.	\$ 5,000
Elevators - Lower controls to 4'0" maximum.	\$ 1,000

ACCOMPLISHED:

Reconstruct outside wheelchair ramp and provide curb cut. Completed 6-83

PUBLIC SAFETY BUILDING (WHITTIER STREET)

CURRENT:

Parking with signage	\$ 500
Replace door threshold	\$ 200
Lower drinking fountains	\$ 800
Install adequate signage	\$ 200

FUTURE:

Facility Access - Develop pedestrian access route from designated parking to entry door. Expand existing platform to 5' X 5' and provide access cut. Raise platform to threshold.	\$ 300
Entrances - Provide flush mats.	\$ 1,500
Interior - Replace existing doors. Ref: Life/Fire safety for doors into corridors.	\$ 2,500
Toilets - Develop unisexual toilet rooms 1st and 2nd floors.	\$ 15,000
Controls, Identification & Warning - Modify and install as required.	\$ 400

GLACIER AVENUE BUILDING

CURRENT:

Parking with signage	\$ 300
Additional Exterior lighting	\$ 200
Replace plywood ramp	\$ 300
Install beveled thresholds	\$ 300
Install accessible reservations desk	\$ 1,000
Replace drinking fountains	\$ 1,000
Install adequate signage	\$ 300

GLACIER AVENUE BUILDING CONTINUED

FUTURE:

Facility Access - Construct new ramp in accordance with applicable standards.	\$ 1,500
Install recessed door mats.	\$ 800
Provide landing with curb cut; flush or beveled threshold as required. Install new door with 32" min. clear width.	\$ 500
Repair surface. Install recessed floor mats.	\$ 400
Toilets - Adequate space exists 1st floor restrooms and related items. Install signage.	\$ 8,000
Controls - Reinstall controls and switches as required at uniform 48" maximum.	

ISLAND CENTER BUILDING

CURRENT:

None

FUTURE:

Facility Access - Repair existing sidewalk at parking area.	\$ 1,000
Entrances - Expand existing landings to 5' X 5'. Construct ramp from sidewalk to landing.	\$ 2,000
Exterior Doors - Adjust closer. Replace door with 32" clear width door assembly.	\$ 3,000
Toilets - Modify existing toilet facilities in conformance with applicable standards.	\$ 10,000
Controls, Identification & Warning - Install as required.	\$ 5,000
Drinking Fountains - Replace existing units with accessible fixtures.	\$ 2,000
Signage - Install as required.	\$ 1,000

ACCOMPLISHED:

Pave Parking lot	Completed 1982
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COURT AND OFFICE BUILDING - JUNEAU

CURRENT:

Modify counter	\$ 1,500
Public telephone replacement	\$ 2,000
Install adequate signage	\$ 350

FUTURE:

Parking - Two areas should be expanded in order to accommodate handicap access to the Court & Office Bldg. (1) enlarge dropoff/loading zone on 4th Street. Provide signage and allow limited parking. Construct curb cut. Mark accordingly. (2) The second area which could provide more permanent parking is located along Seward Street, adjacent to the Court & Office Bldg. and the Community Bldg. This area should be leveled and appropriate signs and markings provided. This would provide access to the ground floor level of the Court & Office Bldg. \$ 5,000

Exterior Doors - Replace door to provide 32" minimum clear width. Adjust door closer to 8". \$ 6,500

Toilet - Modify existing toilets on 4th floor in accordance with applicable standards. Install signs at other floors directing people to this fact. \$ 6,000

Controls, Identification & Warning - Lower call buttons to 48" maximum. \$ 10,000

Provide raised numerals located 60" above floor at sides of doors. \$ 5,000

Provide access symbols as required - see Toilets and Parking. \$ 500

Provide knurled door handles at stairwells. \$ 1,600

Elevators - Although cab size is not within required dimensions, no modification is recommended. It is recommended that both handrails and controls be lowered to required heights and that tactile identification be installed. Also there is no indication of elevator direction nor of which elevator is to be used except by visual inspection. It is recommended that some type of audible system be installed. \$ 16,000

COURT AND OFFICE BUILDING - SITKA

CURRENT:

Modify existing toilet rooms	\$ 1,000
Reinstall drinking fountains	\$ 400
Provide proper signage and Identifier railing at curb cut	\$ 600

COMMUNITY BUILDING - JUNEAU

CURRENT:

Provide designated parking	\$ 1,000
Replace Front entrance door	\$ 5,000
Install adequate signage	\$ 1,000

FUTURE:

Facility Access - Construct ramp to level of south entry. Extend landing. Provide curb cuts and identifiers at both corners of 3rd Street. \$ 12,000

Exterior Stairs - For handrails, see - Arch/Civil. Install additional lighting. \$ 2,000

Interior/Interior Doors - Although minor deficiencies exist, no changes are recommended. It should be noted that an elevator shaft exists in the building. Although no elevator is currently installed, the installation of an elevator would provide access to other floors within the facility. \$ 50,000

Toilets - It is recommended that a unisex toilet room constructed in accordance with Alaska State Standards be constructed on the 1st floor. Install signs as required. \$ 10,000

Controls, Identification & Warning - Install room numbers symbols and similar as required. \$ 1,000

Drinking Fountain - Remove and install new units, minimum 1st floor, other floors if elevator access is provided. \$ 1,000

JUNEAU RECORDS CENTER

CURRENT:

Provide parking and access	\$ 500
Lower handrails on exterior stairs	\$ 200
Remove additional door mat	---
Relocate and replace drinking fountain	\$ 1,500
Install adequate signage	\$ 300

FUTURE:

Facility Access - Install blind identifiers. Raise handrail. \$ 1,500

Exterior Doors - Replace doors, provide flush or beveled thresholds. Adjust door pulls to 8-lb maximum. \$ 2,000

Interior - Replace doors, provide 32" minimum clear width Relocate radiator. \$ 10,000

Toilets - Due to the existing tight configuration, recommend developing unisex toilet room, 1st floor. \$ 10,000

JUNEAU RECORDS CENTER CONTINUED

Controls, Identification & Warning - Lower controls and fire boxes. .	\$ 3,000
Elevators - Existing shaft larger than current elevator. Install larger elevator. Lower call box and controls.	\$ 25,000
Kitchen - Modify as required.	\$ 5,000

KETCHIKAN STATE COURT AND OFFICE BUILDING

CURRENT:

Provide curb cut	\$ 600
Provide 2 handicapped parking spaces	\$ 300
Provide handicapped signage	\$ 1,500
Correct telephone deficiency	\$ 800
Lower dispensers in toilets	\$ 400

FUTURE:

Interiors - Provide 12 knurled locksets.	\$ 1,620
Elevators - Replace control and call box with handicap devices @ 2.	\$ 8,000
Toilets - Relocate 8 toilet doors to open into corridor with 12" minimum clearance at knob side.	\$ 3,040
Provide 16 proper toilet stall grab bars (8 @ 36" and 8 @ 42")	\$ 1,170
Delete one toilet and stall per room and extend partition to 60" X 56" size stall.	\$ 7,840

HAINES - FERRY TERMINAL

CURRENT:

Identify handicap parking spaces.	\$ 30
Lower drinking fountain	\$ 100
Provide proper signage	\$ 150

FUTURE

Toilets - Remodel toilet room entrances to permit handicap accessibility.	\$ 2,200
Provide toilet room facilities in compliance with code requirements.	\$ 1,200

KETCHIKAN FERRY WAITING ROOM

CURRENT:

Provide lower portion of counter for handicap access, 24" deep  
by 32" high and 48" wide. \$ 300  
Provide 3 symbols of access and 3 signs \$ 250  
Relocate one telephone and provide amplification \$ 300

FUTURE:

Toilet - Expand toilet rooms 5' to south and relocate  
fixtures (see mechanical); provide new toilet partitions  
for two stalls, grab bars (2-36" & 2-42"); relocate Janitor.  
Closet and enlarge entry vestibules to permit wheelchair  
access. \$ 8,750

PETERSBURG FERRY WAITING ROOM

CURRENT:

Provide 1 access symbol, 3 signs and 1 parking sign \$ 300  
Paint stripes for one parking space @ 40 LF stripes \$ 40  
Lower one 3'-0" X 2'-0" segment to 2'-8" height. \$ 120  
Lower telephone, provide amplifier \$ 240

FUTURE:

Toilets - Replace 2'-6" doors with 3'-0" doors and re-  
verse to swing out; provide 14 LF grab bars; lower 2  
mirrors and 2 dispensers. \$ 1,750

Exterior - Relocate south entry door 12" to west.

Parking - Provide one curb cut ramp to sidewalk 48"  
square. \$ 340

SITKA FERRY WAITING ROOM

CURRENT:

Provide curb cut and ramp per code requirements. \$ 200  
Provide and identify handicap parking space \$ 50  
Provide proper signage \$ 50

FUTURE:

Toilet - Remodel toilet rooms - provide approved fix-  
tures and entrance doors. \$ 2,400

SKAGWAY FERRY WAITING ROOM

CURRENT:

Provide and identify handicap parking and route of travel fac.	\$	50
Provide proper signage	\$	50

FUTURE:

Toilets - Remodel toilet rooms to provide proper fac.	\$	2,700
Facility access - Construct ramped entrance.	\$	500

WRANGELL FERRY WAITING ROOM

CURRENT:

Provide 1 access symbol, 3 signs and 1 parking sign.	\$	330
Paint stripes for 1 parking space @ 40 LF stripes	\$	40
Provide 1 LF handrail extension	\$	30
Lower 1 3'-0" X 2'-0" segment to 2'-8" height	\$	120
Lower telephone, provide amplifier	\$	240

FUTURE:

Toilets - Replace 2'-6" doors w/3'-0" doors and reverse to swing out; provide 14 LF grab bars; Lower 2 mirrors and 2 dispensers.	\$	1,800
Parking - Provide on curb cut ramp to sidewalk 48" square	\$	340
Facility Access - Provide on 6 LF x 3' ramp to east door	\$	460
Exterior - Relocate east entry door 12" to west and pro- vide 5' X 5' concrete landing.	\$	620

# MEMORANDUM

# State of Alaska

TO: Dave Waldren  
Department of Transportation

DATE: March 7, 1984

FILE NO:

TELEPHONE NO: (907) 465-2814

FROM: Theda Mason Ellis  
Facilities Specialist  
Vocational Rehabilitation

SUBJECT: Accessibility Day

The Division of Vocational Rehabilitation developed a committee of five handicapped people to review state buildings. Committee members consisted of people with various mobility impairments and a visually impaired person. The committee completed the review of four state buildings (the State Building, the Alaska Office Building, the Court Building, and the Museum) which have the greatest needs for accessibility and will continue with those efforts over the next few weeks to complete the rest of the review.

The team believes that it is most important for the State Office Building and the Alaska Office Building to be accessible and therefore place their priorities on accessibility on these two buildings. Additionally, some recommendations made concerning bathrooms, elevators, and so on will be uniform throughout all buildings and the priority would be in the building priority rather than the item priority.

### Priorities

<u>Item</u>	<u>Cost</u>	<u>Priority</u>
State Office Building and Alaska Office Building		
Build a ramp from Willoughby Avenue to the SOB entrance.	\$10,000	1
Improve the handrail currently on the outside stairs at the Willoughby entrance. The current rail was determined to be decorative only - not useful.	\$ 2,000	2
Build a ramp which would enter the Alaska Office building or the seventh floor of the State Office Building from Main Street near the municipal library.	\$10,000	3

The review team does not believe that it is adequate that handicapped individuals have access to this complex of two buildings only through the Willoughby Street entrance. The additional time necessary to go back through Willoughby and walk or wheel around to Main Street to have access to the rest of the downtown area is not reasonable and may require an excessive expenditure of energy for disabled individuals.

Item	Cost	Priority
Improve accessibility of restrooms in the SOB and AOB by widening doors for wheelchair use (a minimum of 32").	?	4
General recommendations for all bathrooms include:		5
a. Lower the paper towel dispenser and move it closer to the sink.		
b. Lower the mirror.		
c. Change the hardware in one sink in each bathroom to have long lever action handles and an extended faucet. The cost will be \$80 per unit. As new sinks are installed, one should extend further for wheel chair users.		
d. Lower tampon dispensers.		
Put adaptable hardware on all entrance/exit doors (attachable door latches fit over existing door knobs).	?	6
Install adequate signage. This includes marking the elevator's location in the parking garage (which would benefit everyone).	\$ 650	7
a. Signs should be lowered to 4 1/2 feet high and made of contrasting colors for the visually impaired.		
b. A directory should be placed in a prominent position on the 8th floor of the SOB.		
Widen the door to the parking area.	?	8
Modify elevators in all buildings with the following:		9
a. Lengthen the time the doors pause in the open position.	no cost	
b. Remove trash cans from in front of the call button.	no cost	
c. Provide raised or braille numbers.	\$ 108	

Item	Cost	Priority
d. Lower call buttons outside the elevator to 43"-45". Add a lower panel of elevator buttons or lower 1 (of 2) panel.	\$ 6,000	10
Lower 1 telephone in each building.	?	11
Parking sign at AOB.	\$ 200	12
Provide parking at AOB.	?	13
Replace, revise drinking fountains.	?	14
Reduce the "pull" required to open all doors, particularly between the SOB and AOB.	?	15

\* It is not acceptable to have to use the restrooms in another building. A disabled worker would not have the time away from the workplace to travel that far; may not have the physical stamina and most likely cannot open the door.

#### Alaska Court Building

Build a curb cut.	?	16
Implement previous recommendations concerning restrooms, elevators, lowering telephone, signage.		17
Provide parking spaces recommended.	\$ 5,000	18
The exterior doors are not a problem. If they are widened, we recommend that electric doors be installed, and that clearance be 36".	?	19

#### Alaska State Museum

The committee rejects the suggestion to build a unisex bathroom only for the handicapped. If unisex restrooms are used for everyone, they are fine. The both rooms are first priority in the museum.

Parking with signage.	\$ 500	20
Improved curb cuts.	\$ 250	21
Install beveled thresholds.	\$ 200	22
Automatic door openers.	\$ 3,000	23

<u>Item</u>	<u>Cost</u>	<u>Priority</u>
Improve availability of the elevator. The elevator is locked. The guard provides a key. If the elevator only opened to floors serving the public with private floors locked, the building would be much more accessible.		24
Make elevator and bathroom changes recommended for all state buildings.		25
Additional/Improved lighting. (Lighting is too dim for visually impaired).		26
Replace door handles with levers.		27
Lower placement of signs (improve lighting, etc.).		28
Install raised numbers at doors.	\$ 200	29
Install tactile identification.	\$ 300	30

# MEMORANDUM

State of Alaska  
Department of Transportation and Public Facilities

TO: Larry Bussone  
Assistant Ombudsman  
Office of the Ombudsman

DATE: February 14, 1985  
FEB 15 1985

FILE NO:

JUNEAU

TELEPHONE NO: 789 OFFICE OF OMBUDSMAN

FROM: David L. Waldron, Director  
Maintenance and Operations  
Southeastern Region

SUBJECT: Handicapped Access

The following is a progress report on our Handicapped Access Program:

- (1) Ramp from Calhoun Avenue/4th Street to Alaska Office Building, 2nd Floor-A & E (Kramer, Chin & Mayo) is being retained to perform design; construction will begin in summer, 1985 pending availability of funds.
- (2) Ramp from Willoughby Avenue to level P-2 lobby, State Office Building -A & E firm (Kramer, Chin & Mayo) is being retained to perform design; construction will begin summer, 1985 pending availability of funds.
- (3) Restrooms in Alaska Office Building and State Office Building -Nikariya Enterprises has a contract to modify men's and women's rooms in the State Office Building (8th Floor) and Alaska Office Building (2nd Floor). Estimated completion is March, 1985.
- (4) National Guard Armory restrooms -Nikariya Enterprises is modifying two restrooms; estimated completion February, 1985.
- (5) Community Building ramp to 3rd Street and toilet room renovations -We are designing an access ramp, which will be constructed as a change order to another contract we have in the building. We have also made temporary modifications to the first floor women's room to accommodate a DC & RA employee; an A & E firm will be retained to design more extensive permanent modifications to three restrooms. Handicapped access doors are under contract.
- (6) Alaska State Museum elevator -Otis Elevator Co. has modified the elevator hall and car controls to permit unattended use by the handicapped.
- (7) Alaska Office Building 3rd Street Handrail -We are currently designing a replacement handrail to assist the moderately handicapped (and others) who must negotiate this steep sidewalk in winter.
- (8) Ketchikan Court & Office Building handicapped parking -We have restriped and signed two parking stalls near the main entrance for handicapped use. To facilitate access to the main door, a small ramp was also constructed.

Memorandum  
Larry Bussone

February 14, 1985

- (9) Alaska Office Building entry doors at 3rd, 4th and Main Street entrances have been replaced with units conforming to the Code.
- (10) Elevator tactile signage  
-We now have Braille/tactile hall and car button tags, which will be installed by April, 1985.

Also attached is a memo from Division of Vocational Rehabilitation concerning this same problem.

DLW:cjh

cc: Jonathan S. Scribner, Deputy Commissioner

# MEMORANDUM

# State of Alaska

TO: David Waldren  
Director, Maintenance and Operations  
Department of Transportation

DATE: November 29, 1984

FILE NO: M3-521

TELEPHONE NO: (907) 465-2814

FROM: Michael C. Morgan *Mem*  
Director, Vocational Rehabilitation  
Department of Education

SUBJECT: Handicapped  
Accessibility, SE  
Region Buildings *[Signature]*

I have had the opportunity to read your progress report for correcting handicapped accessibility problems here in Juneau and the rest of Southeast. We are very pleased with the progress that is being made and appreciate your efforts.

DIRECTOR, M & O	_____
SECRETARY	_____
MGR. HWYS. & APT.	_____ <i>[Signature]</i>
BUILDINGS MGR	_____ <i>[Signature]</i>
MAINTENANCE ENG.	_____
OTHER	_____

