

SR

118

# SENATE COMMITTEE REPORT

FURTHER:

2/27/87

DATE TURNED INTO OFFICE

5/11/87

Mr. President:

FINANCE

Committee considered

SB 118

access to public buildings and facilities by the physically handicapped, ageds, and infirm.

and recommended:

replace with CS FOR \_\_\_\_\_ )  same title  
 or adopt \_\_\_\_\_ CS FOR \_\_\_\_\_ )  new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted \_\_\_\_\_

Committee  attached or  adopted fiscal note(s)

new  updated or  previous

zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*Carl V. Zboroff*  
\_\_\_\_\_  
*Paul G. Hulse*  
\_\_\_\_\_  
*James D. ...*  
\_\_\_\_\_  
*...*  
\_\_\_\_\_  
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\_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

*John B. ...*  
\_\_\_\_\_  
Chairman signature and recommendation **DO PASS**

Committee Backup Attached

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

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

**REQUEST**

Bill/Resolution No. : SB 118  
 Title: An Act Relating to Access to Public Buildings and Facilities by the Physically Handicapped, Aged, and Infirm.  
 Sponsor: Governor's Office  
 Requestor: Dept. of Transportation  
 Date of Request: September 5, 1986

**FISCAL DETAIL**

Agency Affected: DOT&PF  
 BRU: \_\_\_\_\_  
 Components: Design, Construction, and Technical Services Units

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

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
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>						
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

**ANALYSIS :**

Requested changes only clarify present language and do not add to or delete from existing statutory requirements.

Prepared by: John J. Simpson, Director Phone: 465-2951  
 Division: Engineering & Operations Standards Date: \_\_\_\_\_

Approved by Commissioner: R. J. Knapp Date: 11/19/86  
 Agency: Dept. of Transportation & Public Facilities

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2

SENATE BILL NO. 118

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to access to public buildings and

7

facilities by the physically handicapped, aged, and

8

infirm."

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

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\* Section 1. AS 35.10.015(a) is amended to read:

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(a) The department shall prepare, adopt, [PROMULGATE] and en-

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force regulations governing the construction of public buildings and

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facilities by or for the state, including the University of Alaska,

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and its political subdivisions, whether financed in whole or in part

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by federal funds, to ensure that [THE] public buildings and facilities

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are accessible to, and usable by, the physically handicapped, aged, or

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infirm. The regulations of the department must [SHALL] conform to a

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standard comparable to [THE] applicable provisions of federal law,

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regulations, and standards [OR REGULATION AND TO THE PUBLICATION

20

ENTITLED "AMERICAN STANDARD SPECIFICATIONS FOR MAKING BUILDINGS AND

21

FACILITIES ACCESSIBLE TO AND USABLE BY THE PHYSICALLY HANDICAPPED" OR

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ANY AMENDMENTS TO THIS PUBLICATION AS APPROVED BY THE AMERICAN STAN-

23

DARDS ASSOCIATION, INCORPORATED, UNDER THE SPONSORSHIP OF THE NATIONAL

24

SOCIETY FOR CRIPPLED CHILDREN AND ADULTS AND THE PRESIDENT'S COMMITTEE

25

ON EMPLOYMENT OF THE PHYSICALLY HANDICAPPED].

26

\* Sec. 2. AS 35.10.015(e) is amended to read:

27

(e) After June 25, 1976, no public building or facility in the

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state may be planned, designed, financed, constructed, opened to

29

public use, or otherwise placed in operation unless it meets the

1 standards established under this section. If the standards for a  
2 public building or facility are not provided for in federal law,  
3 regulation, or standards, the department shall determine the extent  
4 of, and adopt regulations setting the standards for, access to and use  
5 of the public building or facility by the physically handicapped,  
6 aged, or infirm.



Back up SB118  
Dept. of Transportation & Public Facilities

# Position Paper

**BILL NO:**

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

**TITLE:** An Act Relating to Access to Public Buildings and Facilities by the Physically Handicapped, Aged and Infirm.

**DATE:** 11-18-86

The Department requests that the proposed language modifications be supported for the following reasons.

1. Modifications to AS 35.10.015(a) would allow the use of the "Uniform Federal Accessibility Standards" (UFAS) on all projects. Currently we administer "state" projects under the "American Standard Specifications" (ANSI) document and "federal" projects under UFAS.
2. Additional language to AS 35.10.015(e) would allow the Department to establish design parameters for specific facilities not identified in either the UFAS or ANSI codes. Presently designers working on these types of facilities have no guidelines other than applying the "inappropriate" requirements presented in the adopted codes.

All parties involved will benefit from the changes in that (1) the Department will only have to administer a single code, (2) designers will consistently know the "code" which is applicable to their project, (3) the handicapped community will receive uniformity in their built environment, and (4) the public at large will benefit from a more effective administration of accessibility requirements. These changes will not increase or diminish the already existing requirements for handicapped access to public buildings or facilities.

SB 118

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LAW

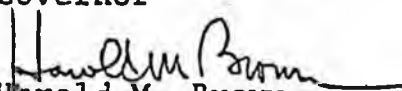
POUCH K - STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3600

OFFICE OF THE ATTORNEY GENERAL

October 2, 1986

M E M O R A N D U M

TO: Honorable Bill Sheffield  
Governor

FROM:   
Harold M. Brown  
Attorney General

RE: Attached bill on access to public buildings  
by the physically handicapped  
Our file: 773-87-0040

Attached is a bill, requested by the Department of Transportation and Public Facilities (DOT/PF), to amend current law regarding access to public buildings and facilities by the physically handicapped, aged, and infirm. Laurie Herman approved the bill request on September 5, 1986.

Alaska law currently provides that standards for access to public buildings and facilities are to be determined in accordance with reference to federal law and regulations, and to standards published in the "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped." Section 1 of the bill would amend AS 35.10.015(a) to give the department greater flexibility in choosing the proper standards from the now several published standards. This amendment, although not included in the original bill request, is considered by DOT/PF and Department of Law staff to be a desirable, noncontroversial, change to existing law. The DOT/PF already intends to rely on the federal standards, regardless of the fate of this bill.

As discussed in DOT/PF's bill request, sec. 2 of the bill would require the Department of Transportation and Public Facilities to determine standards for facilities such as boat harbors, ski lifts, and hiking trails, for which there is currently no guidance in the law.

A ~~draft~~ transmittal letter to the legislature is also attached.

HMB:GIA:jh

cc w/enc.: Hon. Richard J. Knapp, Commissioner  
Dept. of Transportation & Public Facilities

2-10-87

SB 118

SENATE BILL NO. 118 by the Rules Committee by request of the Governor, entitled:

"An Act relating to access to public buildings and facilities by the physically handicapped, aged, and infirm."

was read the first time and referred to the Transportation Committee and the Finance Committee.

Zero fiscal note published today from Department of Transportation and Public Facilities.

Governor's transmittal letter dated February 9:

The Honorable Jan Faiks  
President of the Senate  
P.O. Box V  
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to access to public buildings and facilities by the physically handicapped, aged, and infirm. This bill will give the Department of Transportation and Public Facilities greater flexibility in developing standards for particular facilities for which there currently are no standards.

SB 118 cont'd

Federal law and regulations, and the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" are presently used to determine standards for many public buildings and facilities. Section 1 of the bill will provide the department with greater flexibility in this area by allowing it to choose the best and most applicable standards from the several now in existence. For example, the federal government in 49 Federal Register 31528 (August 7, 1984) has published standards which are comparable to and in many ways more comprehensive than those found in the "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped."

In addition, there are public facilities for which standards have not been developed. It is the intent of sec. 2 of this bill to direct the Department of Transportation and Public Facilities to develop standards for unique public facilities in the State of Alaska for which there currently are no standards, e.g. for ski lifts, hiking trails, and boat harbors.

In short, this bill will clarify and broaden the authority of the Department of Transportation and Public Facilities to provide access to and use of public buildings and facilities by the physically handicapped, aged, and infirm. I urge your favorable action on this measure.

Sincerely,

/s/ Steve Cowper  
Steve Cowper  
Governor

STEVE COWPER  
GOVERNOR

sb 118

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 9, 1987

The Honorable Jan Faiks  
President of the Senate  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

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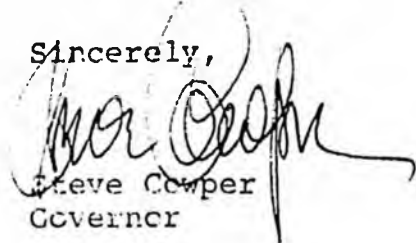
118

Hon. Jan Faiks

Page 2

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Sincerely,



Steve Cooper  
Governor

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of Feb. 19 1987 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

\*\*FISCAL NOTE(S) ATTACHED  \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

DATE TURNED INTO OFFICE Feb 27, 1987

Mr. President:

TRANSPORTATION Committee considered SB 118

access to public buildings and facilities by the physically handicapped, aged, and infirm.

and recommended:

replace with CS \_\_\_\_\_  same title  
 new title

attached amendment(s) and

*majority*  
 do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  *Previous* attached or  adopted fiscal note(s) (*Yemen's zero*)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*Tom Kelly*  
*John ...*  
*Fahs ...*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Lloyd Jones*  
Chairman signature and recommendation

Committee Backup Attached