

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1030

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1030
1/7/2021

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

Chairman Kasper opened the hearing on HB 1030 at 1:30 p.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:

- Appreciation for improvements currently done
- Further improvements needed

Senator Randy Burckhard testified in favor. (1:31 p.m.)

Levi Kinnischtzke, Legislative Council, testified neutral. (1:36 p.m.)

Jillian Schaible, Information Desk, testified in favor. (1:42 p.m.)

Carel Two Eagle, Grassroots People, testified in favor. #848 (1:45 p.m.)

John Boyle, Director of Facility Management, testified in a neutral position. (1:56 p.m.)

Chairman Kasper closed the hearing at 2:03 p.m.

Rep. Vetter made a motion for a **Do Pass** and **rerefer** to appropriations.

Rep. Steiner 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
Representative Steve Vetter	Y

The motion passed 14-0-0. **Rep. Louser** is the carrier.

Additional written testimony: #145

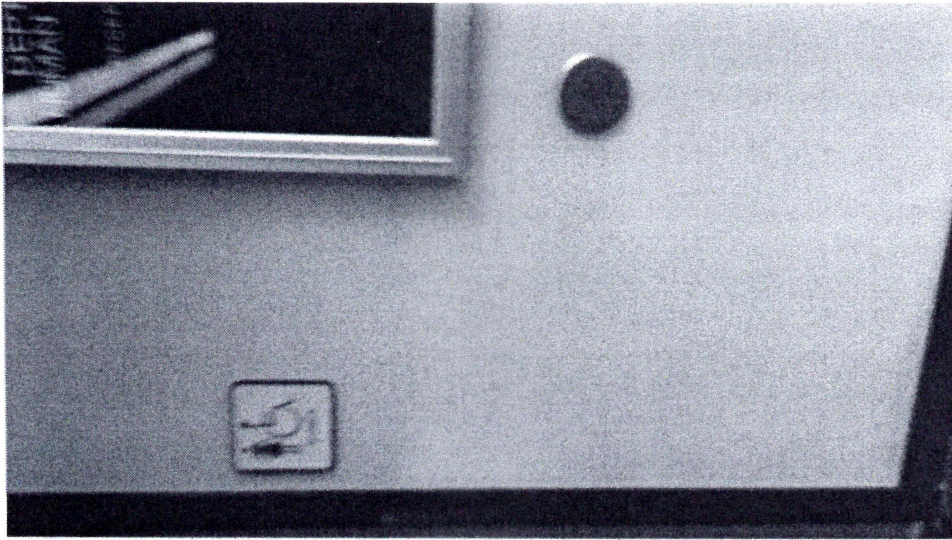
Chairman Kasper adjourned at 2:05 p.m.

Carmen Hart, Committee Clerk

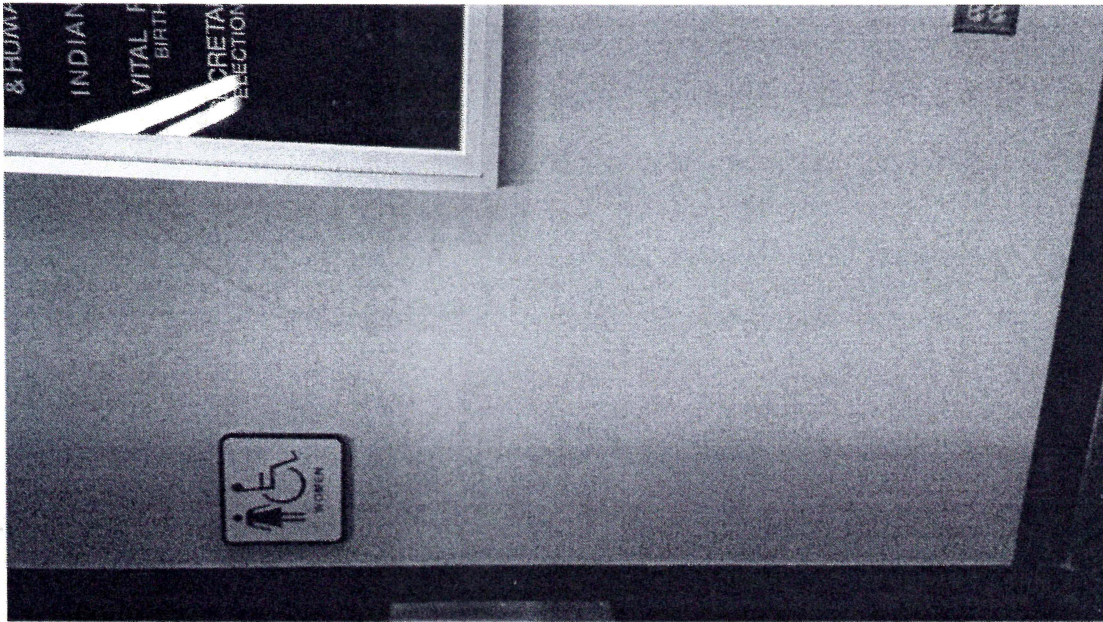
REPORT OF STANDING COMMITTEE

HB 1030: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1030 was rereferred to the
Appropriations Committee.

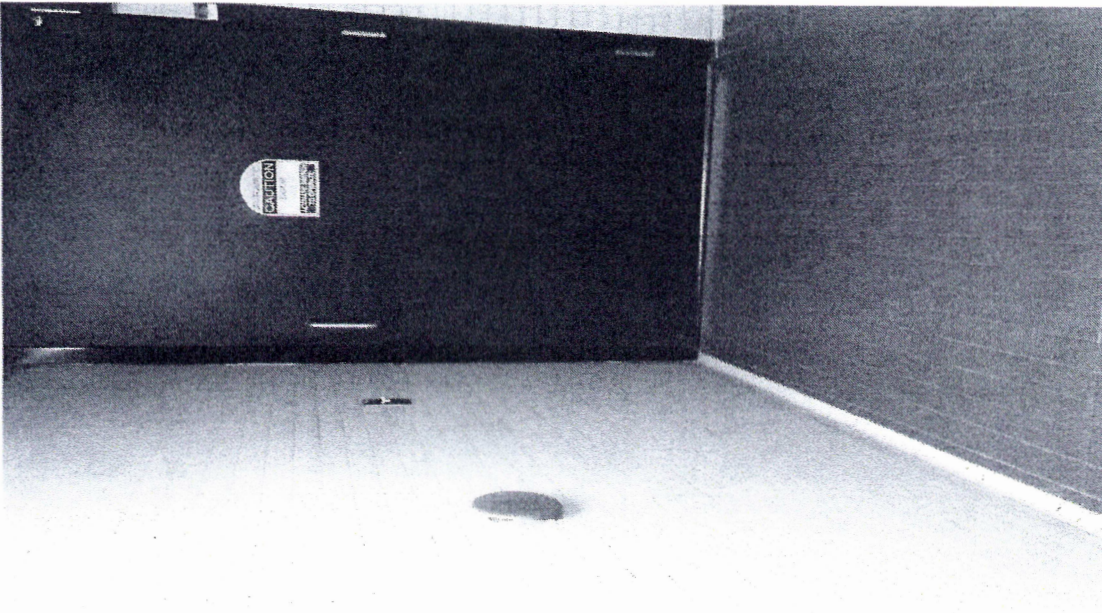
<< Photos and Associated DataOf ND Capitol Building as >>
<< Regards Handicapped Accessibility >>
<< Done by Carel Two-Eagle During the 2019 Legislative Session >>



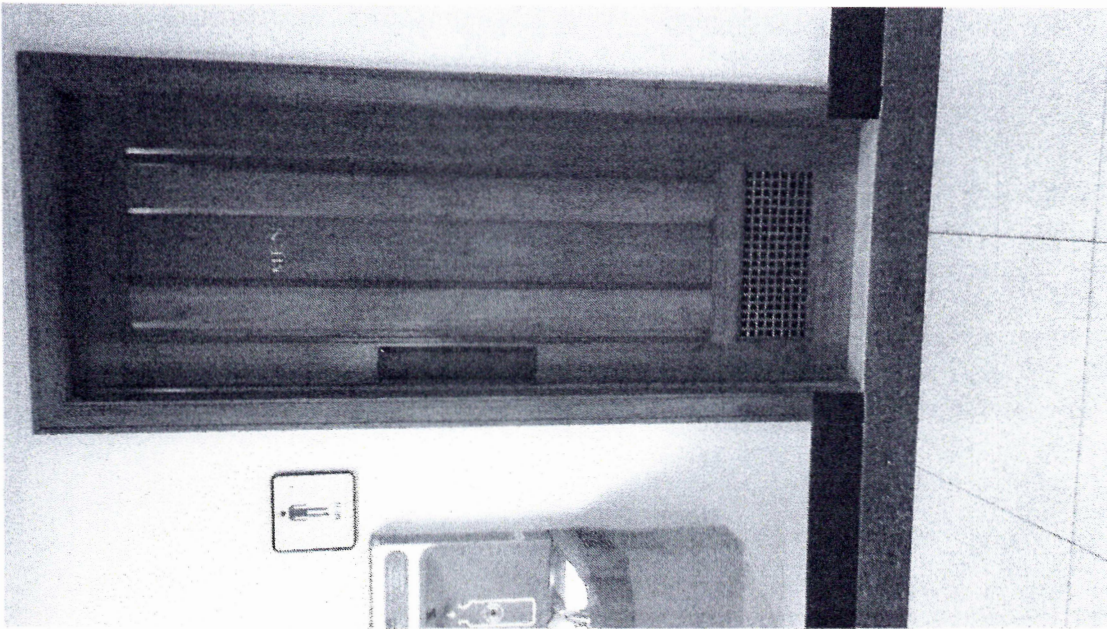
Judicial Wing has door-opener
every other floor.



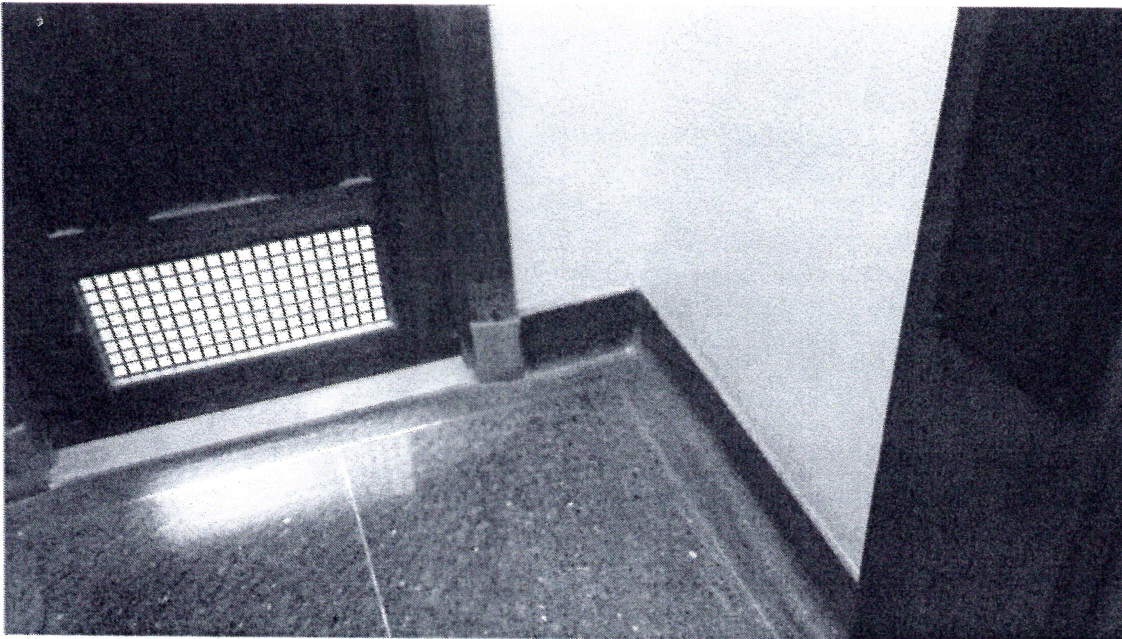
But the signs claim
every floor has Handicapped access according to ADA. Apparently NOT 2010 or even 1990 standards.



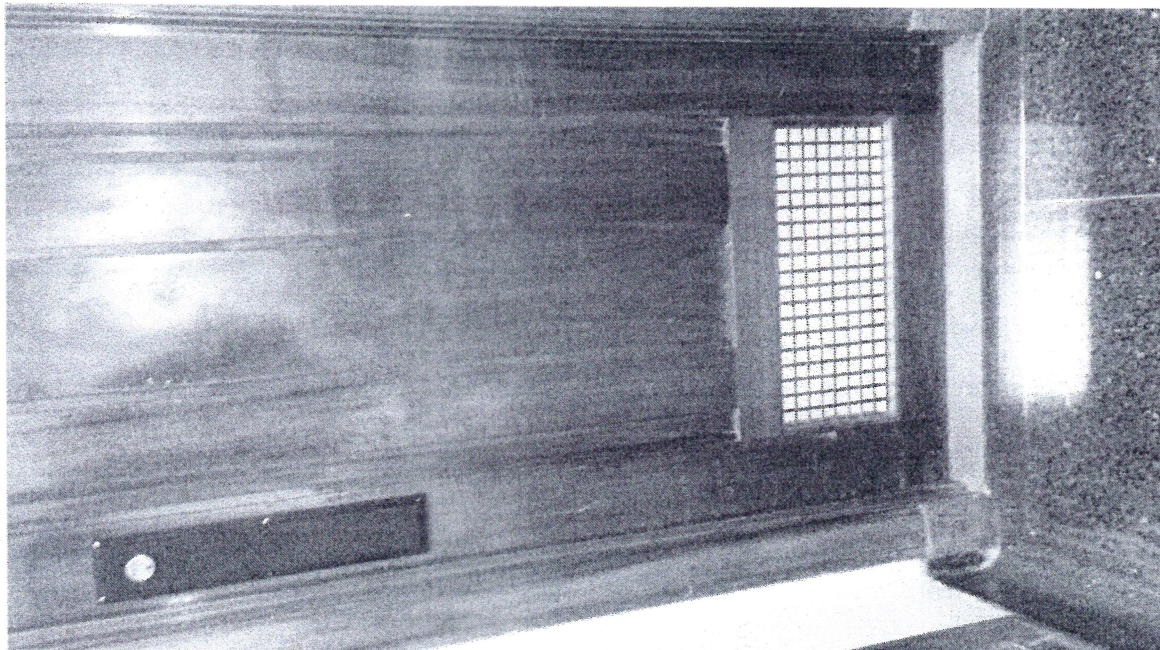
Leaving the women's Handicapped bathroom in Judicial wing is blind. Most women coming in are coming at a fast walk or a jog. Anyone on the inside is endangered, but especially handicapped people. Incoming women seldom use the button – the door opens slowly & they are in a hurry due to time constraints re their jobs.



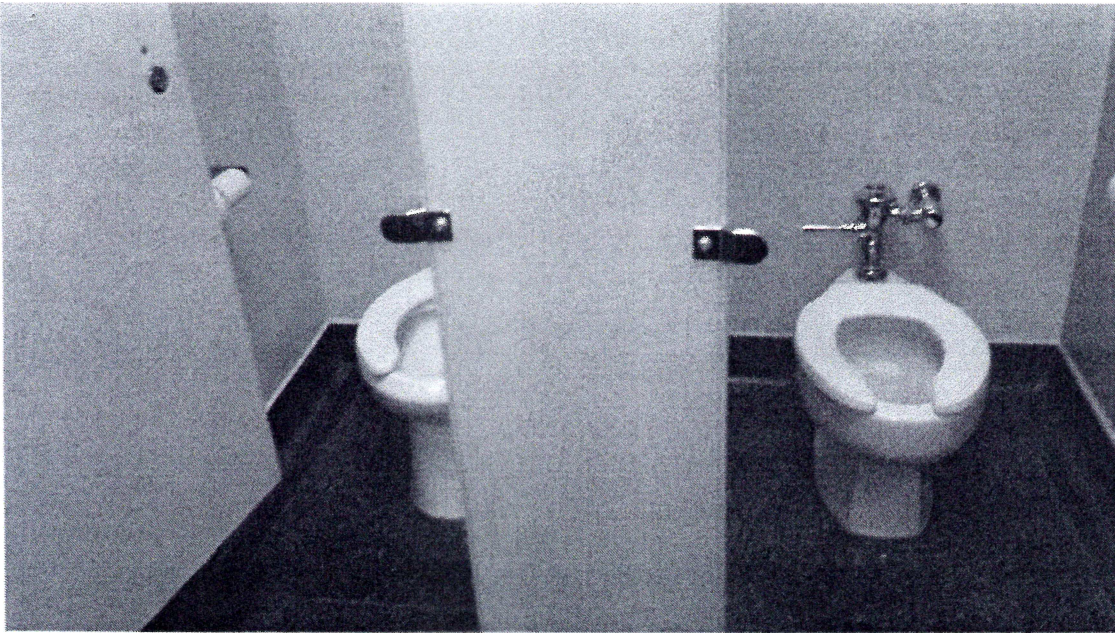
Men's bathroom on any floor of the tower. Doors are too narrow to accommodate a manual wheelchair, let alone a powered chair. While the sign says "Men", the Handicapped Access rooms are not wide enough, either. There is no signage telling visitors where the Handicapped bathrooms are, either, so they must hunt for the gender-appropriate room. There is one Handicapped accessible bathroom for men and one for women in the Tower. Width is not the only consideration.



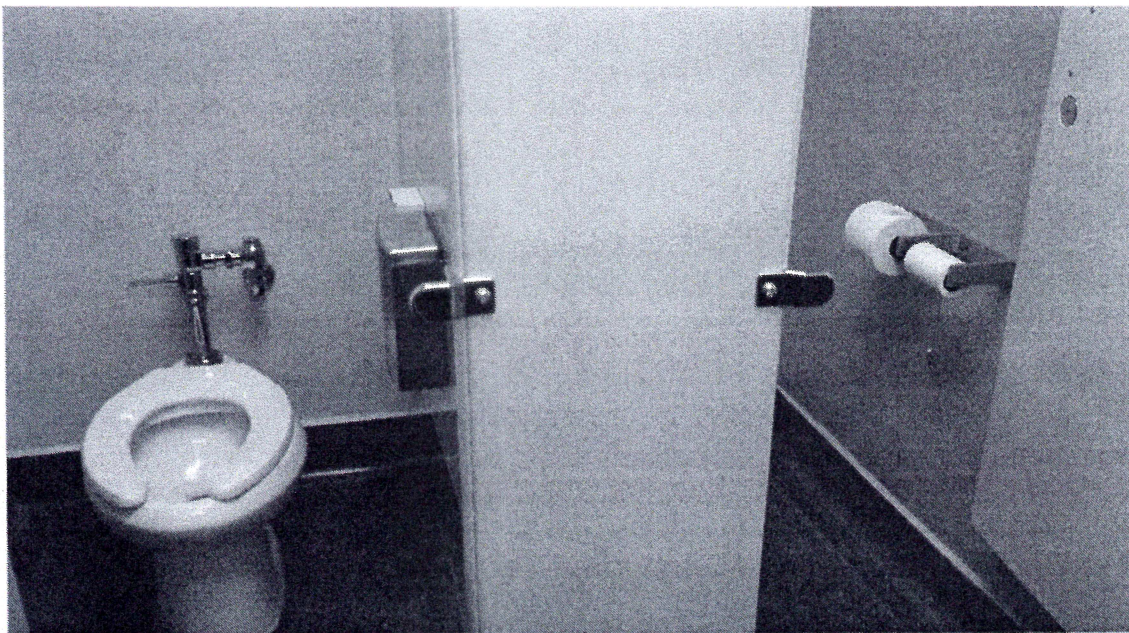
Inside a bathroom in the tower. These doors open in. IF a handicapped person can get in, they have a hard time exiting, since the door-assist mechanisms are not adjusted to meet ADA requirements. The doors are heavy & the mechanisms require considerable effort to open the door. Elderly people on canes, walkers, or crutches have a hard time with these. The standard is 5 lbs. of force needed to open these doors, whether specifically for Handicapped people or not. These doors currently are at considerably more than 5 lbs.

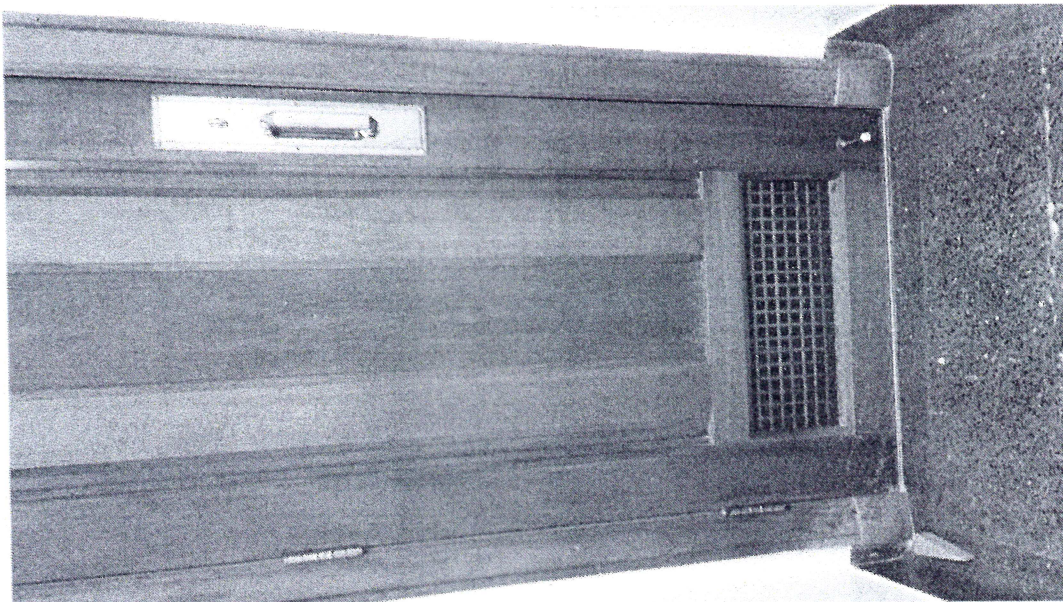


Again, blind access whether entering or exiting.

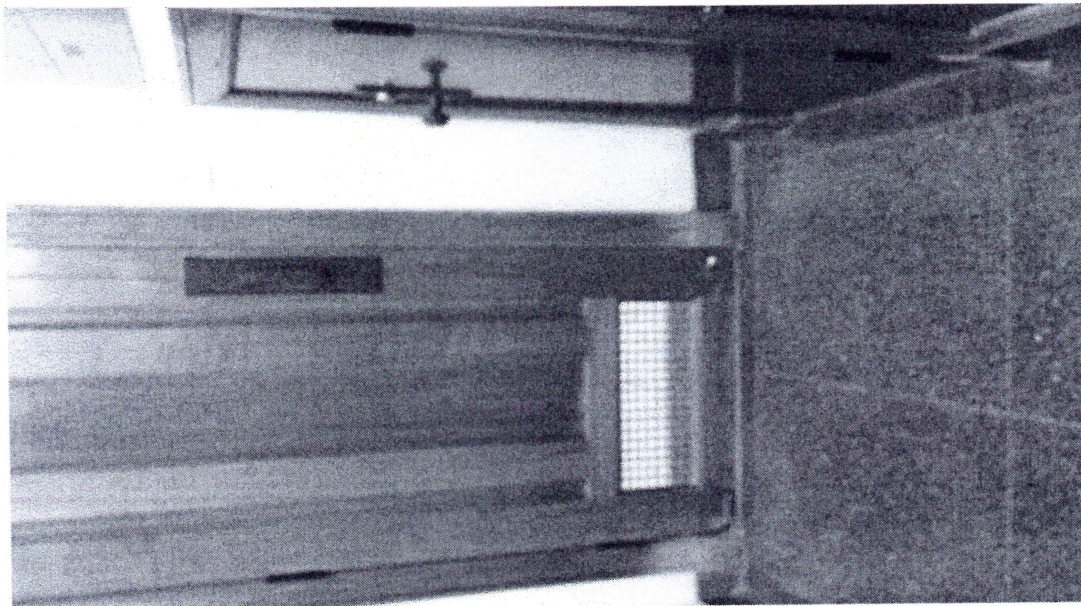


Typical of most bathrooms in the tower, these can be difficult for handicapped people to use. Grab bars are not expensive to buy or to install. I installed many when I was "the" carpenter who repaired the new care center at Beulah so it could pass its inspection and could open. Whoever built the center did not put backing blocks behind the grab bars, but merely hung them on drywall. Drywall (aka sheetrock) is not load-bearing. I spent perhaps 20 minutes per stall installing grab bars correctly. Even at \$22/hour, that is less than \$8 / bar for labor. Certainly the handicapped citizens of ND are worth that..



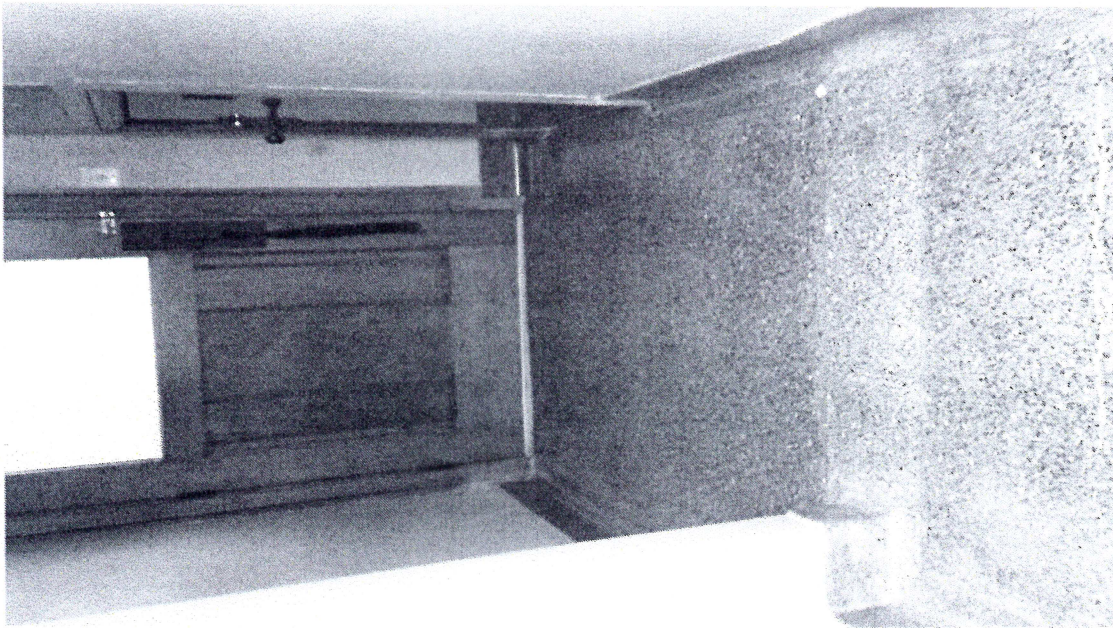


Typical of most of the doors in the tower bathrooms. IF a person in a wheelchair can get it, s/he has no way to open the door to leave.

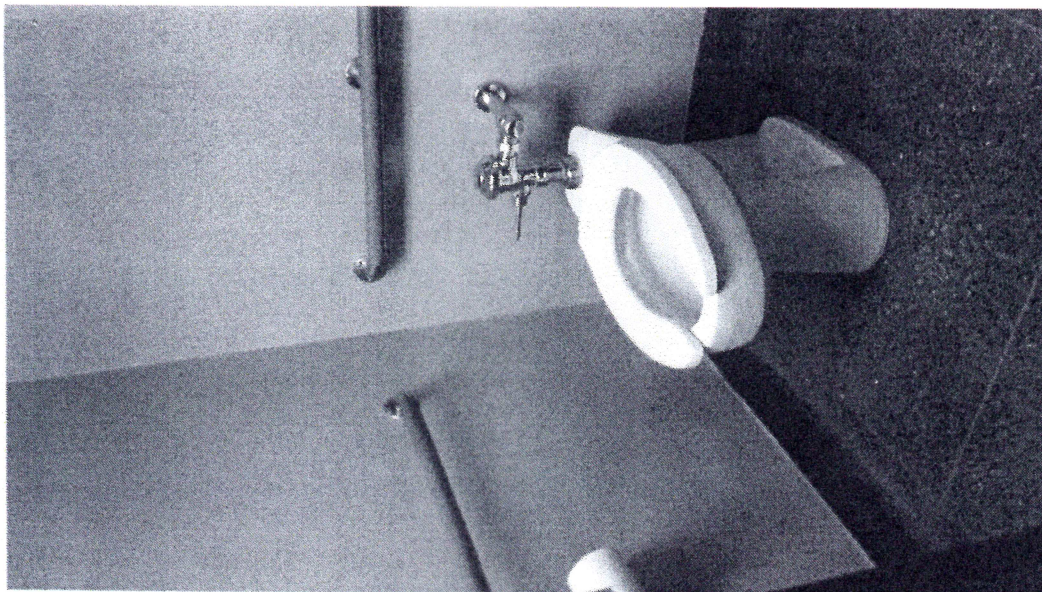




Handicapped women's bathroom in the tower. But there are no signs in the tower telling visitors where this bathroom is. Same for handicapped men's.

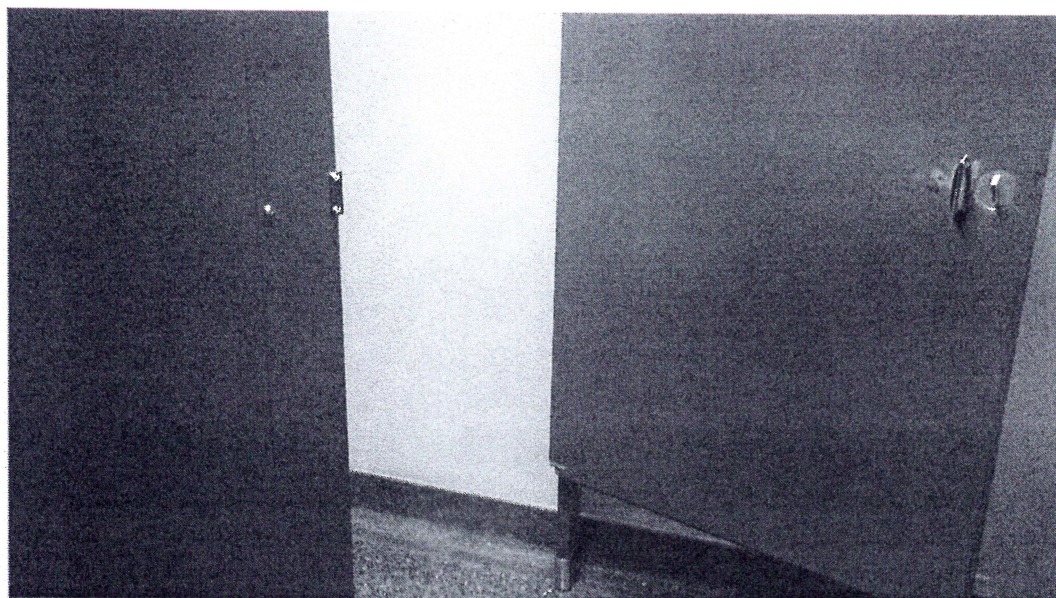


Note the long strap hanging from the handle of the door on this handicapped bathroom in the tower. IF a person in a wheelchair can get hold of it, s/he then must hold on to it while manually pushing his/her chair backwards to open the door. There is no way to keep the door open while passing through the doorway, however. Currently, with this arrangement, the only alternative is to have someone go with the handicapped person so they can use the bathroom. How demeaning! What a slam to their already-limited INdependence.



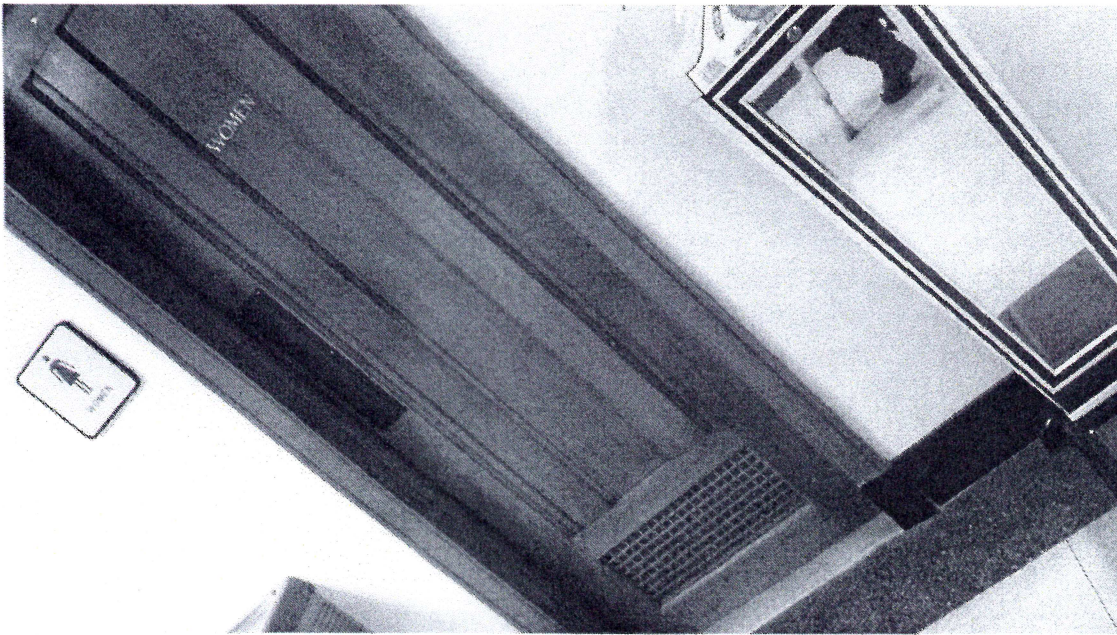
handicapped women's stall.

First floor Judicial wing



handicapped women's stall inside of door.

First floor Judicial wing



note the width of the door.

In the tower. Again,



note the width of the door.

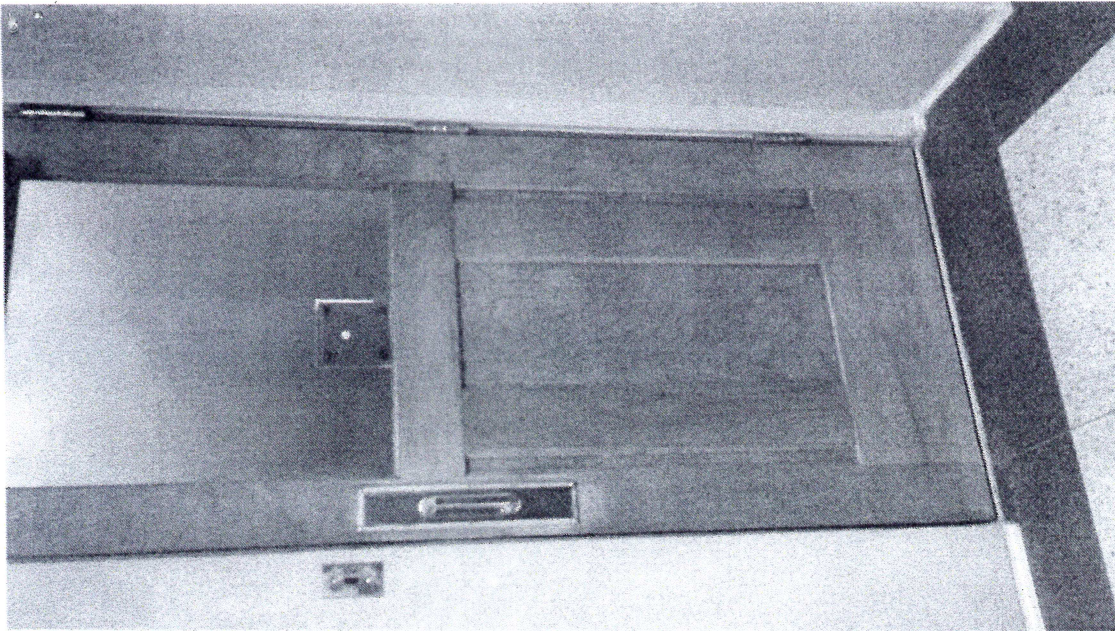
In the tower. Again,

Mar 1 to Mar 08

14th FLOOR - Q₃, NO Q₅
 15th " - Q₃, NO Q₅
 16th " - Q₃, NO Q₅
 17th " - Q₃ FOR EMPLOYEES
 ONLY (photo)
 18th " - NO Q₃

My notes on the
 bathrooms I evaluated.

19th FLOOR - Q₃, NO Q₅
 20th " - Q₃, NO Q₅
 21st " - Q₃, NO Q₅
 22nd " - Q₃, NO Q₅
 23rd " - Q₃, NO Q₅
 24th " - Q₃, NO Q₅
 25th " - Q₃, NO Q₅
 26th " - Q₃, NO Q₅
 27th " - Q₃, NO Q₅
 28th " - Q₃, NO Q₅
 29th " - Q₃, NO Q₅
 30th " - Q₃, NO Q₅

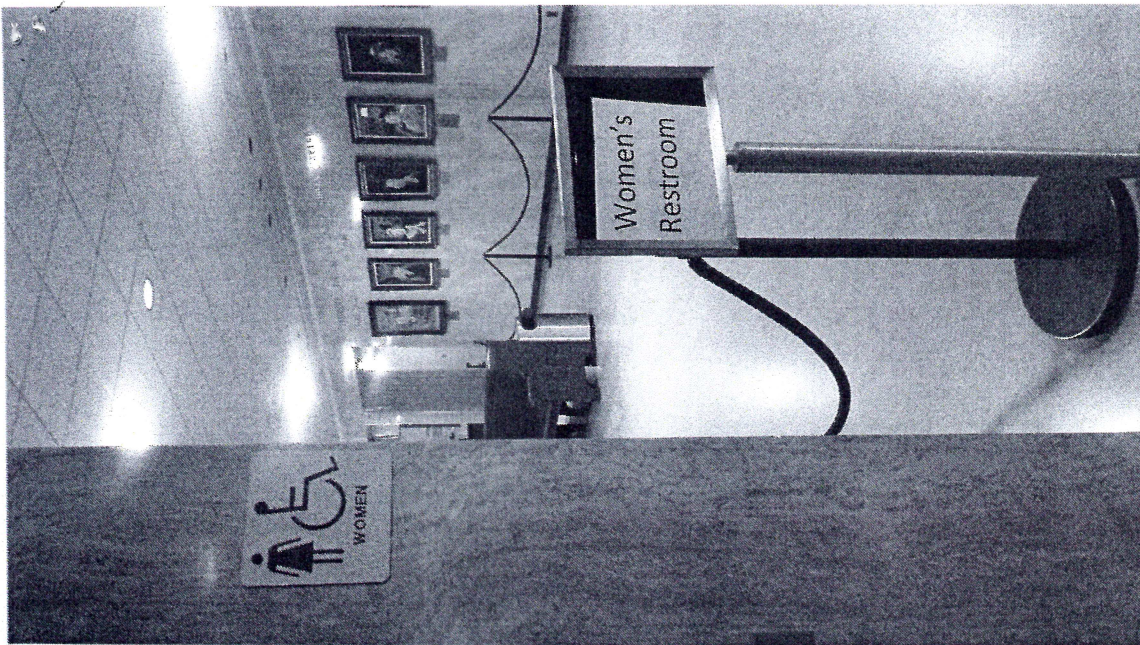


First floor women bathroom next to the Senate cloakroom. No opener & blind access from both sides. I've lost count of how many times someone has blasted through the door & nearly knocked me down. No wonder I get snarly about this..



Sort of handicapped accessible..

Photo of handrail at Brynhild Handland room would not print. It is about 12" too short for anyone's safety.



Sign in Hall of Fame.

But no arrows or subsequent signs directing visitors.

Assessment: Signage improvements with an eye to visitors' needs are much needed. This includes some kind of audio for visually-impaired people. Many of them walk around alone & they cannot be expected to find Braille signs they cannot see. Not all visually-impaired people read Braille.

Elimination of blind access from both sides of doors is needed. A small clear pane would allow safety without compromising privacy, & no one's privacy is at risk at a doorway anyway. But their safety is, currently.

Door openers on every handicapped bathroom are needed.

Doors on non-Handicapped bathrooms need to be easier to open. I'm still pretty athletic, but I sometimes have difficulty managing those doors due to the force needed to get them open; & then there's blocking them with my crutch while I pass through the opening.

There are no "family" bathrooms anywhere in the ND Capitol. Recently, I was in a handicapped stall in another building when a power-chair-bound man and his female attendant came in. She remarked that she could not accompany him into the men's, and there were no men available to help him, so they came into the women's. They didn't ask me to hurry, etc., but he carries a portable urinal so she helped him with that in the common area of the women's bathroom, then emptied it & rinsed it for him. They might have made peace with this kind of arrangement, but I doubt I ever could, & I sincerely strive to never be in that position. No one should be. The Capitol building & campus are The People's. All of them. Every building should have at least one "family" bathroom with aids that meet current ADA requirements, or surpass them. It is not difficult or expensive. Ask people who live under the ADA for input.

Carel Two-Eagle, activist.

HB 1030

Government and Veterans Affairs

Representative Jim Kasper, Chairman

January 6, 2021

Chairman Kasper and members of the House Government and Veterans Affairs Committee. My name is Royce Schultze, and I am the Executive Director of Dakota Center for Independent Living, Inc. (DCIL) in Bismarck. DCIL is a non-profit advocacy agency that works with people with disabilities. We serve 18 counties in South Central and South Western North Dakota.

I am here today in support of HB 1030 which would provide an appropriation of up \$750,000 to improve the accessibility on the state Capitol grounds.

I have been coming to the Capitol for various meetings and legislative sessions for many years and have experienced issues first hand as a person that uses a wheelchair.

Because of these experiences, I was invited to tour the first two floors of the Capitol with John Boyle, Director of Facilities Management and J2 Architecture and Design, and was also part of a planning team that looked at accessibility issues in the Capitol building.

The Americans with Disabilities Act was passed thirty years ago, and yet there are doors that wheelchair users cannot use, rooms that are too small for even one wheelchair, and for some, no access to a restroom. These accessibility issues need to be fixed now.

I hope you support HB 1030, along with the emergency clause so work can get started. Our great Capitol building must be made accessible for people of all abilities.

Thank you for your time, and I am available for any questions.

2021 HOUSE APPROPRIATIONS

HB 1030

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1030
2/2/2021

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

10:57 Chairman Delzer called the meeting to order;

Attendance	P/A
Representative Jeff Delzer	P
Representative Keith Kempenich	P
Representative Bert Anderson	P
Representative Larry Bellew	P
Representative Tracy Boe	P
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 Vigasaa	P

Discussion Topics:

- Updates to the capital and capital grounds
- ADA Standards
- Feelings of those that with disabilities

10:58 Representative Kasper –Introduces HB 1030

Additional written testimony: No written testimony

11:05 Chairman Delzer Closes meeting on HB 1030

11:10 Chairman Delzer Reopens the meeting for HB 1030

11:10 Representative Jon O. Nelson- Clarifies some questions on HB 1030

11:13 Chairman Delzer Closes the meeting

Risa Berube,

House Appropriations Committee Clerk

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1030
2/9/2021

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

3:21 Chairman Delzer Opened the discussion for HB 1030

Representatives	P/A
Representative Jeff Delzer	P
Representative Keith Kempenich	P
Representative Bert Anderson	P
Representative Larry Bellew	P
Representative Tracy Boe	P
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	A
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 Vigasaa	P

Discussion Topics:

- Capital Grounds
- OMB budget addition
- Requiring OMB to utilize the disability recommendations

3: 24 Representative Kempenich- Made a motion for a Do Pass

Representative Howe -Second the motion

Further discussion

3:27 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	N
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	A
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	N
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Jim Schmidt	Y
Representative Randy A. Schobinger	Y
Representative Michelle Strinden	Y
Representative Don Vigesaa	Y

Motion Carries 18-2-1

Representative Louser -Will carry the bill

Additional written testimony: No written testimony

3:29 Chairman Delzer Closed the hearing for HB 1030

Risa Berube

House Appropriation Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1030: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS**
(18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1030 was placed on the
Eleventh order on the calendar.

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1030

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Room JW216, State Capitol

HB 1030
3/12/2021

Provide an appropriation to the Office of Management and Budget for accessibility improvements on the state capitol grounds, declare an emergency.

Chair Vedaa opened the hearing at 9:00 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- ADA compliance
- ADA changes-Living Document

Carel Two-Eagle testified in favor

John Boyle – OMB Facility Management - testified in favor - #8846

Additional written testimony:

Jillian Schaible – in favor - #8925

Adjourned at 9:13 AM

Pam Dever, Committee Clerk



Testimony in Support of
House Bill No. 1030
Government and Veterans
Affairs Committee
March 12, 2021

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 HB 1030.

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.

NDLA, S GVA - Dever, Pam

From: Jillian Schaible <schaiblejillian@gmail.com>
Sent: Friday, March 12, 2021 6:28 AM
To: NDLA, S GVA - Dever, Pam
Cc: Dever, Dick D.
Subject: HB1030 testimony

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Good morning Chairman Vedaa and Senate Government Veterans Affairs Committee,

For the record, my name is Jillian Schaible, and I work at the Legislative Information Kiosk.

HB 1030 is in front of you today and SB 2146 will be in front of the House Government Veterans Affairs Committee soon. They are essentially the same bill and I am in favor of both of them. One of them needs to be passed.

Amendments need to be added for the following reasons:

- Change the ADA compliance from 1990 to 2010
- There needs to be a proper ADA assessment done by a professional to include the House and Senate chambers.
- Some of the major ADA upgrades need to be completed before December 31st, 2022
- A legitimate ADA consultant position should be made a part of this appropriation to ensure that the documented twenty thousand, probably more, North Dakotans with disabilities have a place in the legislative process

North Dakota can do better than simply complying with the law and we need to start now.

Thank you for your time. Please contact me with any questions.

--

Jillian Schaible

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Room JW216, State Capitol

HB 1030
3/18/2021

To provide an appropriation to OMB for accessibility improvements on the state capitol grounds; declare an emergency.
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Chair Vedaa called to order at 11:17 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- Committee Work

More information is needed to vote

Adjourned at 11:20 AM

Pam Dever, Committee Clerk

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

HB 1030
3/25/2021

To provide an appropriation to OMB for accessibility improvements on the state capitol grounds; declare an emergency.

Chair Vedaa called to order at 11:24 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- Committee Work

Sen Meyer moved a **Do Not Pass**

Sen Elkin seconded

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 11:29 AM

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1030: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB
1030 was placed on the Fourteenth order on the calendar.