

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2146

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Room JW216, State Capitol

SB 2146
1/21/2021

To provide an appropriation to the OMB for accessibility improvements on the state capitol grounds; declare an emergency.
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Chair Vedaa opened the hearing at 10:00 a.m. with Sen Vedaa, Sen Meyer, Sen Elkin, Sen K Roers, Sen Wobbema, Sen Weber, and Sen Marcellais present.

Discussion Topics:

- ADA compliance issues

Sen Heckaman introduced the bill. #2125.

Sen Burckhard testified in support.

John Boyd, Dir. Of Facility Management testified in support. #2038.

Jillian Schaible testified opposed to bill as written.

Carol Two-Eagles Testified in support. #2129.

Adjourned at 10:45

Pam Dever, Committee Clerk

SB 2146

Senator Joan Heckaman

Chairman and Members of the Committee:

I am Senator Joan Heckaman from D-23 and I am here to provide testimony in support of SB 2146. This bill is a result of an Interim study in the Government Administration Committee. The committee heard about the survey completed addressing accessibility issues in the Capitol.

Some accessibility issues were addressed prior to the session with funds available through OMB and Facilities Management. Included in those updates included many restroom accommodations that have been beneficial given the COVID Pandemic.

This bill would provide \$460,950 for accessibility upgrades such as handicapped accessible doors to committee rooms. An additional amount of \$289,050 is for additional costs to improve other accessibility needs. There is also an emergency clause so work can begin as soon as this bill passes both chambers and is signed by the Governor. I would believe you will hear a complete list this morning from other individuals.

One suggestion I would make is that the Capitol Ground Planning Commission invite someone with disabilities to join the Commission. That additional individual would be able to provide invaluable information on access, accommodations and upgrades needed. Having said that, I think that one thing missing in this discussion is accommodations needed by hearing impaired individuals as well as visually impaired persons.

I would ask the committee to give this bill a favorable recommendation and move it to the House so these projects can begin, and the Legislative Assembly spaces get up to code.

For your information there is also an Interim bill that mirrors this bill and I would leave it up to the Prime Sponsor to work with the committees on how to proceed.

Thank you.

TESTIMONY OF

John Boyle, Facility Management Division Director

Good morning Chairman Vedaa and members of the Government and Veterans Affairs committee. For the record, my name is John Boyle. I am the director of the Facility Management Division within the Office of Management and Budget. Thank you for the opportunity to provide written testimony before your committee on SB 2146.

The office of management and budget is in support of this work being completed and funding moving forward through the legislative process. This project has been included in the governor's budget recommendations.

Mr. Chairman that concludes my written testimony.

<< TESTIMONY ON SB2146 >>

Carel Two- Eagle, PK

Good morning Senate GVA Committee. For the record, my name is Carel Two-Eagle. I am before you today in support of S 2146.

I am the culprit behind the 2019 Session's HB 1298 and the new entrance to the Capitol building, which is now much more handicapped-friendly than it was previously. But the Capitol still does not even meet the requirements of the 1999 ADA update, let alone the 2010 update. This is unconscionable & unacceptable.

I am NOT "disabled". I am handicapped or physically impaired or challenged. Disabled speaks to all the things one can no longer do. It is negative in its focus & emphasis. Handicapped, impaired or challenged speak to all the things one can STILL do, so is far more positive.

The Americans with Disabilities Act – the ADA – has no wiggle room in its wording, when it states, "All state and local entities will accommodate persons covered by the ADA". It states "all" & "will", not maybe or sometimes or if an entity wants to accommodate. In fact, it is a felony to refuse to accommodate, with 10 years behind the iron door for "failure or refusal to accommodate". The law has teeth, as it should.

I now live on crutches. I have bone spurs around my left hip and on the outside of my spine. I can stand without aid, but I cannot walk without aid. If I slip, I will fall. There is no "maybe". If I fall, I cannot get up without a 5-gallon bucket or a suitable chair to balance against as I plank to rise. Or, if there are 2 men strong enough to help me stand as if they were standing a plank on its end.. Past that, we're talking about some kind of crane. There's a real dearth of those last 2, especially right when I need them. I'm certainly not going to go around carrying a 5-gallon bucket in case I fall!

But traveling on crutches is sometimes dicey. Smooth surfaces can be very hazardous – we who live on canes and crutches spend every second scanning the footing ahead. "Is that shiny spot ahead a function of the light or is it a wet / greasy spot? Or a bit of plastic or ...?"

I head a 501c3 170c2. My original secretary lived with a walker and an oxygen concentrator. She had to stop & sit every 40-50 feet to gasp for breath. There are no seats in much of the Capitol, thus her need for a walker. But what a hardship for anyone who just runs out of steam from the effort of getting around in this gorgeous building. Pain is debilitating, take my word for it.

Deaf people need visual aids and visually-impaired people need audio aids, since many do not learn Braille.

<< 2 >>

The bathrooms throughout the building are a story in themselves. In 2019 I evaluated the entire building. The bathrooms in the Tower are exceptionally heavy, even for someone on a cane or crutches who is still pretty strong and athletic (considering). There are only a handful of door openers in the Judicial wing, and none in the Tower. If a handicapped person gets into a bathroom there, they have to wrestle a heavy door open, prop it open, & then get through. Someone in a wheelchair is supposed to grab a strap, pull the door open while backing the wheelchair, prop it open, & go through. Worse, the doorways will no accommodate a manual wheelchair, so they definitely won't accommodate a power chair. OR, such people must get someone to go to the bathroom with them! How demeaning!

SB 2146 and its companion HB 1030 NEED passage NOW. I cannot urge you strongly enough to recommend DO Pass on SB 2146.

Thank you for hearing me in a good way now. I am always available to answer any questions.

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Room JW216, State Capitol

SB 2146
2/5/2021

To provide an appropriation to the OMB for accessibility improvements on the state capitol grounds; declare an emergency.
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Chair Vedaa called to order at 11:46 a.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

Discussion Topics:

- Committee Work

Sen Meyer: I move a **Do Pass**

Sen K Roers: I second

Roll Call Vote: 7 -- YES 0 -- NO -0-ab Motion Passed

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	Y
Senator Kristin Roers	Y
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

Sen Meyer will carry the bill

Adjourned at 11:51 a.m.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2146: Government and Veterans Affairs Committee (Sen. Vadaa, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB
2146 was placed on the Eleventh order on the calendar.

2021 SENATE APPROPRIATIONS

SB 2146

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2146
2/12/2021
Senate Appropriations Sub-committee

A BILL for an Act to provide an appropriation to the office of management and budget for accessibility improvements on the state capitol grounds.

Senator Holmberg opened the hearing at 8:30 a.m.

Senators present: **Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.**

Discussion Topics:

- Improvements to Capitol Building

Senator Burckhard, District 5, introduced the bill.

Senator Meyer, District 18, testified in favor and submitted testimony #6509 and #6512.

Senator Heckaman, District 23, testified in favor.

John Boyle, Director, Facility Management, testified in favor.

Jillian Schaible, testified in favor.

Chairman Holmberg closed the hearing at 9:09 a.m.

Skyler Strand, Committee Clerk

State of North Dakota
 State Capitol and J-Wing
 ADA Accessibility
 Opinion of Probable Costs
 Prepared: 07.28.20



Capitol

Public Spaces and Meeting Rooms	\$	250,400.00
Restrooms	\$	169,250.00
Subtotal:	\$	419,650.00

J-Wing

Public Spaces and Meeting Rooms	\$	35,700.00
Restrooms and Cafeteria	\$	5,600.00
Subtotal:	\$	41,300.00

Total Capitol and J-Wing ADA Accessibility	\$	460,950.00
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Other Considerations

Other considerations	\$	97,400.00
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ADA Deficiency	Signage	Lever Lockset (Mortise)	Door Threshold	Door Operators	New Door Closer	Handrails	New 36" Door w/inactive leaf	Assisted Listening Device (Small Conference Room)	Assisted Listening Device (Large Conference Room)	New Wheelchair Lift	Total ADA Deficiencies
15th Floor Lobby	\$ 800.00										\$ 800.00
16th Floor Lobby	\$ 800.00										\$ 800.00
17th Floor Lobby	\$ 800.00										\$ 800.00
18th Floor Lobby	\$ 800.00	\$ 1,100.00									\$ 1,900.00
Subtotal Capitol Tower	\$ 13,800.00	\$ 2,750.00	\$ -	\$ -	\$ -	\$ -	\$ 12,000.00	\$ 10,000.00	\$ -	\$ -	\$ 38,550.00
J-Wing Ground Floor											
Pioneer Room	\$ 200.00			\$ 6,000.00					\$ 9,500.00		\$ 15,700.00
Subtotal J-Wing Ground Floor	\$ 200.00	\$ -	\$ -	\$ 6,000.00	\$ -	\$ -	\$ -	\$ -	\$ 9,500.00	\$ -	\$ 15,700.00
J-Wing First Floor											
Supreme Court Mtg Room 1								\$ 5,000.00			\$ 5,000.00
Supreme Court Mtg Room 2								\$ 5,000.00			\$ 5,000.00
Supreme Court Mtg Room 1								\$ 5,000.00			\$ 5,000.00
Supreme Court								\$ 5,000.00			\$ 5,000.00
Office of Vital Records											\$ -
Subtotal J-Wing First Floor	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00

ADA Deficiency	Signage	Lever Lockset (Morrise)	Door Operators	New 36" Door and Frame/Remove vestibule door and finish	Reconfigured ADA Stall	New ADA Grab Bars	Accessible handles at ADA Stalls	Sink Trap Covers	ADA Lockers	ADA Plaques at Seating	ADA Booth	Total ADA Deficiencies
Cost Per Item	\$ 200.00	\$ 550.00	\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00	\$ 75.00	\$ 50.00	\$ 350.00	\$ 25.00	\$ 350.00	
Capitol Ground Floor												
Women's Restroom Ground Floor	\$ 200.00		\$ 3,000.00		\$ 6,500.00			\$ 400.00				\$ 10,100.00
Women's Restroom Ground Floor	\$ 200.00		\$ 3,000.00		\$ 6,500.00			\$ 400.00				\$ 10,100.00
Men's Restroom Ground Floor	\$ 200.00		\$ 3,000.00		\$ 6,500.00			\$ 400.00				\$ 10,100.00
Men's Restroom Ground Floor	\$ 200.00		\$ 3,000.00		\$ 6,500.00			\$ 400.00				\$ 10,100.00
Locker Room Ground Floor	\$ 200.00							\$ 1,400.00				\$ 1,600.00
Subtotal Ground Floor	\$ 1,000.00	\$ -	\$ 12,000.00		\$ 26,000.00	\$ -	\$ -	\$ 1,600.00	\$ 1,400.00	\$ -	\$ -	\$ 42,000.00
Capitol First Floor												
Subtotal Ground Floor	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitol Tower												
3rd Floor Men's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
4th Floor Women's Restrm (Convert)	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
7th Floor Men's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
8th Floor Women's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
10th Floor Women's Restroom	\$ 200.00		\$ 3,000.00		\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 10,250.00
11th Floor Men's Restroom	\$ 200.00		\$ 3,000.00		\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 10,250.00
12th Floor Women's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
15th Floor Men's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
16th Floor Women's Restroom	\$ 200.00		\$ 3,000.00	\$ 5,000.00	\$ 6,500.00	\$ 500.00		\$ 50.00				\$ 15,250.00
Subtotal Capitol Tower	\$ 1,800.00	\$ -	\$ 27,000.00	\$ 35,000.00	\$ 58,500.00	\$ 4,500.00	\$ -	\$ 450.00	\$ -	\$ -	\$ -	\$ 127,250.00
J-Wing Ground Floor												
Cafeteria	\$ 400.00									\$ 100.00	\$ 1,400.00	\$ 1,900.00
Men's Restroom	\$ 200.00					\$ 500.00	\$ 75.00	\$ 150.00				\$ 925.00
Women's Restroom	\$ 200.00					\$ 500.00	\$ 75.00	\$ 150.00				\$ 925.00
Subtotal J-Wing Ground Floor	\$ 800.00	\$ -	\$ -	\$ -							\$ 1,400.00	\$ 3,750.00
J-Wing First Floor												
Men's Restroom	\$ 200.00					\$ 500.00	\$ 75.00	\$ 150.00				\$ 925.00
Women's Restroom	\$ 200.00					\$ 500.00	\$ 75.00	\$ 150.00				\$ 925.00
Subtotal J-Wing First Floor	\$ 400.00	\$ -	\$ -	\$ -							\$ -	\$ 1,850.00

	Other Considerations	Benches	Bariatric Seating	Family Restroom	Total
ADA Deficiency					
Cost Per Item		\$ 500.00	\$ 300.00	\$ 75,000.00	
Capitol Ground Floor					
West Lobby		\$ 2,000.00			\$ 2,000.00
Fort Lincoln Room			\$ 600.00		\$ 600.00
Press Studio			\$ 600.00		\$ 600.00
Haugland Room			\$ 600.00		\$ 600.00
Roosevelt Park Room			\$ 600.00		\$ 600.00
Fort Union Room			\$ 600.00		\$ 600.00
Peace Garden Room			\$ 600.00		\$ 600.00
Fort Totten Room			\$ 600.00		\$ 600.00
Press Studio (Adjacent to Ft Totten)			\$ 600.00		\$ 600.00
Lewis and Clark Room			\$ 600.00		\$ 600.00
Missouri River Room			\$ 600.00		\$ 600.00
Harvest Room			\$ 600.00		\$ 600.00
Sakakawea Room			\$ 600.00		\$ 600.00
Roughrider Room			\$ 600.00		\$ 600.00
Red River Room			\$ 600.00		\$ 600.00
Subtotal Ground Floor		\$ 2,000.00	\$ 8,400.00	\$ -	\$ 10,400.00
Capitol First Floor					
First Floor Lobby		\$ 2,000.00		\$ 75,000.00	\$ 77,000.00
Subtotal Ground Floor		\$ 2,000.00	\$ -	\$ 75,000.00	\$ 77,000.00
Capitol Tower					
2nd Floor Lobby		\$ 500.00			\$ 500.00
3rd Floor Lobby		\$ 500.00			\$ 500.00
4th Floor Lobby		\$ 500.00			\$ 500.00
5th Floor Lobby		\$ 500.00			\$ 500.00

	Other Considerations	Benches	Bariatric Seating	Family Restroom	Total
ADA Deficiency					
6th Floor Lobby		\$ 500.00			\$ 500.00
7th Floor Lobby		\$ 500.00			\$ 500.00
8th Floor Lobby		\$ 500.00			\$ 500.00
9th Floor Lobby		\$ 500.00			\$ 500.00
10th Floor Lobby		\$ 500.00			\$ 500.00
11th Floor Lobby		\$ 500.00			\$ 500.00
12th Floor Lobby		\$ 500.00			\$ 500.00
13th Floor Lobby		\$ 500.00			\$ 500.00
14th Floor Lobby		\$ 500.00			\$ 500.00
15th Floor Lobby		\$ 500.00			\$ 500.00
16th Floor Lobby		\$ 500.00			\$ 500.00
17th Floor Lobby		\$ 500.00			\$ 500.00
18th Floor Lobby		\$ 2,000.00			\$ 2,000.00
Subtotal Capitol Tower		\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
J-Wing Ground Floor					
Subtotal J-Wing Ground Floor		\$ -	\$ -	\$ -	\$ -
J-Wing First Floor					
Subtotal J-Wing First Floor		\$ -	\$ -	\$ -	\$ -

6512

Capitol Accessibility Photos

Jillian Schaible

Brynhild Haugland upper entrance



- No signage indicating room location or accessibility
- I accidentally found this door, but prior to, avoided the room when possible, as I did not want to sit on the “bottom” and/or use the elevator
- Is Brynhild Haugland included in HB1510, HB1030 and SB2146?

Brynhild Haugland bathroom entrance



- Stair door to ground floor men's bathroom
- There is a room behind the door, but this door blocks it

Brynhild Haugland



- Inside ground floor men's bathroom

Brynhild Haugland



- Both TVs outside both entrances are too high
- Wheelchair elevator is located here

Brynhild Haugland Elevator



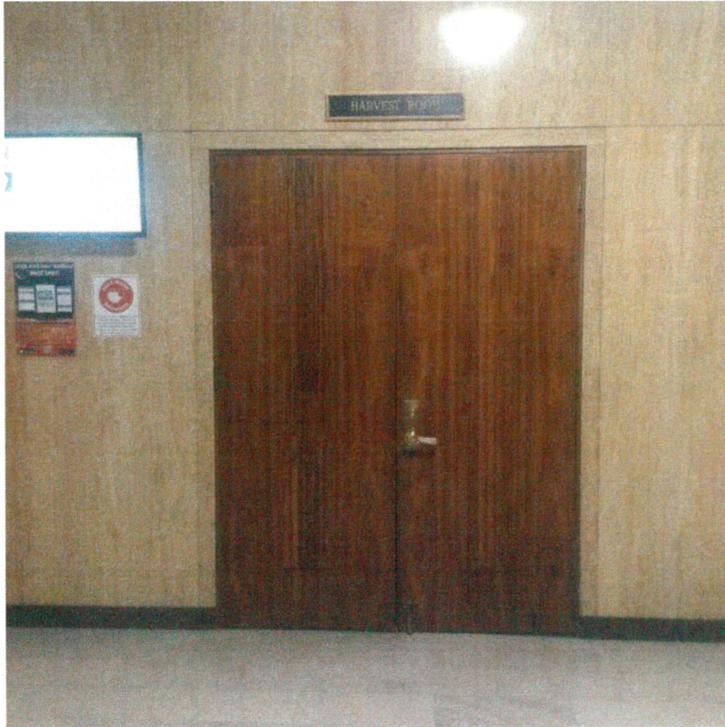
- Installed when?
- Who maintains it?
- How often is it checked?

Brynhild Haugland second entrance



- TV height too high

Harvest Room Entrance



- TV height is too high

Horseshoe Rooms



- Can the doors remain unchanged?
- What about having a doorbell outside with an indicator light? When it goes off someone could open both doors
- Can we stream committee hearings on these TVs?
- All TVs appear to be the same height; no changes made to doors

Lewis and Clark



- TV height too high
- Very narrow door

Ground Floor Men's Bathroom A



- Accessibility signage too high
- There is another sign on the opposite wall at the same height

Ground Floor Men's Bathroom A



- Accessible entrance
- All accessibility signage should be at the same level everywhere

Ground Floor Men's Bathroom A



- Accessible entrance view
- Trash can should not be underneath dispenser
- Same view from stair door

Ground Floor Men's Bathroom A



- Is the stall wall accessible?
- There are at least two other doors where the sign indicating accessibility is placed on a stall wall and not on the door itself. A visually impaired individual could mistake the wall for the door
- Outside coat hanger could cause injury. Other doors have the same issue
- Lock could be a problem

Ground Floor Men's Bathroom A



- Reverse in, forward to lock door, then position
- Massive space between wall and toilet
- Side transfer may not be possible
- Urinal bar also far away
- There are better accessible urinals and grab bars to have
- Same setup in Ground Floor Men's Bathroom B

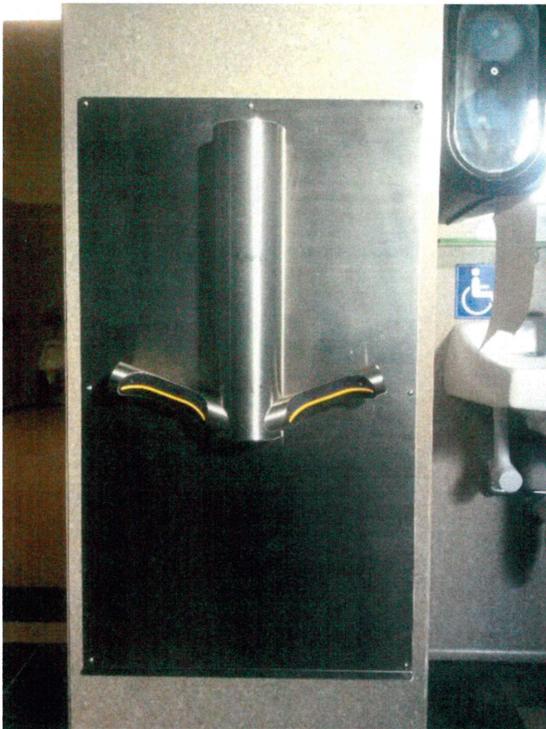
Men's Bathroom A



- This is the only horizontal grab bar next to a urinal in an “accessible” area in the building – and it makes the most sense
- There should be a grab bar on both sides for balance and strength dominance assistance
- Install a floor urinal wherever accessible urinals are located

2 mens Bathrooms
1 womens Bathroom

Ground Floor Men's Bathroom A



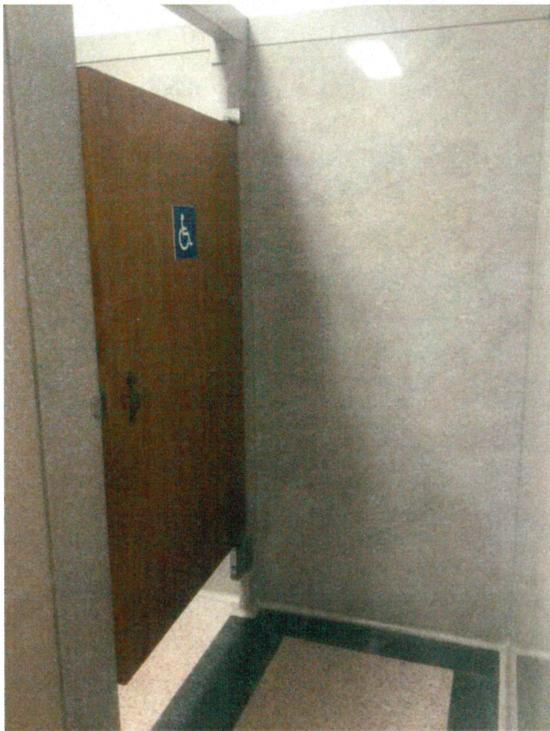
- [Dyson Airblade 9kJ | Dyson](#)
- \$1,199.00
- HEPA filter (est. \$79/each, requires monitoring/replacing)
- 2 in this bathroom
- 1 in women's ground floor bathroom
- Accessible sink sign
- Paper towel dispenser may be too high

Ground Floor Men's Bathroom B



- No accessibility signage

Ground Floor Men's Bathroom B



- Turning radius may not be legal
- Door may not stay open when trying to get in

Ground Floor Men's Bathroom B



- Looks like the left urinal is attempting to be “accessible”
- Add horizontal grab bars?
- If the entire bathroom is not accessible, accessibility signage should not be used anywhere
- Sink area is not “accessible” as well

Ground Floor Ramp



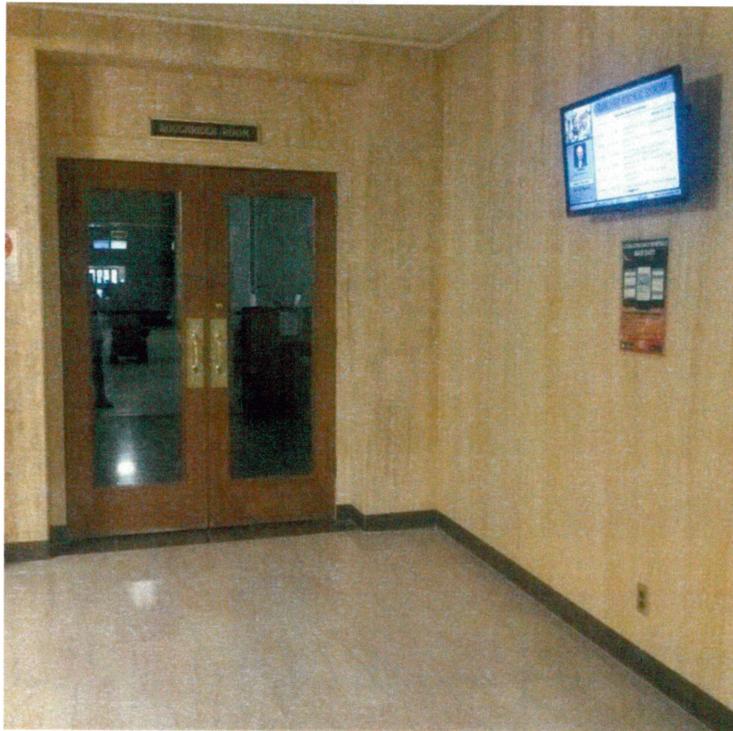
- The architect said this was not ADA compliant somehow...

Red River Room



- Can access be given without door alterations?
- Good height for the TV
- Similar situation for Sakakawea Room

Roughrider Room



- TV height is too high
- No change to doors

Small Elevator keypads – 37 total



- Who manufactures these?
- When were they installed?
- Do they get tested to ensure they are working properly?
- If so, how often?
- What happens if one breaks?
- Can pressure sensitivity, volume, tone, reaction speed, voice speed be changed?
- Post instructions on how to operate?

Large Elevator keypads – 2 – Ground floor



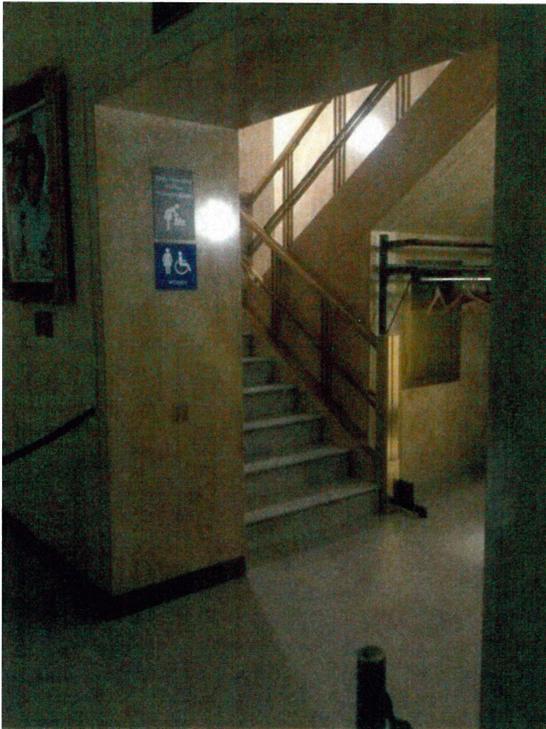
- Why are these different from the other 37?
- Same questions apply regarding the small elevator keypads

Executive Elevator Screens A, B, C, D



- Can these be programmed to better assist visually/hearing impaired?
- Who programs them?

Ground Floor Senate Bathroom



- Accessibility signage too high
- Also on opposite wall

Ground Floor Senate Bathroom



- Accessible entrance

Ground Floor Senate Bathroom



- Another accessible stall wall?
- There is also a judicial wing bathroom accessible stall missing door signage, but it is on the stall wall
- Why is there no signage on the door, but a coat hanger is?
- Two judicial wing bathrooms have accessibility signage on the inside of the accessible stall door

Ground Floor Senate Bathroom



- Looks like this was 2 stalls – wall with grab bar and toilet removed
- Reverse in, forward to close door, proceed to perhaps block the toilet, depending on need

Ground Floor Senate Bathroom



- Accessible sink and soap dispenser
- Why not cover all sink plumbing?

Ground Floor Senate Bathroom



- Most, if not all, bathrooms in the building have this paper towel dispenser
- Could not find ADA compliance documentation
- Why so far from accessible sink?

Ground Floor West Door



- Automatic door
- Why isn't there one on the Judicial wing entrance/exit door?

Ground Floor West Door Ramp



- Do not remember what the architect said about this ramp

Ground Floor Women's Bathroom



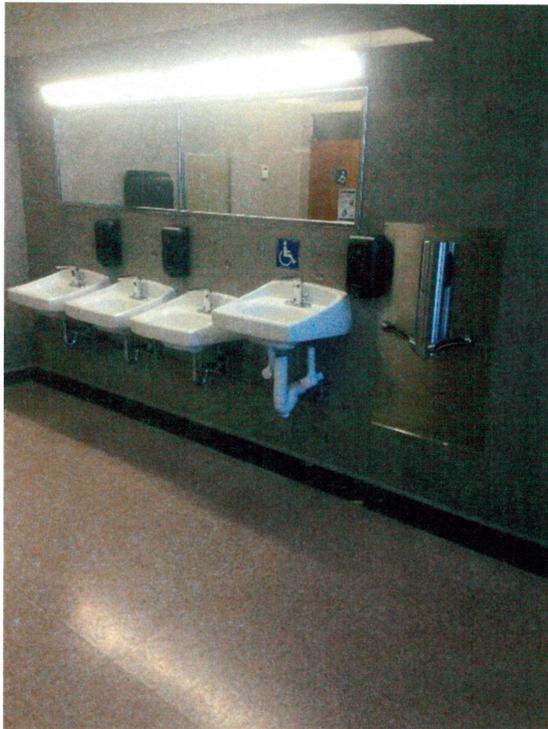
- No accessibility signage

Ground Floor Women's Bathroom



- Why is the signage inside the second door?
- Signage is too high

Ground Floor Women's Bathroom



- Good set up
- Cover all sink plumbing

Ground floor Women's Bathroom



- Reverse in, and pull the door closed at the same time?
- What is with the gaps between the toilet and the grab bar?
- Ripping a stall out is not necessarily “accessible” or “compliant”

House Chamber



- Where are the ramps?
- There are none in the chamber
- The House and Senate chambers were not included in the “accessibility” study done by the architect hired by OMB

Senate Chamber



- Who built the existing ramps admitted to in SGVA testimony on 1.21.21?
- Built when?
- Meet current ADA compliance?
- Why are they not in use in either chamber?

Prairie Room



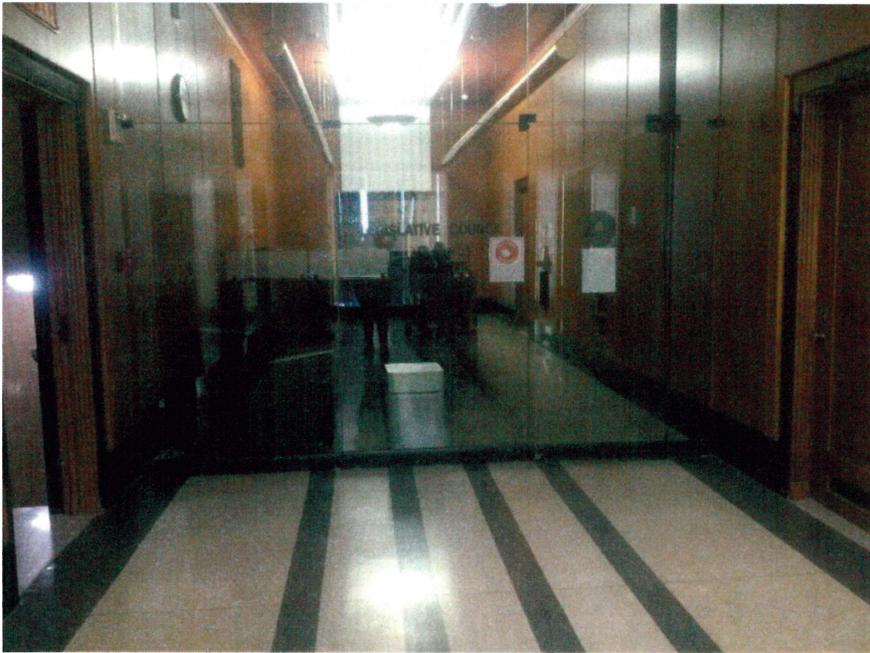
- Can these doors be opened and unaltered when the room is in use?

Prairie Room



- Change the table before altering room
- Same suggestions about leaving the room doors alone

2nd Floor Offices



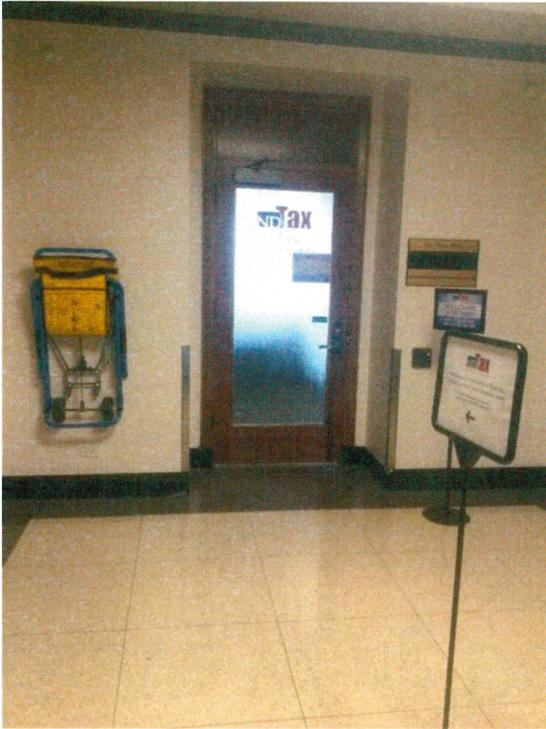
- Why are there not two doors here?

Executive Wing Department Floors 3-18



- Accessible signage for Executive wing bathrooms should be removed, as they will not be ADA compliant based on door width alone

Executive Wing Department Floors 3-18



- Signage outside all department doors should be consistent and consider visually impaired
- Sign could be mobility impediment

Executive Wing Department Floors 3-18



- Trash can blocking keypad access
- This occurs on multiple floors

Judicial Wing Elevators



- No keypad
- No accessibility signage
- Poor signage
- Ironic, given this is the “accessible” wing
- Identical occurs on 1st, 2nd and 3rd judicial floors

Senate Elevator – First Floor



- Ground, 1st, 2nd floors
- No accessibility signage
- No external signage on 1st floor

Judicial Wing – bathroom signage



- All judicial wing women's bathrooms

Judicial Wing – bathroom signage



- All judicial wing men's bathrooms

Judicial Wing – bathroom entrance



- Also women's bathroom
- Same set up on 2nd floor men's and women's bathrooms

Judicial Wing – All Elevator Bathrooms



- Cannot access soap without water issue
- This is an issue in all Judicial wing bathrooms by the elevators
- Why not have soap on same wall as paper towels?
- Move a soap dispenser to wall where unused paper towel dispensers are?
- Cover sink plumbing

Judicial Wing – All “accessible” stalls



- Original grab bars
- Bar length should be longer so person won't be blocking toilet before transfer
- Vertical bar would help with this also
- All “accessible” judicial wing stalls have similar set up
- Most, if not all also have a coat hanger close to door lock, which could be a safety hazard and should be on the back of the stall door at an accessible height

Judiciary Wing – “Accessible” urinal



- I do not understand how this can work sitting or standing with a mobility impairment
- Heat register changes access angle
- Similar lay out for all judicial wing “accessible” urinals

Judicial Wing – 1st and 2nd Inside bathrooms



- Difficult to open door with strap in a manual or powered wheelchair
- Need to reverse until there's enough room while still holding strap and driving chair
- How does a person hold the door open as far as they can, AND move through the door unassisted?
- Judicial wing 1st floor men's and women's, 2nd floor women's, not men's

Judicial Wing – 1st Floor



- All 6 bathrooms inside Judicial wing halls have a “first” door with correct signage
- This first door does not meet 5 pound pressure limit standard, or the 3 second rule

Judicial Wing – Hallway Bathrooms



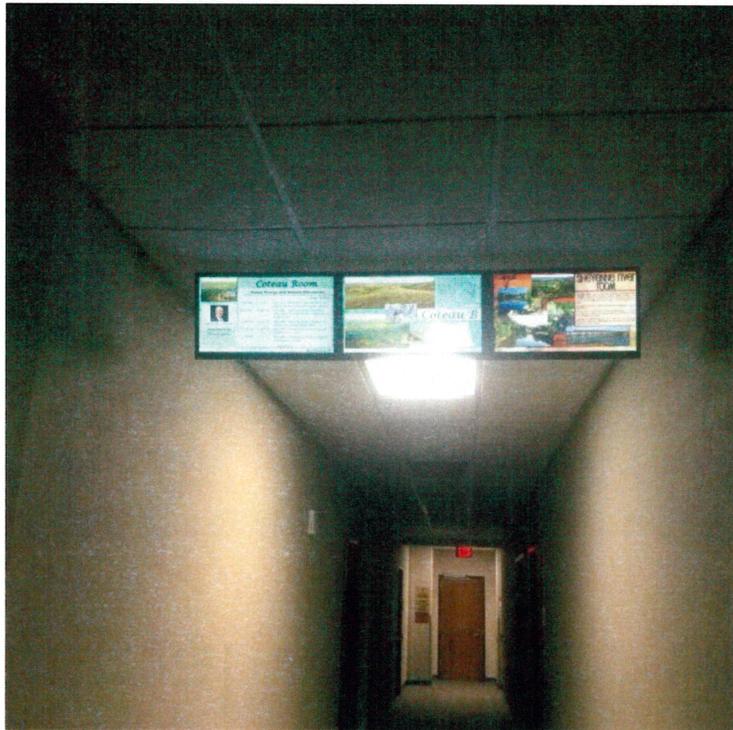
- Door #2
- Occurs with all bathrooms inside Judicial wing hallways
- Trash can obstacle
- Easy to push door going in, may be difficult to open coming out due to counter location

Judicial Wing – 2nd Floor



- Sink and paper towel setup inside all Judicial wing bathrooms
- Cover all sink plumbing

Sheyenne/Coteau Rooms – 1st Floor



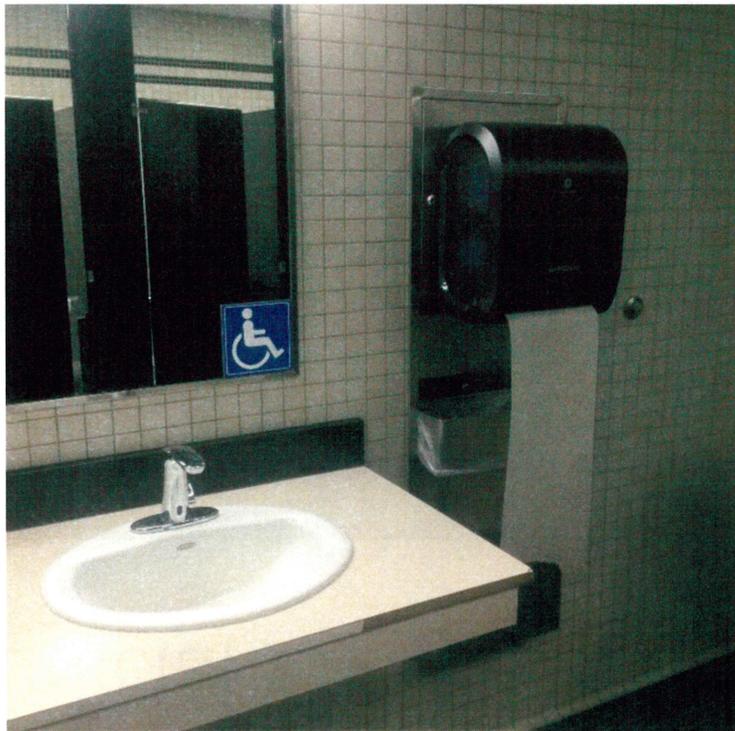
- TV height is way too high
- This area is confusing, as there is poor signage
- Coteau is one room now, not two
- TVs next to rooms are at lower height

Judicial Wing – 1st Floor



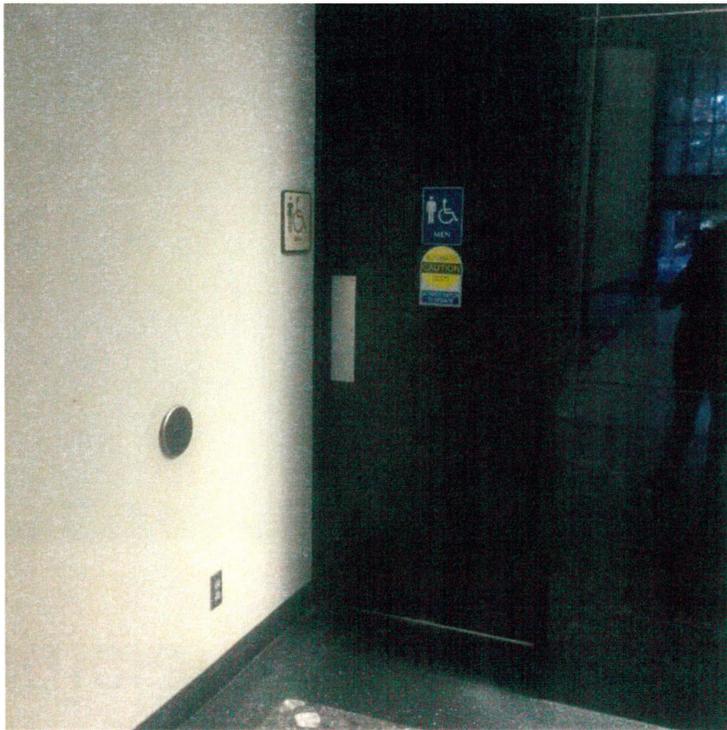
- Missing door handle, but just think...you can hang your coat up, and not use the bathroom

Judicial Wing – 1st Floor



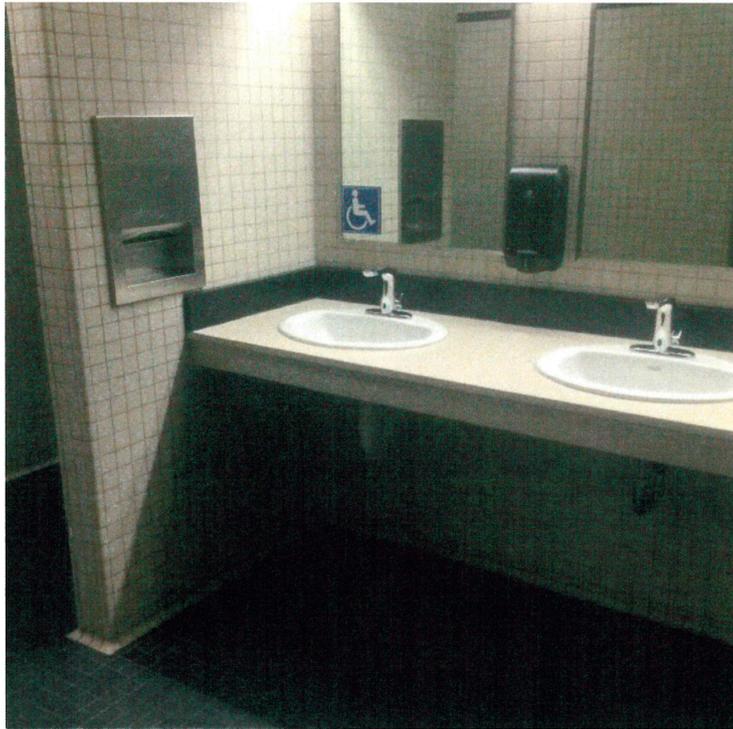
- “accessible sink”

Judicial Wing – Bathrooms



- Ground floor and third floor men's and women's bathrooms

JWing – Ground Floor



- Move soap to paper towel dispenser to make it easier to reach
- Cover all sink plumbing

JWing – Ground Floor



Judicial Wing – 2nd Floor



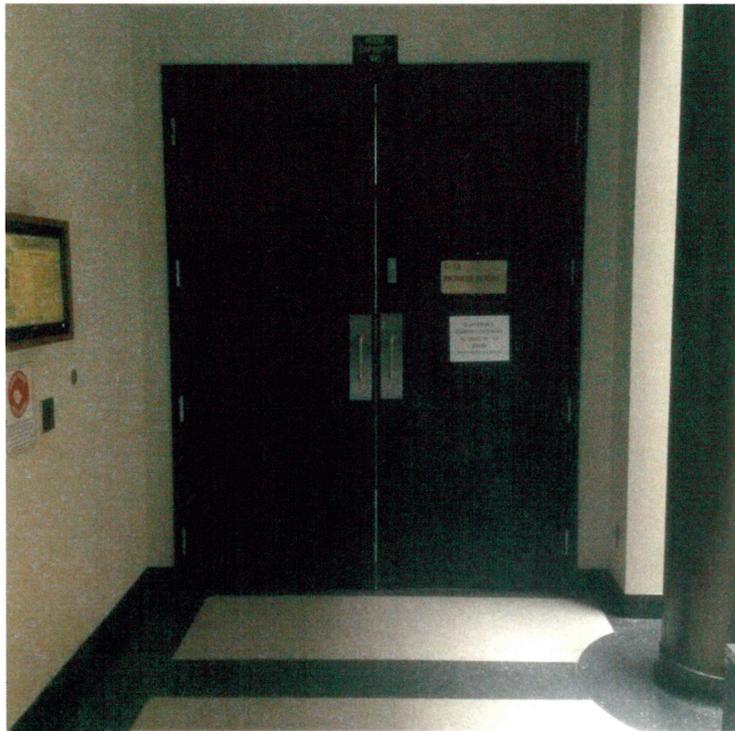
- This is the sink and paper towel setup inside all Judicial wing hall bathrooms
- Cover all sink plumbing

Judicial Wing – Women’s Ground Floor



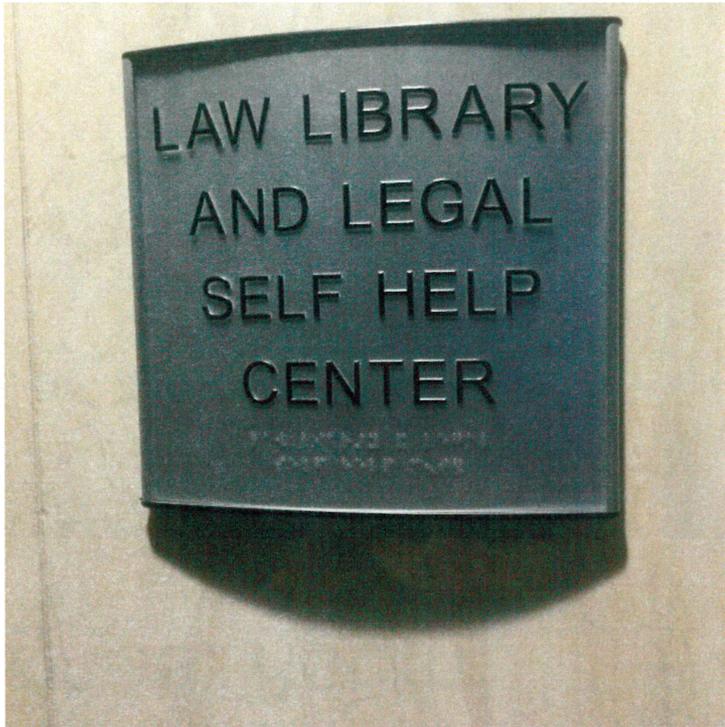
- Missing door handle
- Put in request during 2019 session
- Also missing in women’s 1st floor Judicial wing bathroom

Pioneer Room



- When were the TVs put in?
- Who decided placement and size?

Judicial Wing – 2nd Floor



- Great sign

Judicial Wing – 3rd Floor



- Target (button) does not work on first contact – going in
- Random signage like door signage throughout this floor

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

SB 2146
2/17/2021

Senate Appropriations Committee

A BILL for an Act to provide an appropriation to the office of management and budget for accessibility improvements on the state capitol grounds.

Senator Holmberg opened the committee work at 8:43 a.m.

Senators present: **Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.**

Senator Krebsbach moved DO PASS on SB 2146.
Senator Oehlke second.

<i>Senators</i>		<i>Senators</i>	
<i>Senator Holmberg</i>	Y	<i>Senator Hogue</i>	Y
<i>Senator Krebsbach</i>	Y	<i>Senator Oehlke</i>	Y
<i>Senator Wanzek</i>	Y	<i>Senator Poolman</i>	Y
<i>Senator Bekkedahl</i>	Y	<i>Senator Rust</i>	Y
<i>Senator Davison</i>	Y	<i>Senator Sorvaag</i>	Y
<i>Senator Dever</i>	Y	<i>Senator Heckaman</i>	Y
<i>Senator Erbele</i>	Y	<i>Senator Mathern</i>	Y

Roll Call Vote – 14-0-0. Motion carried.

Senator Meyer (GVA) will carry the bill.

Senator Holmberg closed the committee work at 10:18 a.m.

Rose Laning, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2146: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2146 was placed on the Eleventh order on the calendar.

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2146

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2146
3/18/2021

Provide an appropriation to the OMB for accessibility improvements on the state capitol grounds and to declare an emergency

Chairman Kasper opened the hearing at 8:31 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Additional improvements
- Remaining accessibility barriers

Senator Burckhard introduced and testified in favor.

Jillian Schaible, Legislative employee, testified in favor, #9987.

Carel Two-Eagle testified in favor, #10077.

Additional written testimony: #9901

Chairman Kasper closed the hearing at 8:54 a.m.

Carmen Hart, Committee Clerk

Good morning Chairman Kasper and members of House GVA,

- My name is Jillian Schaible, and I am a Legislative employee
- I am here to testify in support of SB2146
- I love the legislative process and being here to watch it in action, but the Capitol itself, while architecturally beautiful, is not easy to access
- The pictures you will find in my testimony today are just some of the barriers North Dakotans with different abilities will currently encounter if they feel comfortable coming in here
- I, or anyone with a different ability, should feel they can work here as a state employee, legislator or government official and to be proud to be North Dakotan
- Your support of SB2146 would tell everyone with different abilities that you feel the same way

Capitol Accessibility Photos

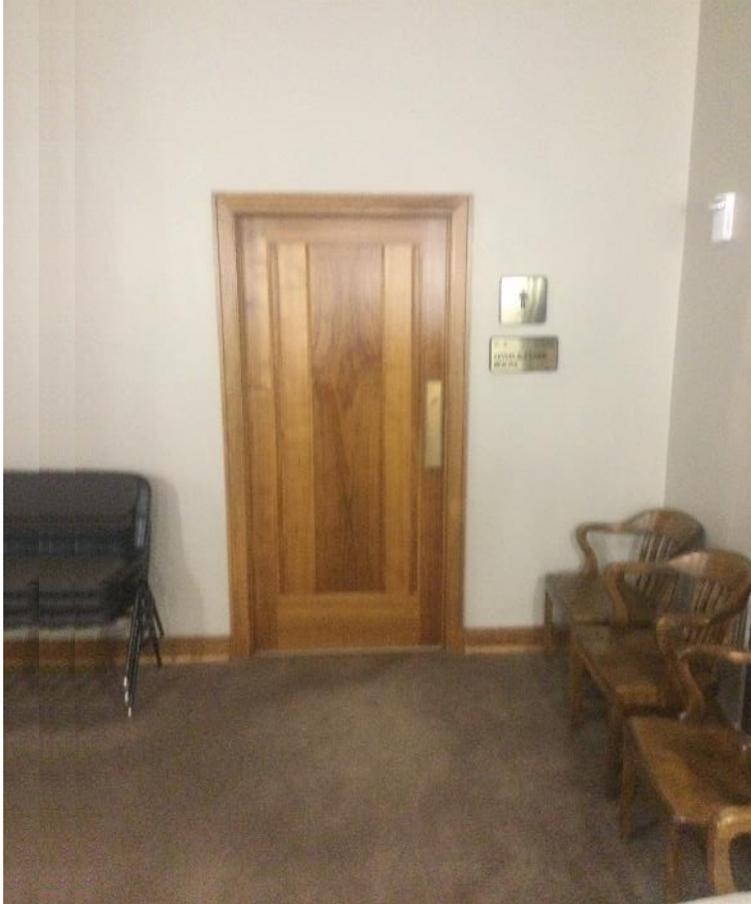
Jillian Schaible

Brynhild Haugland upper entrance



- No signage indicating room location or accessibility
- I accidentally found this door, but prior to, avoided the room when possible, as I did not want to sit on the “bottom” and/or use the elevator
- Brynhild Haugland is included in SB2146, HB1015 and HB1249

Brynhild Haugland bathroom entrance



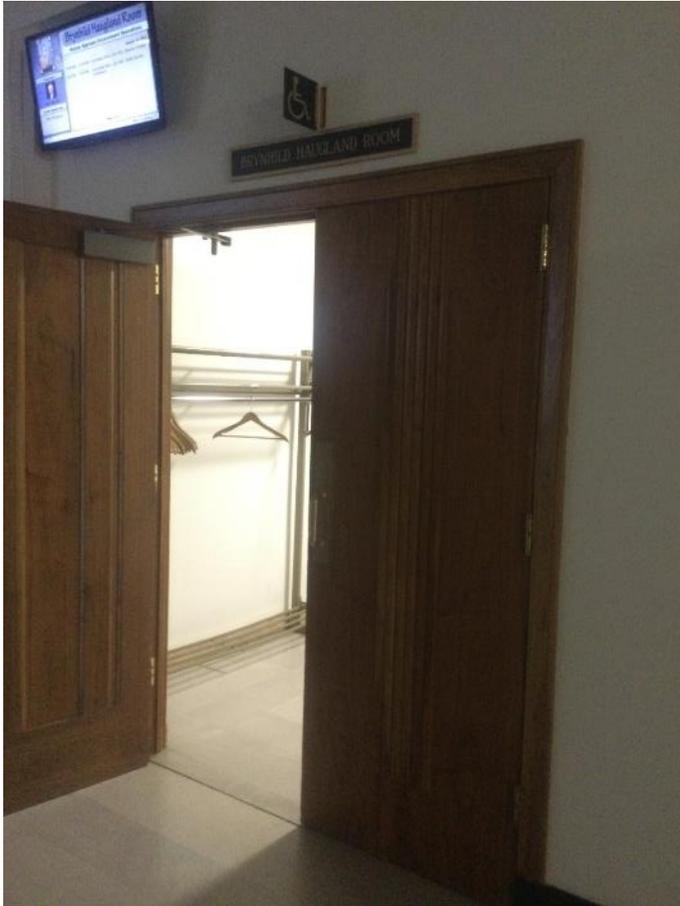
- Stair door to ground floor men's bathroom
- There is a room behind the door, but this door blocks it

Brynhild Haugland



- Inside ground floor men's bathroom

Brynhild Haugland



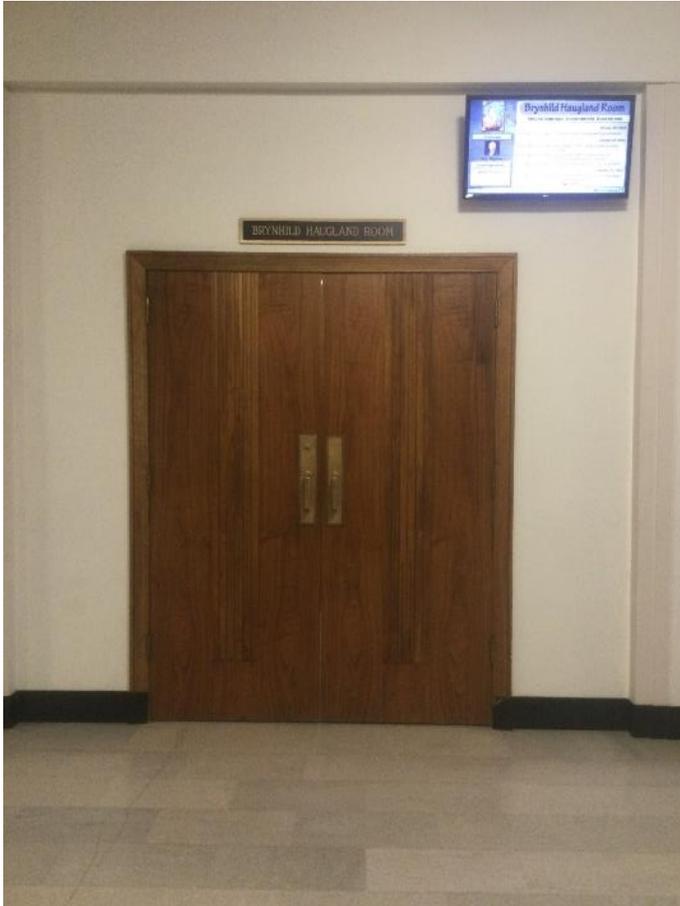
- Both TVs outside both entrances are too high
- Wheelchair elevator is located here

Brynhild Haugland Elevator



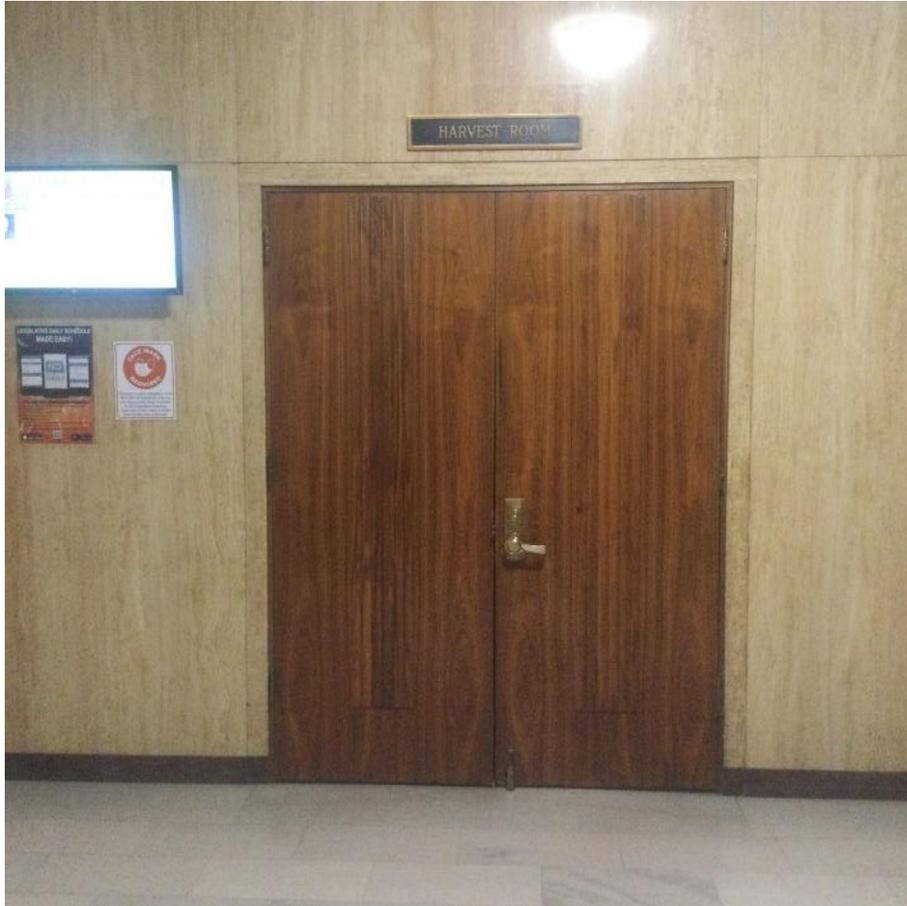
- Installed when?
- Who maintains it?
- How often is it checked?

Brynhild Haugland second entrance



- TV height is too high

Harvest Room Entrance



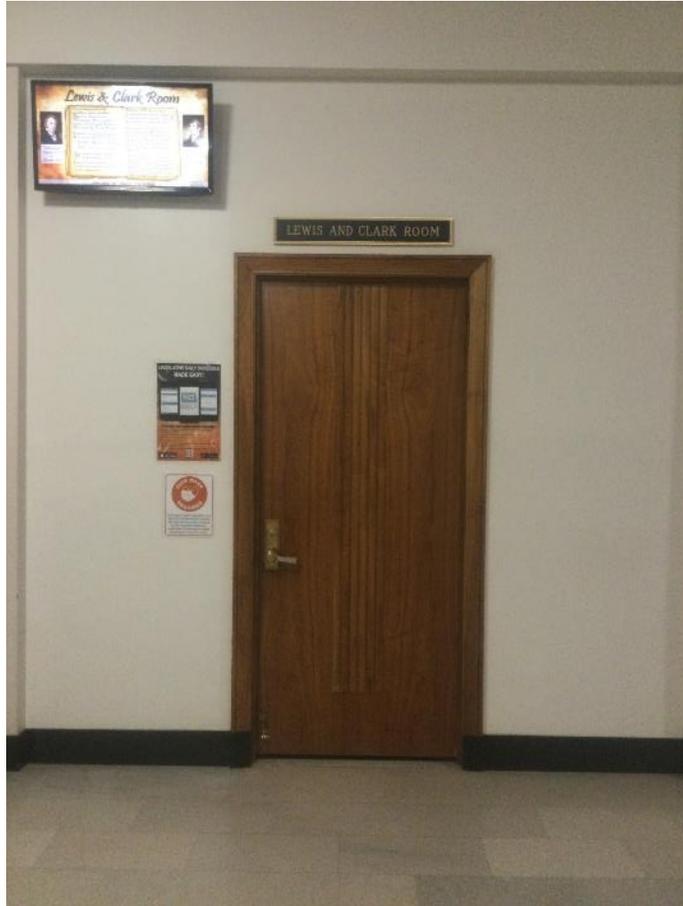
- TV height is too high

Horseshoe Rooms



- Can the doors remain unchanged?
- What about having a doorbell outside with an indicator light? When it goes off someone could open both doors
- Can we stream committee hearings on these TVs?
- All TVs appear to be the same height; no changes made to doors

Lewis and Clark



- TV height is too high
- Very narrow door

Ground Floor Men's Bathroom A



- Accessibility signage is too high
- There is another sign on the opposite wall at the same height

Ground Floor Men's Bathroom A



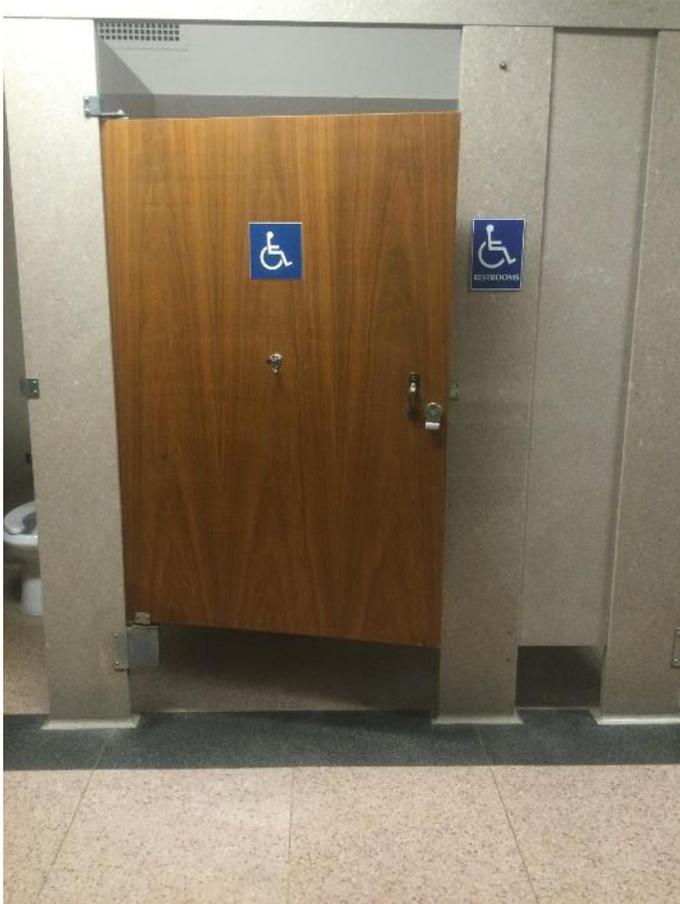
- Accessible entrance
- All accessibility signage should be at the same level everywhere

Ground Floor Men's Bathroom A



- Accessible entrance view
- Trash can should not be underneath dispenser
- Same view from stair door

Ground Floor Men's Bathroom A



- Is the stall wall accessible?
- There are at least two other doors where the sign indicating accessibility is placed on a stall wall and not on the door itself. A visually impaired individual could mistake the wall for the door
- Outside coat hanger could cause injury. Other doors have the same issue
- Lock could be a problem

Ground Floor Men's Bathroom A



- Reverse in, forward to lock door, then position
- Massive space between wall and toilet
- Side transfer may not be possible
- Urinal bar also far away
- There are better accessible urinals and grab bars to have
- Same setup in Ground Floor Men's Bathroom B

Men's Bathroom A



- This is the only horizontal grab bar next to a urinal in an “accessible” area in the building – and it makes the most sense
- There should be a grab bar on both sides for balance and strength dominance assistance
- Install a floor urinal wherever accessible urinals are located

Ground Floor Men's Bathroom A



- [Dyson Airblade 9kJ | Dyson](#)
- \$1,199.00
- HEPA filter (est. \$79/each, requires monitoring/replacing)
- 2 in this bathroom
- 1 in women's ground floor bathroom
- Accessible sink sign
- Paper towel dispenser may be too high

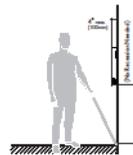
Dyson Airblade 9kJ ADA Specs

ADA Guidelines



Mobility access within washroom facilities

Because the Airblade 9kJ hand dryer is primarily installed in a restroom setting, it must comply with at least two primary accessibility requirements. The first is that the unit be placed on an accessible route but not protrude into any required accessible clear area of other items, such as a door, sink, water closet, urinal or fixed waste receptacle. The second is the mounting height relating to reach range and space requirements to use the unit itself. State or local codes may require more stringent accessibility standards when facilities are newly constructed or altered. An accessible toilet room is comprised of an accessible entrance, accessible turning space, and at least one type of accessible dispenser and fixture of each type. The Airblade 9kJ hand dryer would be considered a wall-mounted unit similar to a towel dispenser.



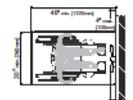
Clearance for wall-mounted protruding objects:

Airblade 9kJ is less than 4 inches protruding from the wall. Traditional hand dryers that protrude beyond the 4" are allowed to be of an unlimited distance by ADAAG as long as they are mounted at 27" above finished floor (AFF) or lower so that they overlap the cone detection range. Objects mounted with their leading edges at or below 27" (685 mm) AFF may protrude any amount; however, protruding objects should not reduce the clear width of an accessible route or maneuvering space. Any retrofit installation must comply with the newest and most stringent code standards.



Forward reach:

Often accessibility code concepts are concerned with people in a seated position who use wheelchairs, which naturally limits the height and depth of their reach range. Because of the design of the Airblade 9kJ hand dryer, it is assumed that a front approach is the only way the unit can be properly used, therefore the side approach standards should not apply.



Forward reach over an obstruction:

A clear area in front of the unit should be a minimum of 30" wide by 48" of length. This area can overlap a circulation path but should not overlap other required accessible areas, for example, a lavatory sink in restrooms with access to more than one user at one time. Single use restrooms can overlap accessible areas due to the fact that they are used by only one person at a time.

Dyson Airblade 9kJ accessible installation matrix:	Yes/No	Comp. Fail
Does the unit have the required front approach 20" x 48" clear floor clearance?	Yes	Yes
Does the reach range exceed 40" maximum height above the finished floor surface?	No	Yes
Is the hand dryer mounted at a height where it is considered a protruding object?	No	Yes
Does the front edge project more than 4" into the path of travel when properly mounted?	No	Yes
Does the unit provide the proper 9" toe clearance?	Yes	Yes

Conclusion

Based on our review of data provided by Dyson for the Airblade 9kJ hand dryer it appears that if properly installed per manufacturer's recommendations for height, and the design professional allows the proper front approach clear area with no conflicting overlapping accessible areas, then the unit should comply with accessible requirements.

*Source: ADA Accessibility Guidelines for Buildings and Facilities (ADAAG), Section 4, Accessible Elements and Spaces: Scope and Technical Requirements.

Ground Floor Men's Bathroom B



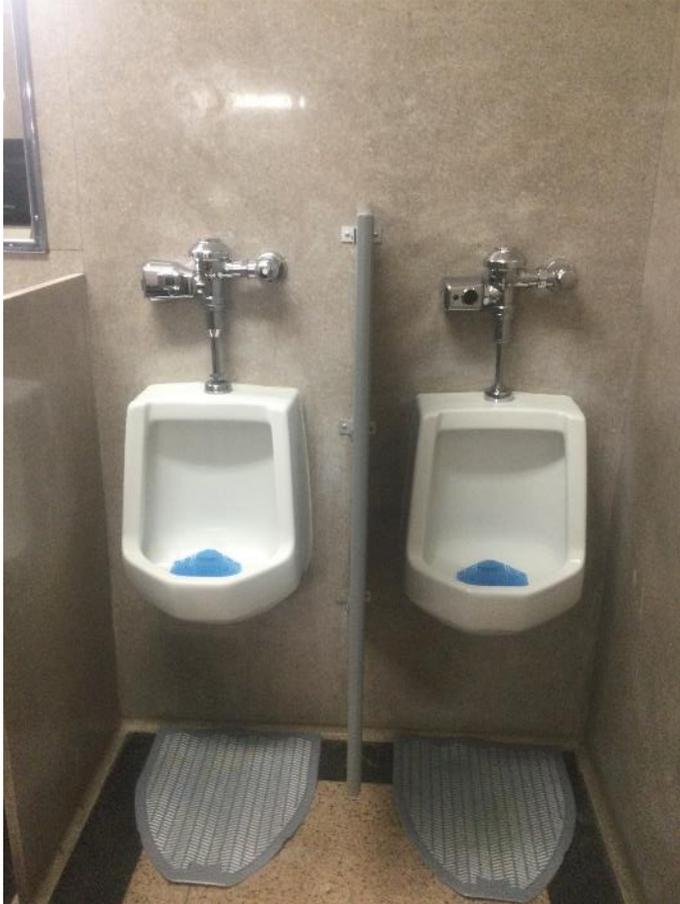
- No accessibility signage

Ground Floor Men's Bathroom B



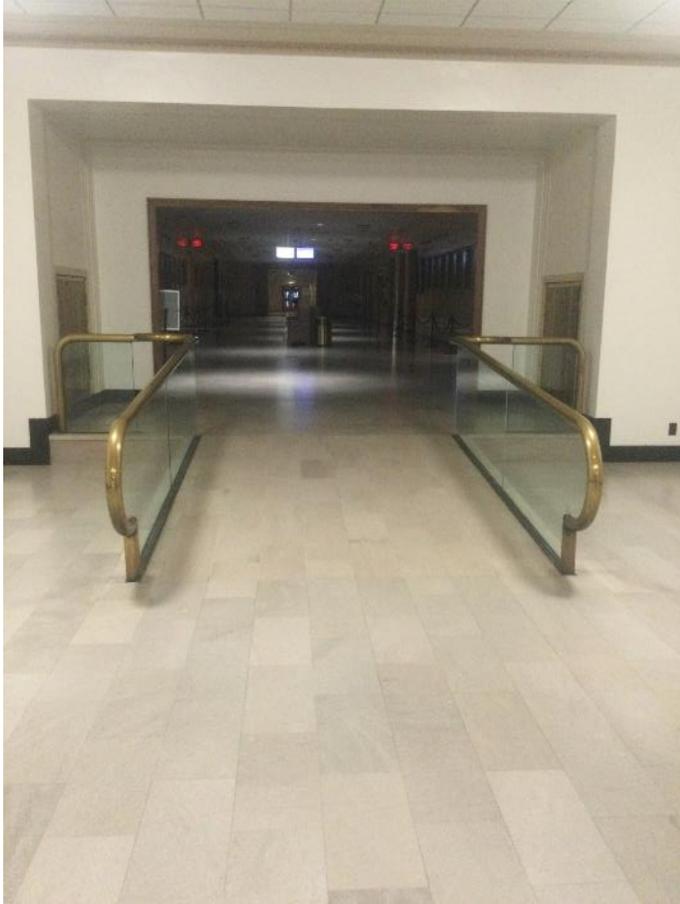
- Turning radius may not be legal
- Door may not stay open while trying to get in

Ground Floor Men's Bathroom B



- Looks like the left urinal is attempting to be “accessible”
- Add horizontal grab bars?
- If the entire bathroom is not accessible, accessibility signage should not be used anywhere
- Sink area is not “accessible either

Ground Floor Ramp



- The architect said this was not ADA compliant somehow...

Red River Room



- Can access be given without door alterations?
- Good height for the TV
- Similar situation for Sakakawea Room

Roughrider Room



- TV height is too high
- No change to doors

Small Elevator keypads – 37 total



- Who manufactures these?
- When were they installed?
- Do they get tested to ensure they are working properly?
- If so, how often?
- What happens if one breaks?
- Can pressure sensitivity, volume, tone, reaction speed, voice speed be changed?
- Post instructions on how to operate?

Large Elevator keypads – 2 – Ground floor



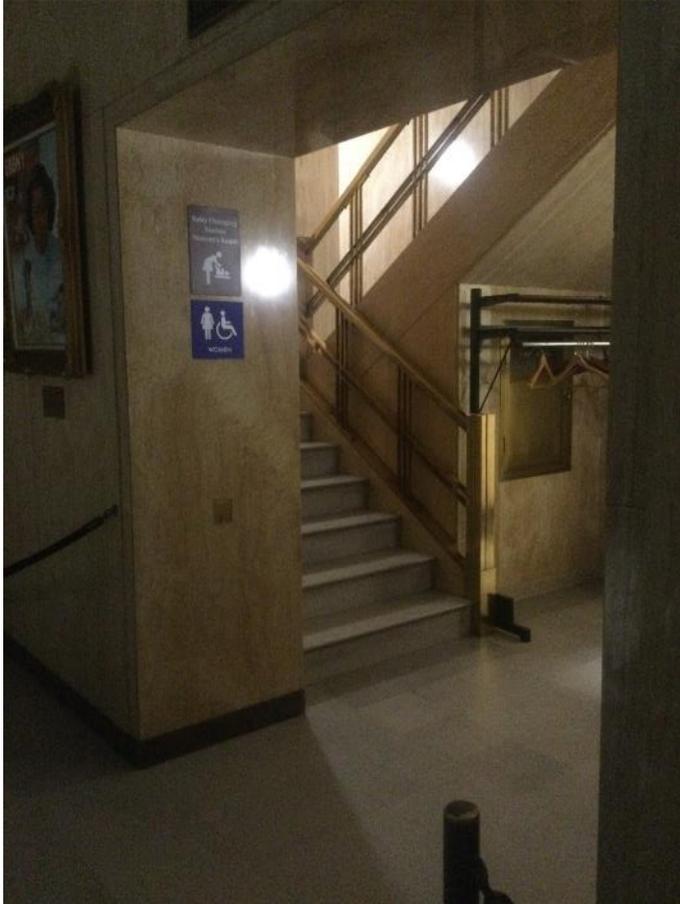
- Why are these different from the other 37?
- Same questions apply regarding the small elevator keypads

Executive Elevator Screens A, B, C, D



- Can these be programmed to better assist visually/hearing impaired?
- Who programs them?

Ground Floor Senate Bathroom



- Accessibility signage is too high
- Also on opposite wall

Ground Floor Senate Bathroom



- Accessible entrance

Ground Floor Senate Bathroom



- Another accessible stall wall?
- There is also a judicial wing bathroom accessible stall missing door signage, but it is on the stall wall
- Why is there no signage on the door, but a coat hanger is?
- Two judicial wing bathrooms have accessibility signage on the inside of the accessible stall door

Ground Floor Senate Bathroom



- Looks like this was 2 stalls – wall with grab bar and toilet removed
- Reverse in, forward to close door, proceed to perhaps block the toilet, depending on need

Ground Floor Senate Bathroom



- Accessible sink and soap dispenser
- Why not cover all sink plumbing?

Ground Floor Senate Bathroom



- Most, if not all, bathrooms in the building have this paper towel dispenser
- Could not find ADA compliance documentation
- Why so far from accessible sink?

Ground Floor West Door



- Automatic door
- Why isn't there one on the Judicial wing entrance/exit door?

Ground Floor West Door Ramp



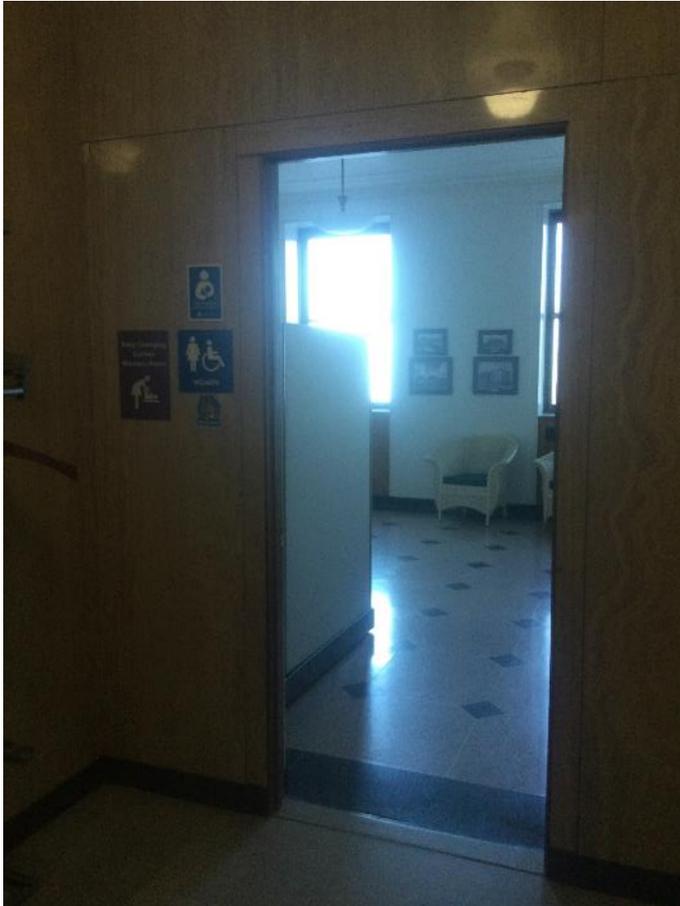
- Do not remember what the architect said about this ramp

Ground Floor Women's Bathroom



- No accessibility signage

Ground Floor Women's Bathroom



- Why is the signage inside the second door?
- Signage is too high

Ground Floor Women's Bathroom



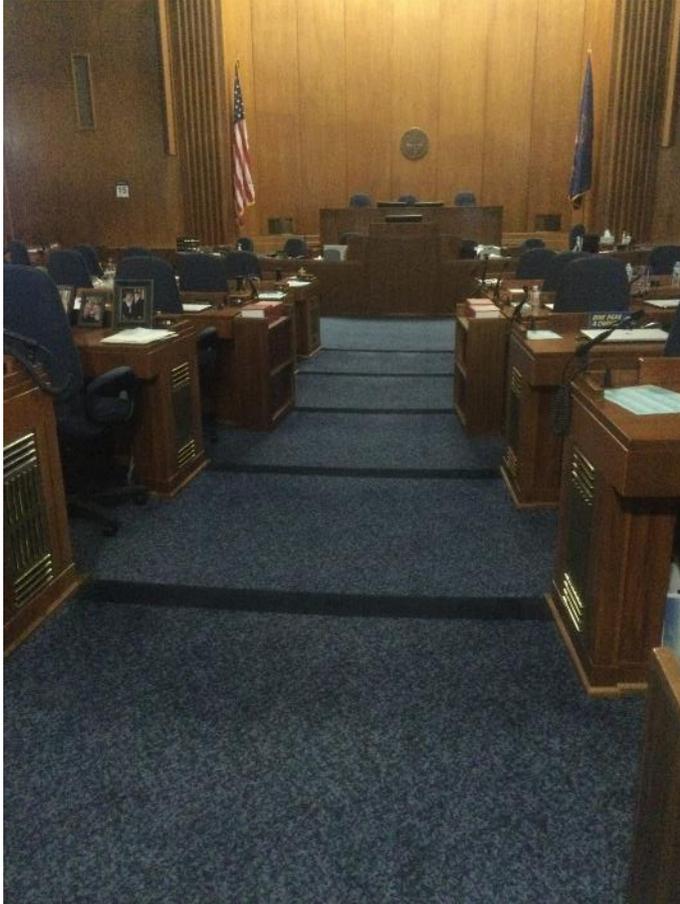
- Good set up
- Cover all sink plumbing

Ground floor Women's Bathroom



- Reverse in, and pull the door closed at the same time?
- What is with the gaps between the toilet and the grab bar?
- Ripping a stall out is not necessarily “accessible” or “compliant”

House Chamber



- Where are the ramps?
- There are none in the chamber
- The House and Senate chambers were not included in the “accessibility” study done by the architect hired by OMB

Senate Chamber



- Who built the existing ramps admitted to in SGVA testimony on 1.21.21?
- Built when?
- Meet current ADA compliance?
- Why are they not in use in either chamber?

Prairie Room



- Can these doors be opened and unaltered when the room is in use?

Prairie Room



- Change the table before altering room
- Same suggestions about leaving the room doors alone

2nd Floor Offices



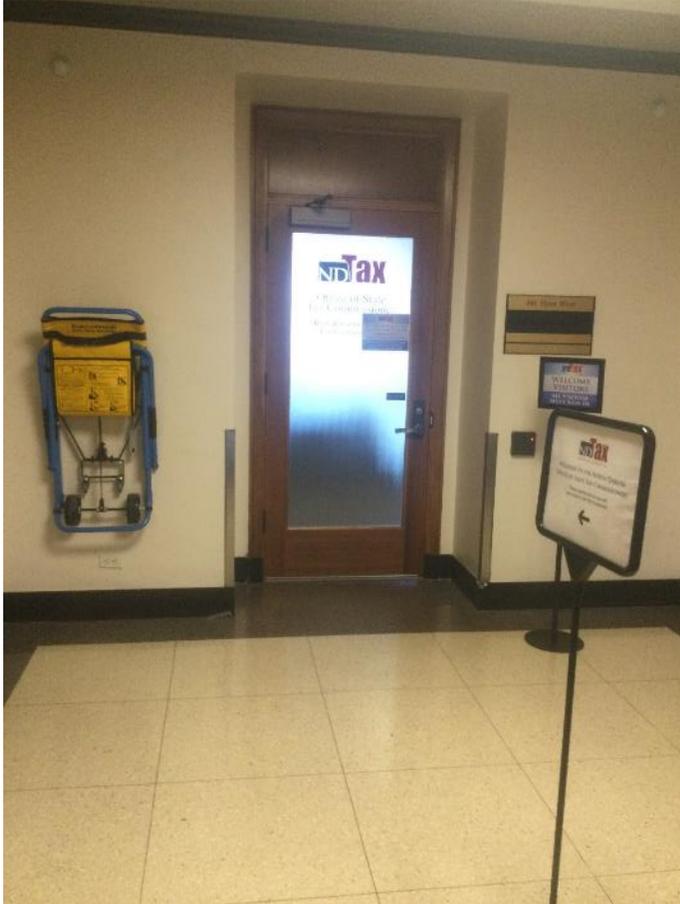
- Why are there not two doors here?

Executive Wing Department Floors 3-18



- Accessible signage for Executive wing bathrooms should be removed, as they will not be ADA compliant based on door width alone

Executive Wing Department Floors 3-18



- Signage outside all department doors should be consistent and consider visually impaired
- Sign could be mobility impediment

Executive Wing Department Floors 3-18



- Trash can blocking keypad access
- This occurs on multiple floors

Judicial Wing Elevators



- No keypad
- No accessibility signage
- Poor signage
- Ironic, given this is the “accessible” wing
- Identical occurs on 1st, 2nd and 3rd judicial floors

Senate Elevator – First Floor



- Ground, 1st, 2nd floors
- No accessibility signage
- No external signage on 1st floor
- I forget this elevator exists, and it's right by the Legislative Information Kiosk

Judicial Wing – bathroom signage



- All judicial wing women's bathrooms

Judicial Wing – bathroom signage



- All judicial wing men's bathrooms

Judicial Wing – bathroom entrance



- Also women's bathroom
- Same set up on 2nd floor men's and women's bathrooms

Judicial Wing – All Elevator Bathrooms



- Cannot access soap without water issue
- This is an issue in all Judicial wing bathrooms by the elevators
- Why not have soap on same wall as paper towels?
- Move a soap dispenser to wall where unused paper towel dispensers are?
- Cover sink plumbing

Judicial Wing – All “accessible” stalls



- Original grab bars
- Bar length should be longer so person won't be blocking toilet before transfer
- Vertical bar would help with this also
- All “accessible” judicial wing stalls have similar set up
- Most, if not all also have a coat hanger close to door lock, which could be a safety hazard and should be on the back of the stall door at an accessible height

Judiciary Wing – “Accessible” urinal



- I do not understand how this can work sitting or standing with a mobility impairment
- Heat register changes access angle
- Similar lay out for all judicial wing “accessible” urinals

Judicial Wing – 1st and 2nd Inside bathrooms



- Difficult to open door with strap in a manual or powered wheelchair
- Need to reverse until there's enough room while still holding strap and driving chair
- How does a person hold the door open as far as they can, AND move through the door unassisted?
- Judicial wing 1st floor men's and women's, 2nd floor women's, not men's

Judicial Wing – 1st Floor



- All 6 bathrooms inside Judicial wing halls have a “first” door with correct signage
- This first door does not meet 5 pound pressure limit standard, or the 3 second rule

Judicial Wing – Hallway Bathrooms



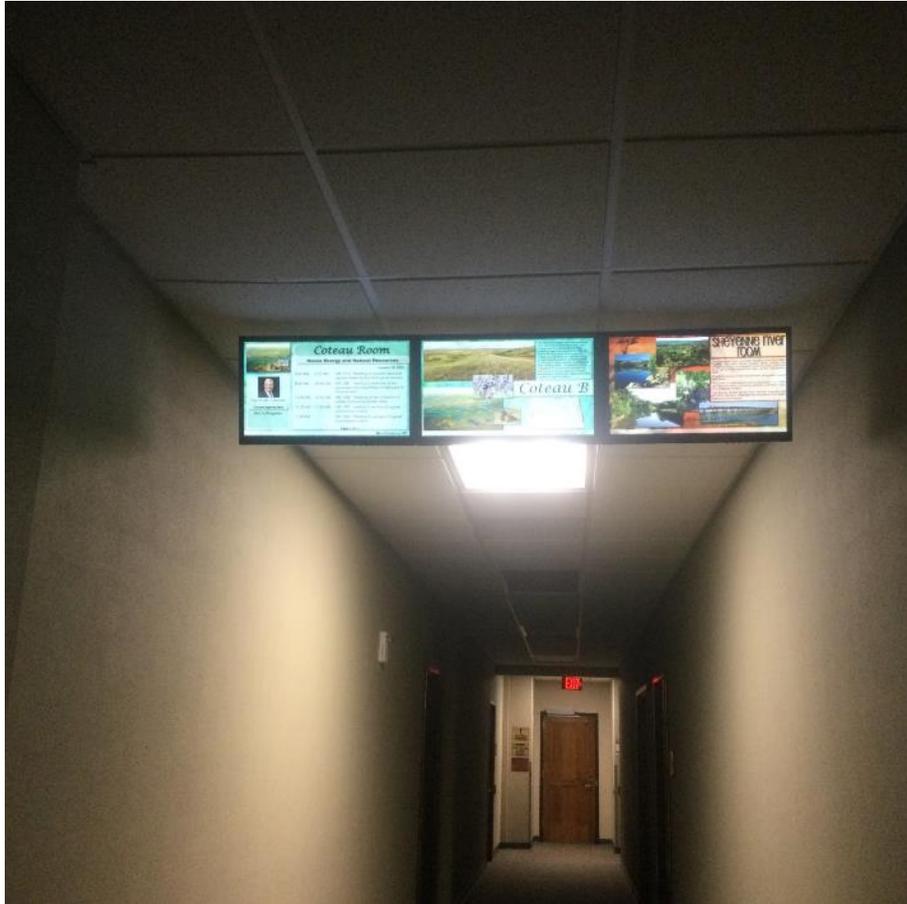
- Door #2
- Occurs with all bathrooms inside Judicial wing hallways
- Trash can obstacle
- Easy to push door going in, may be difficult to open coming out due to counter location

Judicial Wing – 2nd Floor



- Sink and paper towel setup inside all Judicial wing bathrooms
- Cover all sink plumbing

Sheyenne/Coteau Rooms – 1st Floor



- TV height is way too high
- This area is confusing, as there is poor signage
- Coteau is one room now, not two
- TVs next to rooms are at lower height

Judicial Wing – 1st Floor



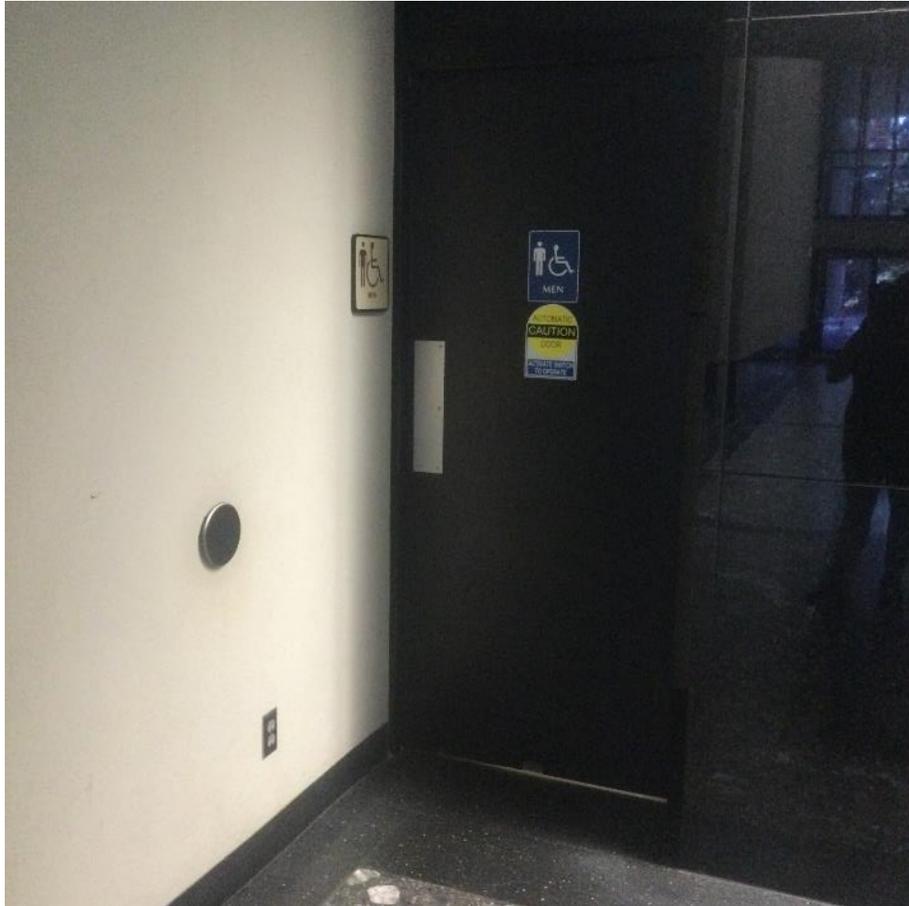
- Missing door handle, but just think...you can hang your coat up, and not use the bathroom

Judicial Wing – 1st Floor



- “accessible sink”

Judicial Wing – Bathrooms



- Ground floor and third floor men's and women's bathrooms

Judicial Wing – Ground Floor



- Move soap to paper towel dispenser to make it easier to reach
- Cover all sink plumbing

JWing – Ground Floor



- Accessibility signage
- Coat hanger is on the outside....why?
- How does a person using a wheelchair reach it?

Judicial Wing – 2nd Floor



- This is the sink and paper towel setup inside all Judicial wing hall bathrooms
- Cover all sink plumbing

Judicial Wing – Women’s Ground Floor



- Missing door handle
- Put in request during 2019 session
- Also missing in women’s 1st floor Judicial wing bathroom

Pioneer Room



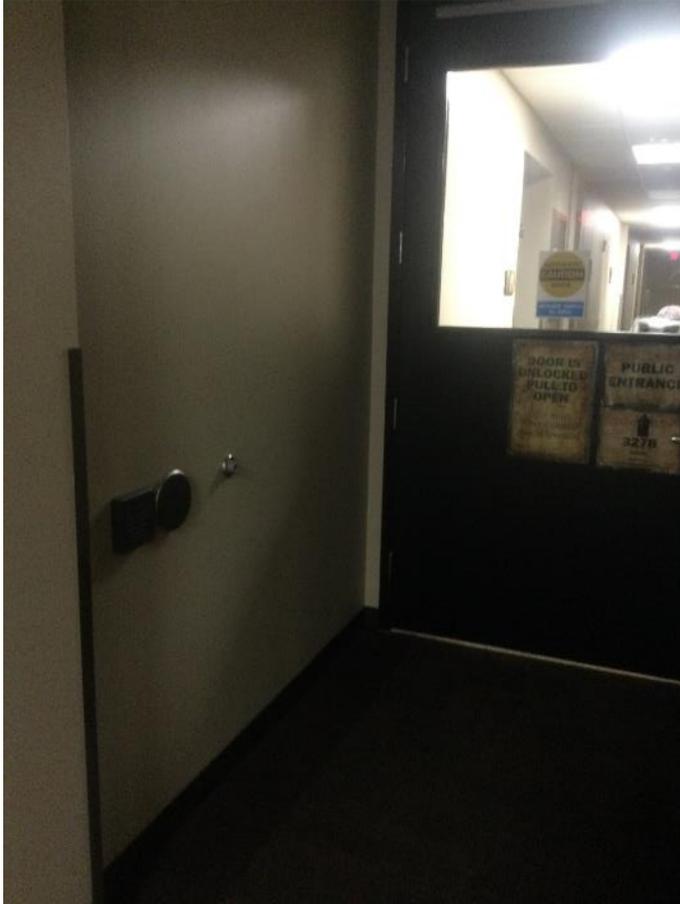
- When were the TVs put in?
- Who decided placement and size?

Judicial Wing – 2nd Floor



- Great sign

Judicial Wing – 3rd Floor



- Target (button) does not work on first contact – going in
- Random signage like door signage throughout this floor

In closing...

- Please delay voting on SB2146 so it can be amended to 2010 ADA standards
- There needs to be a proper ADA assessment done by a professional specializing in ADA to include the House and Senate chambers
- Some of the major ADA upgrades need to be completed before December 31st, 2022
- A legitimate ADA compliance position should be made a part of this appropriation to consistently ensure that the estimated 20,000 North Dakotans with different abilities can begin to, and continue to, have a place in the legislative process and in the Capitol

<< TESTIMONY ON SB2146 >>

Good morning Chairman Kasper & House GVA Committee. For the record, my name is Carel Two-Eagle. I'm here in support of SB2146.

As you know, I'm behind the push to bring the ND State Capitol building into compliance with the ADA – the Americans with Disabilities Act. The new public entrance you & I got for The People's House during the interim from 2019 is a great improvement. But the inside of this monument to North Dakota and the way its people want this state to be seen is more than 30 years out of compliance with the requirements of the 1990 requirements of the ADA, to say nothing of the requirements of the 2008 Amendments, and that cannot continue.

For one thing, it is a felony under the ADA to refuse to accommodate people covered under the ADA. This poses an interesting question, should some handicapped activist decide to file one or more charges against the State of North Dakota, does it not? How embarrassing would that be? I'd say, "Very". But right now, the State of North Dakota, including its Legislature, are vulnerable to just such a thing. Worse, because the building is more than 30 *years* out of compliance, there are likely to be OSHA violations as well. It appears we have the potential – even, the likelihood – for big black marks, & possibly fines, on the image & reputation of North Dakota. Do you think the people of North Dakota will regard such, smilingly? I don't.

This building is more than a museum piece – it is a monument, as I said before. We already know that North Dakota is not seen by much of the United States as a leader or a tourist mecca. But to people who are handicapped or who have loved ones who are handicapped, it is seen more darkly. In its current condition, it is seen as a state where its People's House at the least doesn't care about the difficulties we who live behind the 8-ball face daily, or at the worst, where its leadership refuses to consider our needs and work to accommodate us. Yet we who are handicapped have jobs, or businesses which create jobs, we pay taxes, and we vote. This strikes me as an embarrassing situation, when the State's official position, via its lack of efforts to comply with the ADA as a matter of showing basic respect for others, is evidenced by its People's House. Actions speak louder than words.

Since I got all this started through Representative Marvin Nelson's HB1298 in 2019, & now during this 2021 Session, I saw a need to become an ADA Compliance consultant. I found an online course offered by a major university and – despite the fact that I work 16 hours a day every day – I took the course & am now an ADA Compliance consultant. I learned a lot in taking that course, & even if I hadn't, the fact remains that North Dakota's People's House is *not* friendly or welcoming to

handicapped citizens. Now that we have greatly improved the entry aspects, it is time to improve the inside, where the State's business is done.

HB1030 and its identical twin, SB2146, asked for \$750,000 to bring this magnificent building up to 2008's ADAAA standards. I am grateful for that, but I'm asking you to add \$500,000 to that, to bring the building past merely "up to the standards required 13 years ago". This and the improvements it will fund, will be an action that will speak strongly to both North Dakota's official position that it cares about handicapped citizens, but also to an apology for having ignored a considerable – even, a growing – segment of its citizens, for so long. Citizens who are productive, but who need "a little help to get by from their friends", to paraphrase a song. In this case, "friends" will include the ND Legislature. It will include you. The larger amount will speak about being pro-active & energetic in *showing* respect to handicapped people, & in recognizing that handicaps have a wide range, where one size or kind of accommodation can't fit everyone. One size never has, & it never could, fit all.

I don't care whether both bills pass or you kill HB1030, which is an "agency" bill, but I care greatly that you stand solidly behind its identical twin, SB2146, amended to increase its funding by \$500,000, and show the world that North Dakota *officially* cares about ease of access & functionality for all of its citizens when they come into The People's House. You never get a second chance to make a first impression, after all..

You & I know you care.. You & I know this needs doing now, is required by federal law to be done now, not "someday". But in order to bring tourists to North Dakota & to make its businesses able to compete more strongly, you & I know that you need to *show* the world that North Dakota doesn't merely claim to be great, but that it *works* to be, & you do that by giving SB2146, amended to add \$500,000, a unanimous Do Pass recommendation & getting the rest of the Legislature to agree, because this is something leaders do. Leaders don't just meet minimum requirements. Leaders go beyond them.

Thank you for hearing me. I am always available to answer any questions.

TESTIMONY OF

John Boyle, Facility Management Division Director

Good morning Chairman Kasper and members of the Government and Veterans Affairs committee. For the record, my name is John Boyle. I am the director of the Facility Management Division within the Office of Management and Budget. Thank you for the opportunity to provide written testimony before your committee on SB 2146.

The office of management and budget is in support of this work being completed and funding moving forward through the legislative process. This project has been included in the governor's budget recommendations.

Mr. Chairman that concludes my written testimony.

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2146
3/19/2021

Provide an appropriation to the OMB for accessibility improvements on the state capitol grounds and to declare an emergency

Chairman Kasper opened the committee work meeting at 11:12 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	A

Discussion Topics:

- Amendment
- Committee action

Rep. B. Koppelman explained his proposed amendment **21.0459.01002** and moved to adopt, #10133. **Rep. Stemen** seconded. **Voice vote. Motion carries.**

Rep. Stemen moved **Do Pass as amended.** **Rep. Ostlie** seconded.

Representatives	Vote
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Pamela Anderson	Y
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	Y
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Greg Stemen	Y

House Government and Veterans Affairs Committee

SB 2146

3/19/2021

Page 2

Representative Steve Vetter	A
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Motion passes. 13-0-1. **Rep. Louser** is the carrier.

Chairman Kasper adjourned at 11:24 a.m.

Carmen Hart, Committee Clerk


3/19/21

PROPOSED AMENDMENTS TO SENATE BILL NO. 2146

Page 1, line 5, replace "\$750,000" with "\$1,000,000"

Page 1, line 7, after "accessibility" insert "and safety"

Page 1, line 8, replace "Of the total, \$460,950 is for" with "Any amount remaining after the payment of"

Page 1, line 8, after "to" insert "improvements necessary for"

Page 1, line 9, remove "1990 improvements and the"

Page 1, line 10, replace "remaining \$289,050 is" with "2010 may be used"

Page 1, line 10, after "accessibility" insert "and safety"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2146: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2146 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$750,000" with "\$1,000,000"

Page 1, line 7, after "accessibility" insert "and safety"

Page 1, line 8, replace "Of the total, \$460,950 is for" with "Any amount remaining after the payment of"

Page 1, line 8, after "to" insert "improvements necessary for"

Page 1, line 9, remove "1990 improvements and the"

Page 1, line 10, replace "remaining \$289,050 is" with "2010 may be used"

Page 1, line 10, after "accessibility" insert "and safety"

Renumber accordingly

21.0459.01002

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2146

Introduced by

Senators Burckhard, Heckaman, K. Roers

Representatives Bosch, Karls, Schreiber-Beck

1 A BILL for an Act to provide an appropriation to the office of management and budget for
2 accessibility improvements on the state capitol grounds; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the capitol
5 building fund in the state treasury, not otherwise appropriated, the sum of ~~\$750,000~~\$1,000,000,
6 or so much of the sum as may be necessary, to the office of management and budget for the
7 purpose of accessibility and safety improvements on the state capitol grounds for the period
8 beginning with the effective date of this Act and ending June 30, 2023. ~~Of the total, \$460,950 is~~
9 ~~for~~Any amount remaining after the payment of costs relating to improvements necessary for
10 compliance with the federal Americans with Disabilities Act of ~~1990 improvements and the~~
11 ~~remaining \$289,050 is~~2010 may be used for costs relating to other accessibility and safety
12 improvements. The office of management and budget may spend the funds appropriated in this
13 section only for the purpose of remodeling and improvements relating to accessibility on the
14 state capitol grounds, including entrances, restrooms, legislative committee rooms and
15 chambers, the cafeteria, the supreme court, and other public areas. The office of management
16 and budget shall consult with the legislative management when considering changes to
17 legislative branch areas and with the chief justice when considering changes to judicial branch
18 areas.

19 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

2021 HOUSE APPROPRIATIONS

SB 2146

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2146
3/31/2021

BILL for an Act to provide an appropriation to the office of management and budget for accessibility improvements on the state capitol grounds
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9:02 Chairman Delzer- Called the hearing to order for SB 2146;

Attendance	P/A
Representative Jeff Delzer	P
Representative Keith Kempenich	P
Representative Bert Anderson	P
Representative Larry Bellew	P
Representative Tracy Boe	A
Representative Mike Brandenburg	P
Representative Michael Howe	P
Representative Gary Kreidt	P
Representative Bob Martinson	P
Representative Lisa Meier	P
Representative Alisa Mitskog	P
Representative Corey Mock	P
Representative David Monson	P
Representative Mike Nathe	P
Representative Jon O. Nelson	P
Representative Mark Sanford	P
Representative Mike Schatz	P
Representative Jim Schmidt	P
Representative Randy A. Schobinger	P
Representative Michelle Strinden	P
Representative Don Vigesaa	P

Discussion Topics:

- Capital Improvements
- Proposed Amendments

9:02 Representative Kasper- Introduces the bill, senate changes and the need for it.

9:05 Committee Discussion

9:12 Jon Boyle—Answers questions from the committee

9:13 Representative Jon O. Nelson- Introduces two changes to the bill to set a deadline and add a consultant to make sure they are up to ADA standers and that the people with disabilities are addressed as 'Person-First'

9:35 Jon Boyle- Addresses the committee

9:44 Representative Bellew Makes a motion to amend leaving the amount at 750 thousand and the intent that it is done as soon as possible and to 2010 ADA standards

Representative Schatz Second

Further Discussion

9:46 Voice Vote- Motion Carries

9:47 Representative Bellew Makes a motion for a Do Pass as Amended

Representative Schatz Seconds the motion

Further Discussion

9:47 Roll Call Vote was Taken;

Representatives	Vote
Representative Jeff Delzer	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Tracy Boe	A
Representative Mike Brandenburg	Y
Representative Michael Howe	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Mark Sanford	A
Representative Mike Schatz	Y
Representative Jim Schmidt	Y
Representative Randy A. Schobinger	Y
Representative Michelle Strinden	Y
Representative Don Vigesaa	Y

Motion Caries 19-0-2 Representative Bellew will carry the bill

9:50 Chairman Delzer - Closes the hearing for SB 2146

Risa Berube,
House Appropriations Committee Clerk


4/5/21

PROPOSED AMENDMENTS TO SENATE BILL NO. 2146

In lieu of the amendments as printed on pages 1234 and 1235 of the House Journal, Senate Bill No. 2146 is amended as follows:

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent;"

Page 1, line 8, after "to" insert "improvements for"

Page 1, line 9, after the first "the" insert "2010 standards for accessible design adopted by the United States department of justice pursuant to the"

Page 1, line 9, replace "improvements" with a comma

Page 1, after line 16, insert:

"SECTION 2. LEGISLATIVE INTENT. It is the intent of the sixty-seventh legislative assembly that the office of management and budget complete all accessibility improvements on the state capitol grounds as provided for in section 1 of this Act as soon as possible."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2146: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2146 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on pages 1234 and 1235 of the House Journal, Senate Bill No. 2146 is amended as follows:

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent;"

Page 1, line 8, after "to" insert "improvements for"

Page 1, line 9, after the first "the" insert "2010 standards for accessible design adopted by the United States department of justice pursuant to the"

Page 1, line 9, replace "improvements" with a comma

Page 1, after line 16, insert:

"SECTION 2. LEGISLATIVE INTENT. It is the intent of the sixty-seventh legislative assembly that the office of management and budget complete all accessibility improvements on the state capitol grounds as provided for in section 1 of this Act as soon as possible."

Re-number accordingly