

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Senator Nancey Harrington at 10:30 a.m. on February 20, 2002 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department
 Dennis Hodgins, Legislative Research Department
 Theresa Kiernan, Office of the Revisor
 Nikki Kraus, Committee Secretary

Conferees appearing before the committee:

Representative Dan Thimesch
Joe Lawhon, Legislative Post Audit
Larry Eller, Director of Community Development, Parsons, Kansas
Becca Vaughn, Kansas Disability Rights Action Coalition for Housing
Bob Mikesic, Independence, Inc.
Tony Zimbelman, Kansas Building Industry Association
Sharon Huffman, Kansas Commission on Disability Concerns
Robin Tropper, Kansas DRACH
Jim Snyder, Pres. for KS Seniors, KS Council of Silverhaired Legislators
Alan Bowes, Executive Director of Tenants to Homeowners, Inc.

Others attending: Please see attached

Jerri Reed, Executive Director of Kansas Dental Hygienists Association, asked the committee to introduce a technical amendment to update some language.

Senator Brungardt made a motion to introduce the bill. Senator Lyon seconded the motion. The bill was introduced.

Chairperson Harrington opened the public hearing on:

HB 2020-Handicapped accessibility standards; certain dwellings

Representative Dan Thimesch presented testimony in favor of the bill. (Attachment 1)

Senator O'Connor asked Representative Thimesch what his average cost on a family of four would be, based on his 30 years of building experience. Representative Thimesch replied that this bill affected public assistance housing only. He stated that in regard to that type of housing, opponents would say that they are concerned with elevated housing and the expense of ramping. He stated that as a builder himself, he could see other options such as lowering the homes so that there would be less feet going into the home. He stated that it was an option he would look into because there would be less concrete going into the foundations, and you would excavate, so the cost would even out. He also stated that putting ramps into the lower homes would be cheaper, so overall, it would be cheaper. He stated that a change in this building practice would have a direct impact on the cost. Following further discussion, Representative Thimesch stated that there are several inspections during building of a home.

Senator Gilstrap asked what the vote in the House was concerning this bill, and Representative Thimesch stated it was close, and that was after the remodeling part was taken out by amendment because it had been controversial.

Becca Vaughn, Kansas Disability Rights Action Coalition for Housing, stated that the vote in the House had been 69 yeas and 56 nays.

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS at on February 20, 2002 in Room 245-N of the Capitol.

In response to a question from Senator Gilstrap, Representative Thimesch stated that the bill was not retroactive for structures which had already been built.

Chairperson Harrington stated that before the hearing continued, Russell Mills, Legislative Research, would like to make a quick comment on how state liquor taxes and fees are being distributed and update the committee. Chairperson Harrington instructed the committee to note an update letter from Joe Lawhon, Legislative Division of Post Audit, concerning more recent statistics about his presentation the previous day on the "Uses of Alcoholic Liquor Fund Monies." ([Attachment 2](#))

Mr. Mills presented a table entitled, "How are Liquor Taxes and Fees Distributed?" ([Attachment 3](#))

Larry Eller, Director of Community Development, Parsons, Kansas, presented testimony in opposition to **HB 2020**. ([Attachment 4](#))

In response to questions from Senator O'Connor, Mr. Eller confirmed that he had presented a possibility for creating a deeper hole under the foundation of a home, but that hole might collect water, so the better option would be to bring in fill dirt up to the foundation. He stated that, unfortunately, there was a cost associated with that, and it has been documented and estimated at approximately \$2,450.

Mr. Eller stated that he was trying to comply with the law, and that when building a one to twelve slope, there is a great deal of dirt needed to achieve it.

Senator Gooch stated that in the past few days, there had been a bill that dealt with the possibility not to allow manufactured housing to be placed in locations within the city. He stated that he wondered if this was not manufactured housing, if that would that help. Mr. Eller stated that if you look at the price differential between a manufactured home at \$56,000 and a stick-built home at \$90,000, the house payments increase dramatically. He stated that eliminating manufactured housing would eliminate forty percent of the housing stock the past few years. He stated that it is a cheaper alternative, but unfortunately, this bill just creates special problems for manufactured housing. He stated that it is possible to make these changes, but there is an additional cost to doing that, and it is necessary to be aware of that.

In response to a question from Senator Barnett, Mr. Eller stated that there is no federal requirement or mandate for accessibility for single-family, owner-occupied homes, which is what he deals with and that is why it affects him.

In response to a question from Senator O'Connor, Mr. Eller stated that he would be able to support the requirements on stick-built homes with no problem, but manufactured homes creates a problem because he has to go to a general floor plan at a higher cost. Senator O'Connor stated if they took the ramp requirement out of the bill, would Mr. Eller be able to accept the rest of the bill; and Mr. Eller stated that he would not be able to accept it because in order to meet the doorway and hallway requirements, he would have to move to a different floor plan, and that is \$3,750 more. He stated that if the bill is passed, the cost of manufactured housing automatically goes up \$6,000 for a house in his jurisdiction. Senator O'Connor asked about eliminating the ramp requirement, and Mr. Eller stated that it would then be \$3,750 more.

Chairperson Harrington stated that he has provided information in his written testimony which might answer Senator O'Connor's questions. In response to another question from Senator O'Connor, Mr. Eller stated that the manufactured home company that he works with is not going to stop their assembly line to put in blocks in the wall or change their floor plan to include door, so they will move to another manufacturer who has a floor plan that will meet the standards, and that is why there would be extra expense.

Becca Vaughn, Kansas Disability Rights Action Coalition for Housing, presented testimony in favor of the bill. ([Attachment 5](#)) Ms. Vaughn also presented an article entitled, "Illinois, Arizona communities order new homes be more accessible to people in wheelchairs." ([Attachment 6](#))

Senator Vratil stated that as he read the proposed statute, if there was a violation of this, it would make the violator ineligible to receive public funding forever. He asked if Ms. Vaughn would have any objection to

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS at on February 20, 2002 in Room 245-N of the Capitol.

limit that ineligibility to two or three years. Ms. Vaughn stated that she that there had been similar discussion in the past, and she did not believe that there would be any objection to that. Senator Vratil stated that he thought the forever penalty was pretty severe, and he would hope that they would recognize the error of their ways and not repeat the violation in the future. Ms. Vaughn stated that she would think that would be addressed in the rules and regs process.

Senator Barnett asked a question in regard to a waiver which might be granted by the Secretary of Commerce and Housing, and Ms. Vaughn stated that two of the provisions are already building standards including the thirty-six inch entranceway and hallway. Theresa Kiernan stated that the waiver only applies to the provisions of subsection A, which includes ramp and entranceway.

Senator Gooch stated that looking at this bill and listening to the discussion, there are a certain number of accessible buildings, there are only a certain number of units which are accessible, but when the bill applied to housing, each one is affected. He stated that as he looked at this comparison between the one out of five accessible requirement for buildings versus every individual house would be affected, not that he would not prefer that everything comply, but he was looking at the way it was being applied. He stated that this is based on the fact that you don't necessarily have to have someone living in there to have it be accessible. He stated that in apartment buildings, if the requirement was one in five to fulfill, what would happen if someone who did not require the standards had them and another person needed them. He stated that the in the comparison, it seemed like there was something wrong about it.

Ms. Vaughn stated that, to clarify, under the Federal Fair Housing Act and the Kansas act against discrimination, multi family housing of four or more units have to have seven features of basic accessibility on all ground floor units and all units served by an elevator. She stated that those requirements affect both private and publically funded residences. She stated that the ratio is a minimum standard which applies to buildings built with federal dollars only. She stated that there is a problem with that Federal law and that this was a gap measure to bring Kansas into the future of welcoming all of our residents equally into anything we fund.

Bob Mikesic, Independence, Inc., presented testimony in favor of the bill. ([Attachment 7](#)) He also presented the written testimony in favor of the bill from Jennifer and Jessica Schwartz. ([Attachment 8](#))

Tony Zimbalman, Kansas Building Industry Association, presented testimony in opposition to the bill. ([Attachment 9](#)) Mr. Zimbalman stated that his concern, in addition to raising the cost of the homes, would be that this legislation would be a violation of private property rights because these owners sign mortgages and become property owners just like he is. He stated that he thought that it was unfair. He stated that he did not want to sound like he was against the handicapped because he is not, but he is for affordable housing. He stated that if a buyer stated that they needed to make their home handicapped accessible, he would work with them in every way that he could, but this particular program and others like it would make it so that he was not sure that he and other builders like him may not be able to exist.

Senator Gooch stated that being well acquainted with this issue, it seemed to him that Mr. Zimbalman was talking about going beyond what the bill was requesting because he was talking about single-family homes. Senator Gooch stated that he believed that it does not cover the entire house, but only requires that the entrance and a bathroom be accessible, but that Mr. Zimbalman was discussing making an entirely accessible home. Senator Gooch stated that he wondered if there is still the possibility to have a nice home which could still be accessible for visitors.

Mr. Zimbalman stated that at least one of his affordable housing floor plans would be unusable because of the plan of the house, entering onto a landing which then required a person to go up or down stairs to get to a floor of the home. He stated that he would not be able to make this accessible without installing a wheelchair lift or an elevator. He stated that on the ranch plan, the entrance would not be a problem, but expanding the bathroom doorway would force him to expand the entire house because otherwise it would no longer be a functional house.

Senator Gooch stated that he would hope that the contractors would be able to try and work with this in some

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS at on February 20, 2002 in Room 245-N of the Capitol.

way and still continue what they are doing.

Chairperson Harrington stated that there were a few more people who wanted to testify; she stated that she would like to know if the homeowner secured the loan, or of he got the funding and then in turn sold the home to the person who is purchasing it. Mr. Zimbalman stated that the homeowner gets the loan. Chairperson Harrington asked if the homeowner would get the loan from any bank, and Mr. Zimbalman confirmed.

Ms. Kiernan stated that she needed a clarification on bank. Mr. Zimbalman stated that the process starts when homeowner is recommended to go to a bank. Ms. Kiernan asked at what point the public financial assistance come into the process. Mr. Zimbalman stated that he is not involved in that, but that he assumes it comes in on the closing date, when the buyer actually goes in to sign the documents for their house; he assumed that the city then pays the bank the difference between the amount of the loan they promised and what the customer is paying, but he was guessing that. Ms. Kiernan stated that, assuming that, this bill imposes the condition to accepting whoever is getting that money that they will either build or have their home built meeting these requirements. She stated that it is just a condition and if they do not want to meet these, then they get conventional financing. Mr. Zimbalman stated that then they would lose their subsidy from the program and would not be able to afford the house, like a catch 22. Ms. Kiernan asked if he had any idea how much money was saved through the life of the loan through public financing as opposed to a conventional loan. Mr. Zimbalman stated that most of these houses are FHA, so if he took his normal price of \$80,000, about 97% of that would be the loan, somewhere around \$78,000. He stated that his houses were around \$67,500, so 98% of that would be \$65,000, so they are saving \$13,000 up front. He stated that anyone who has gotten their mortgage papers knows that by the end of the loan, whatever they borrow, they end up paying about three times that. He stated that about \$40,000 is what they are saving over the long term.

Senator Teichman stated that anyone who goes to the bank for a loan can be helped with funding. Mr. Zimbalman stated that if they go through an initial approval for assistance, then they can continue, but if they do not pass the qualification process, then they are done, but if they do, then they are sent on to a loan proofer and have to provide a bunch of documentation.

Sharon Huffman, Kansas Commission on Disability Concerns, presented testimony in favor of the bill. ([Attachment 10](#))

Robin Tropper, Kansas DRACH, presented testimony in favor of the bill. ([Attachment 11](#))

Senator Gooch stated that Mr. Trooper asked for the bill to be passed without any amendments, and the Senator would like to know if he would be against the amendment the committee had discussed. Mr. Trooper stated that he was concerned that any small change would mean that the bill would have to pass through the house again.

Ms. Kiernan stated that the provisions of the act say that it does exclude privately owned homes. She stated that the requirement was on the developer, not the home owner, when public financing is obtained by the developer.

Jim Snyder, President for Kansas Seniors, Kansas Council of Silverhaired Legislators, presented testimony in favor of the bill. ([Attachment 12](#))

Alan Bowes, Executive Director of Tenants to Homeowners, Inc., presented testimony in favor of the bill. ([Attachment 13](#))

Amy Ritter, El Dorado, Kansas, presented written testimony in favor of the bill. ([Attachment 14](#))

Cecil E. Walker, El Dorado, Kansas, presented written testimony in favor of the bill. ([Attachment 15](#))

Gina McDonald, KS Assoc. of Centers for Independent Living, presented written testimony in favor of the bill. ([Attachment 16](#))

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS at on February 20, 2002 in Room 245-N of the Capitol.

Jeanne Abraham-Lunz and Kathy Lobb, Legislative Liaison, Self-Advocate Coalition of Kansas, presented written testimony in favor of the bill. ([Attachment 17](#))

Ernest Kutzley, Associate State Director/Advocacy, AARP Kansas, presented written testimony in favor of the bill. ([Attachment 18](#))

Senator Lana Oleen, presented written testimony in favor of the bill. ([Attachment 19](#))

Josie Torrez Resident, Topeka, presented written testimony in favor of the bill. ([Attachment 20](#))

Gary Howard, Western Kansas Association on Concerns of the Disabled, presented written testimony in favor of the bill. ([Attachment 21](#))

Shannon Jones, Statewide Independent Living Council of Kansas (SLICK), presented written testimony in favor of the bill. ([Attachment 22](#))

Troy A. Horton, Center for Independent Living in Southwest Kansas, presented written testimony in favor of the bill. ([Attachment 23](#))

Brian Atwell, Living Independently in Northwest Kansas (LINK), presented written testimony in favor of the bill. ([Attachment 24](#))

Steve Hinds, Consumer Advocate, Independent Living Resource Center, presented written testimony in favor of the bill. ([Attachment 25](#))

Naomi Passman, Resident of Wichita, presented written testimony in favor of the bill. ([Attachment 26](#))

The meeting adjourned at 12:00 p.m. The next meeting is scheduled for 10:30 a.m. on February 21, 2002 in Room 245-N.

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE GUEST LIST

DATE: February 20, 2002

NAME	REPRESENTING
Sue Christmas	TILRC
Charo Huffman	KCDC
Suzanne Bush	TILRC
Dale Huffman	Families Together Inc
PaeAnne Davis	ICDCH
Jean Mod	Independent Connection
Jim Kuthala	PIUR
Steve Rulandson	TILRC
Deann Jackson	KS. ADAPT
Bob Mikheic	Independence, Inc
Alan Bowes	Tenants to Homeowners, Inc
Amy Ritter	RCH
Becca Vaughn	TILRC / KDRACH
Trudy Aron	Am. Inst of Architects
Larry Ellen	City of Parsons, Mo.
Mark Tomi	League of Kansas Municipalities
Steve Hinds	Independent Living Resource Center - Wichita
Tony ZIMBELMAN	ZIMBELMAN CONSTRUCTION
Janet Stubbs	KRIA

DAN THIMESCH
 REPRESENTATIVE, 93RD DISTRICT
 30121 WEST 63RD STREET SOUTH
 CHENEY, KANSAS 67025
 (316) 531-2995

STATE CAPITOL
 ROOM 278-W
 TOPEKA, KANSAS 66612-1504
 (785) 296-7680
 1-800-432-3924
 (DURING SESSION)



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 AGRICULTURE: RANKING MINORITY
 ENVIRONMENT
 LEGISLATIVE POST-AUDIT
 TAX, JUDICIAL & TRANSPORTATION BUDGET:
 SUBCOMMITTEE
 CAPITOL RESTORATION
 SOUTH/CENTRAL/SEDGWICK COUNTY DELEGATION
 GULF WAR ADVISORY BOARD

February 20, 2002

TESTIMONY - HB 2020
 SENATE FEDERAL AND STATE COMMITTEE

I am here today to ask for your favorable support for HB 2020. I was on the summer interim dealing with this issue of accessibility.

As we are all getting older, the baby boomers are ageing, a number of us are physically handicapped or will be.

Most of us may never become physically handicapped or have problems with accessibility.

I grew up understanding the problem. My older sister has been paralyzed since 1959. There were many barriers to accessibility.

Our Country has made great improvements and in the past has supported reasonable changes to help those that need accessibility.

I am asking you to consider a few changes that are very common sense.

If public financial assistance is given for single family dwellings then we should require

- an entrance ramp
- accessible doors "32"
- 36' hallways
- accessible light switches, outlets, control
- and backing for grab bars.

These requirements are reasonable. If planned for, the benefits will far out way the small costs. I know because I have built for over 30 years.

Please support HB 2020.

Sn Fed St
 Attach #1
 02/20/02



LEGISLATURE OF KANSAS
LEGISLATIVE DIVISION OF POST AUDIT

MERCANTILE BANK TOWER
800 SOUTHWEST JACKSON STREET, SUITE 1200
TOPEKA, KANSAS 66612-2212
TELEPHONE (785) 296-3792
FAX (785) 296-4482
E-MAIL: lpa@lpa.state.ks.us

February 20, 2002

Senator Nancey Harrington, Chairperson
Senate Federal and State Affairs Committee

Dear Senator Harrington:

Following the presentation of our 1995 audit *Use of Alcoholic Liquor Fund Moneys by Local Units of Government*, the committee asked for updated information concerning how much money the 10% tax generated. We contacted Department of Revenue staff and obtained the following information. Please note that we have not verified its accuracy.

Department of Revenue records indicate that almost \$17.5 million was distributed to city and counties in fiscal year 2001. As you will recall, cities and counties get back 70% of the tax moneys collected. This means the Department of Revenue collected about \$25 million in total from vendors during an earlier 12 month period.

I hope this information is helpful. If you need any additional information, please let me know.

Joseph Lawhon
Principal Auditor

cc: Members of the Federal and State Affairs Committee

Sn Fed St
Attach # 2
02/20/02

TABLE 8

HOW ARE STATE LIQUOR TAXES AND FEES DISTRIBUTED?

SnFed St
Attach #3
02/20/02

Tax/Fee	SGF	Community Alcoholism & Intoxication Programs Fund ¹	Alcoholism Treatment Fund ²	Local Alcoholic Liquor Fund ³	Local Unit General Fund
TAXES					
Gallonage Tax (Beer, CMB, Wine)	100%	--	--	--	--
FY 2001 Receipts	\$10,623,726				
Gallonage Tax (Spirits)	90%	10%	--	--	--
FY 2001 Receipts	\$ 6,354,809	\$706,090			
Enforcement Tax (in lieu of sales tax on retail liquor sales)	100%	--	--	--	--
FY 2001 Receipts	\$35,350,911				
* Drink Tax (in lieu of sales tax on sales by clubs, drinking establishments, and caterers)	25%	5%	--	70%	--
FY 2001 Receipts	\$6,247,948	\$1,249,590		\$17,494,253	--
Retailer Sales Tax (on CMB sales by retailers who are not also liquor licensees)	100% (state rate 4.9%)	--	--	--	100% of local option sales tax \$69,000 to \$207,000
City and Township License Tax on Liquor Retailers (required by state law)	--	--	--	--	
FEES					
Club, Drinking Establishment, and Caterer Annual License Fees	50%	--	50%	--	--
FY 2001 Receipts	\$954,413		\$954,413		
Club, Drinking Establishment, and Caterer Application Fees; Temporary Permit Fee; Manufacturer, Wholesaler, Retailer, etc. Registration and License Fees	100%	--	--	--	--
FY 2001 Receipts	\$331,494				
CMB Retailer Application Fee (state stamp)	100%	--	--	--	--
FY 2001 Receipts	\$89,400				
Other Fees and Fines	\$422,460	--	--	--	--

- 1) Revenue to the fund is expended by the Secretary of SRS to provide financial assistance to community-based alcoholism and intoxication treatment programs. Funds may be used to: match federal Title XX funds to purchase treatment services; provide start-up or expansion grants for halfway houses or rehabilitation centers; purchase services from treatment facilities for low-income persons who are not eligible for Medicare or Medicaid assistance; and assist with development programs for prevention, education, early identification, and facility assistance and review team. Alcohol treatment programs at Topeka, Osawatomie, and Larned State Hospitals and programs at Rainbow Mental Health Facility may not receive support from this fund.
- 2) Revenue to the fund is to be used by the Secretary of SRS to implement the Secretary's responsibilities to establish, coordinate, and fund programs for prevention and treatment of alcohol abuse.
- 3) Each city with a population of over 6,000 and each county receives 70 percent of the amount of drink tax collected in that jurisdiction. In addition counties receive 23 1/3 percent of the amount collected in cities with populations under 6,000. Counties and the larger cities must divide their receipts equally between their general funds, parks and recreation funds, and special alcohol and drug programs funds. Small cities must divide their receipts equally between their general funds and parks and recreation funds. Counties receiving receipts attributable to taxes collected in smaller cities must credit those moneys to the county's special alcohol and drug programs fund. The statute (KSA 79-41a04) contains special provisions for use of drink tax revenue received by Butler County and cities in that county. Half of the revenue distributed to cities in Butler County and one-third of revenue to the county may be used for establishment and operation of a domestic violence program operated by a private nonprofit organization.

Source: Kansas Department of Revenue, Office of Policy and Research.



Testimony Kansas Senate Federal and State Affairs Committee

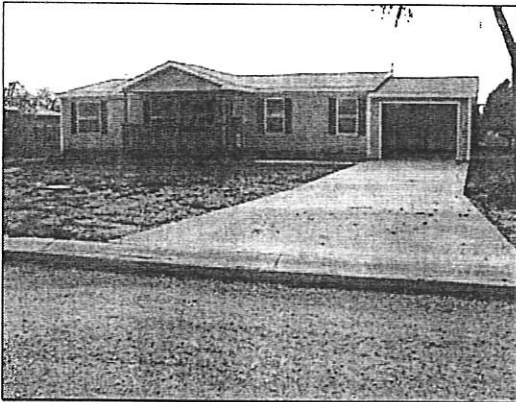
Wednesday, February 20, 2002

Larry R. Eller, Director of Community Development

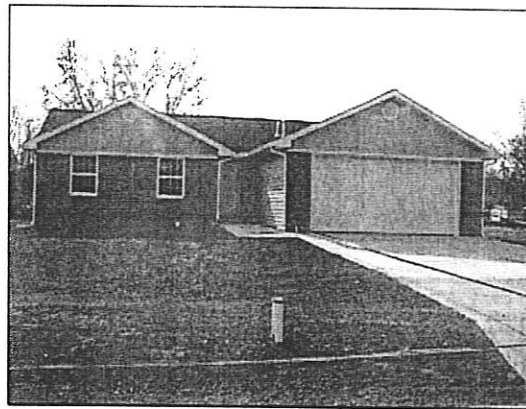
SnFedSt
Attach #4
02/20/02

The City of Parsons, Kansas Affordable Housing Program-A 22-Year History of Building 100 Affordable Single-Family Homes for Our Citizens.

Over the last 22 years, the City of Parsons has worked with local developers to construct over 100 new affordable single-family homes. Our program has utilized “stick built” housing along with manufactured homes to provide housing choices for our residents. In 2000, the National Association of Housing and Redevelopment Officials (NAHRO) at their national convention in Phoenix, Arizona honored the city’s affordable housing program as one of the **Top Four Affordable Housing Programs** in the United States. Currently, our manufactured homes are priced at **\$56,000** and our “stick built” homes are being sold for **\$90,000**. We are doing everything we can to keep the price of the homes to the **lowest levels** possible. For example, the City donates land, free of charge, for each home, provides utility service lines, avoids realtor’s fee, and our staff sells project homes directly to the public. We are *very* concerned that if enacted, House Bill 2020 will raise monthly housing payments to all of our potential homebuyers by at least \$40.00 per month. Thereby, pricing many working families out of the opportunity to achieve the American Dream of homeownership. With the loss of **over 100** homes from the tornado of April 19, 2000, the importance of our new home development program has risen in our efforts to rebuild Parsons.



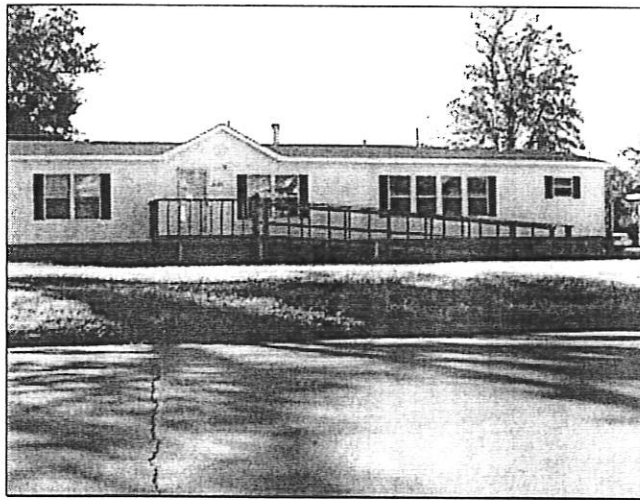
A manufactured home built under the city’s affordable housing program.
\$56,000 selling price



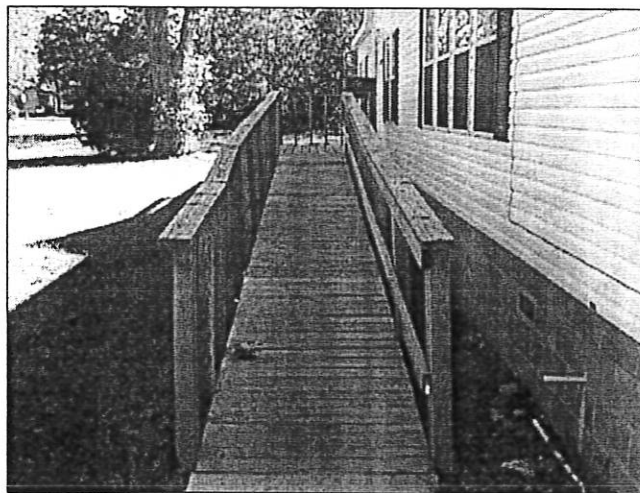
A “stick-built” home constructed by a private contractor under the city’s affordable housing program.
\$90,000 selling price

The Ramp Issue

The ramp issue creates the biggest problem in compliance with House Bill 2020. Unfortunately, in Southeast Kansas, our soils have high clay content and **very few if any** single-family homes are built on concrete slab in our region. Homes in Southeast Kansas are built on a crawl space with a concrete block foundation. The cost of a ramp can be **very expensive** and the ramps themselves can be quite long and massive in order to comply with the ANSI standards as outlined in House Bill 2020. As outlined in **Exhibit 1**-proponent of HB 2020 when asked if the act would necessitate any new allocation of funds, the answer was no. This is clearly is **not** the situation, as the City will document in the following pages. Photographs below show massive ramps that would have to be placed on manufactured homes to comply with the ANSI provisions of HB 2020. Such a ramp would meet ADA requirements for a public building, i. e., Courthouse, City Hall, Hospital, etc.



35' Ramp Placed on Manufactured Home in Parsons to Meet ANSI Standard Ramp.



Photograph Showing Entrance to Ramp

Proponents of House Bill 2020 have stated in **Exhibit 1** that other states have passed similar legislation as is being proposed under House Bill 2020. States cited in the testimony include Texas and Florida. The City has conducted research on this issue and presents in **Exhibit 2**, copies of accessibility legislation for the states of Texas and Florida. Research on the Internet and phone calls to appropriate state agencies revealed:

- The Texas legislation requires a ramp, but *not* to the very restrictive ANSI standard as found in House Bill 2020. Apparently, any kind of ramp will work with any kind of reasonable slope.

- The Florida accessibility law specifically *exempts* single-family homes except for a door width standard for bathrooms.

- **If House Bill 2020 passes, to the best of our knowledge, Kansas will have the most restrictive accessibility standards of all States in the United States.**

“Stick Built” Home Compliance Issues-House Bill 2020

As outlined in **Exhibit 3**, The City of Parsons, in a competitive bid situation, received pricing on two homes. The Base Bid was for a home that satisfied accessibility standards as proposed by the State. This house was to be built on slab and there was no need for a ramp. The alternate bid was for a house built on a foundation with a crawl space. The information in **Exhibit 3** documents that the cost for a house that satisfies the requirements of House Bill 2020 was **\$6,000 higher** than the house to be built on a concrete foundation.

There is a **substantial** cost for compliance with House Bill 2020.

Manufactured Home Compliance Cost-House Bill 2020

Exterior Ramp

Alternative "A"

Build ramps to provide front door access to Uniform Building Code Standard.
(Cost beyond normal front porch and step costs.)

Material	\$704.34
Labor	\$1,200.00
Tax	<u>48.60</u>

Total Cost **\$1,952.94**
(Estimate by Maffei Construction Company)

Alternative "B"

Bring in fill dirt and construct concrete sidewalk.

Cost	\$2,450.00
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Total Cost **\$2,450.00**
(Estimate by LaForge Construction Company)

Interior

"Spirit" brand of manufactured home currently utilized by the by the City affordable housing program does not meet the interior requirements of HB 2020. To meet these requirements, we would have to switch to the "Schult" brand for an increased cost of \$3,750.00.

Total Cost **\$3,750.00**
(Estimate by Kansas Mobile Home Sales)

Total additional cost to comply with HB2020 provisions:

\$5,702.65 to \$6,200.00 additional costs which must be passed on the homebuyer if House Bill 2020 is enacted into law.

House Bill 2020 and the Fairness Issue

The proposed bill discriminates against smaller Kansas communities who must receive their federal Community Development Block as a “pass through” from the Kansas Department of Commerce and Housing. Kansas entitlement communities such as Wichita, Johnson County Cities, Lawrence, and Topeka are largely exempt from the provisions of House Bill 2020 because they receive their Community Development Block Grant funds **directly** from the federal government.

Therefore, if House Bill 2020 passes, the City of Olathe could build new homes without following the accessibility provisions of House Bill 2020 because they receive their CDBG and HOME funds to build the new house directly from the federal government. On the otherhand, if the City of Parsons builds the same house and receives federal funding through the Kansas Department of Commerce and Housing to build the home, **we must comply with the provisions of House Bill 2020. This is a double standard which doesn't meet the fairness test for all Kansas communities!**

House Bill 2020-The Time Doesn't Fit the Crime!

Section 4 (b) of House Bill 2020 states “that if any person who accepts public financial assistance and fails to comply with the requirements of this act shall be ineligible to received public financial assistance in the future.” If a City hires an architect to design a ramp as mandated by the bill and the ramp is within 1” of complying with the 1:12 slope requirement for 33’ ramps under House Bill 2020, as a result of the ramp being improperly designed, does the City loose **all** federal and state assistance for **eternity**? If the jurisdiction is hit by a tornado or flood, is the State of Kansas precluded from helping the City with emergency or rebuilding aid? **Shouldn't the bill contain a due process section that would allow the City to have an impartial hearing to determine its guilt or innocence in this matter? Shouldn't a fine provision be implemented?** If a private contractor leaves out a bracing block in a bathroom wall for a future grab bar, and sheet rocks over the wall, is the City liable for violating House Bill 2020? If an Engineer or Architect makes a design mistake, aren't they assuming tremendous liability? How do you calculate the extent of federal or state aid that a City could loose in an eternity for violating the provisions of House Bill 2020? **The time doesn't fit the crime.**

Summary

Representative Dean Newton best summed up our feeling on this matter in the **Kansas House Journal** of March 28, 2001. “Mr. Speaker: HB 2020 establishes

accessibility standards for certain housing built with public assistance. Although this bill is well-intentioned and accessibility must be a goal of our society. I voted nay because of the negative effect this bill would have on low-income families. The bill would add substantially to the cost of each residence regardless of whether a buyer required accessibility. Housing would be more expensive for low-income individuals. Such individuals would effectively be priced out of the market because they could not afford the higher-cost homes. We must strive for accessibility but not in a way that hurts low-income families. I vote no on HB 2020.

Exhibit 1
Testimony of the Kansas Disability
Rights Action Coalition for Housing

Kansas Disability Rights *Action* Coalition for Housing

**2401 E. 13th Street
Hays, KS 67601**

**(785) 625-6942 (V/TTY)
(785) 625-2334 (fax)**

Senate Bill 304 Basic Accessibility in Housing Questions & Answers

Q: What is "basic accessibility"?

A: Sometimes referred to as "visit-ability," basic access provides the most essential features that persons with mobility impairments need to enter homes and have some degree of access to the rooms and bathrooms. The act would require five such features in covered dwellings:

- 1) One accessible entrance
- 2) All interior doorways wide enough for wheelchair passage
- 3) An accessible route through the main floor
- 4) Reinforcement of specified bathroom walls to allow for future installation of grab bars
- 5) Light switches, electrical outlets and other environmental controls in accessible locations.

Q: Who will benefit from the act?

A: Basic accessibility improves the lives of the entire community. It allows all of us to invite all people – all friends and family members – into our homes, while counteracting the social isolation and lack of housing choices experienced by people with disabilities. In addition, basic access provides everyone with greater maneuverability and safety in performing everyday chores and activities, such as pushing baby strollers and bicycles or moving furniture, groceries and other awkward or heavy items into and within dwellings.

Q: What types of dwellings would be covered under the act?

A: Single-family, duplex and triplex dwellings receiving financial assistance from the state or federal government for new construction or rehabilitation would be covered. Multi-family dwellings (4 or more units) would not be covered; all newly-constructed multi-family housing is covered under the federal Fair Housing Amendments Act and the Kansas Act Against Discrimination, both requiring a greater than basic degree of accessibility.

Q: Will the act apply to any individual owner/occupants of private homes?

A: No. The act will only apply to dwellings constructed or rehabilitated by developers or organizations (e.g., CHDOs).

- Q: Would the act apply to housing projects assisted solely by local (city or county) resources?
- A: No. Projects receiving local assistance would only be covered if they were also receiving state or federal assistance.
- Q: Would private properties that accept tenant-based Section 8 rental vouchers/ certificates and no other form of federal assistance be required to comply with the act?
- A: No.
- Q: How does the act apply to housing rehabilitation?
- A: If particular features undergoing rehabilitation would be affected by any of the five design requirements, then those features only must be altered in accordance with the requirements that would apply; anywhere from one to all five of the requirements might be triggered. The intent of the act is to ensure that features being reconstructed incorporate basic accessibility when applicable so that old barriers are not rebuilt. Non-structural rehabilitation (e.g., painting, weatherization, etc.) would not trigger any of the requirements.
- Q: Would any exemptions be permitted?
- A: Only the requirement for an accessible entrance may be waived, by the Department of Administration, in instances of environmental or financial impracticability. Rules and regulations to narrowly define the exemption shall be adopted.
- Q: Has the State documented the need for basic accessibility in housing?
- A: Publications by the Department of Commerce and Housing, such as the *Kansas Consolidated Plan 1999-2002* and the *Analysis of Impediments to Fair Housing Choice 1997*, confirm that Kansas has a severe shortage of housing that is accessible to persons with disabilities. The latter document identified this problem as the #1 impediment to fair housing choice in the state.
- Q: Have other states passed similar legislation?
- A: Statutes requiring basic accessibility features have been passed in Texas, Florida, and the cities of Atlanta, GA and Austin, TX; a federal basic access law has been passed in the United Kingdom. Furthermore, the U.S. Department of Housing and Urban Development supports the incorporation of visitable design in its housing programs and has issued a strong directive encouraging basic access in its HOPE VI projects.
- Q: Would the act necessitate any new allocation of funds?
- A: No.

Exhibit 2
State of Texas &
State of Florida
Accessibility Statutes

S.B. No. 623

AN ACT

relating to certain requirements applicable to the construction of affordable housing.

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

SECTION 1. Subchapter X, Chapter 2306, Government Code, is amended by adding Section 2306.514 to read as follows:

Sec. 2306.514. CONSTRUCTION REQUIREMENTS FOR SINGLE FAMILY AFFORDABLE HOUSING. (a) If a person is awarded state or federal funds by the department to construct single family affordable housing for individuals and families of low and very low income, the affordable housing identified on the person's funding application must be constructed so that:

(1) at least one entrance door, whether located at the front, side, or back of the building;

(A) is on an accessible route served by a ramp or no-step entrance; and

(B) has at least a standard 36-inch door;

(2) on the first floor of the building:

(A) each interior door is at least a standard 32-inch door, unless the door provides access only to a closet of less than 15 square feet in area;

(B) each hallway has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold;

(C) each bathroom wall is reinforced for potential installation of grab bars;

(D) each electrical panel or breaker box, light switch, or thermostat is not

higher than 48 inches above the floor; and

(E) each electrical plug or other receptacle is at least 15 inches above the floor; and

(3) each breaker box is located inside the building on the first floor.

(b) A person who builds single family affordable housing to which this section applies may obtain a waiver from the department of the requirement described by Subsection (a)(1)(A) if the cost of grading the terrain to meet the requirement is prohibitively expensive.

SECTION 2. The change in law made by this Act applies only to single family affordable housing for which new construction begins on or after the effective date of this Act. Affordable housing for which new construction begins before the effective date of this Act is covered by the law in effect when the construction began, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 1999.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 623 passed the Senate on May 3, 1999, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendments on May 28, 1999, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 623 passed the House, with amendments, on May 26, 1999, by the following vote: Yeas 123, Nays 21, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

*Florida Accessibility Statutes***4 ACCESSIBLE ELEMENTS AND SPACES: SCOPE AND TECHNICAL REQUIREMENTS****4.1 Minimum Requirements****4.1.1 Application.**

(1) **General.** This code establishes the minimum standards for the accessibility of buildings and facilities built or altered within the state.

(a) All areas of newly designed or newly constructed buildings and facilities required to be accessible by 4.1.2 and 4.1.3 and altered portions of existing buildings and facilities required to be accessible by 4.1.6 shall comply with this code, 4.1 through 4.35, unless otherwise provided in this section or as modified in a special application section.

(b) Removal of architectural barriers from buildings, structures, or facilities shall comply with section 4.1.8 of this code unless compliance would render the removal not readily achievable. In no instance shall the removal of an architectural barrier create a significant risk to the health or safety of an individual with a disability or others.

(c) New single-family houses, duplexes, triplexes, condominiums, and townhouses shall comply with section 11 of this code.

(2) **Application Based on Building Use.** Special application sections 5 through 12 provide additional requirements for restaurants and cafeterias, medical care facilities, business and mercantile, libraries, accessible transient lodging, transportation facilities, residential buildings and theme park entertainment complexes. When a building or facility contains more than one use covered by a special application section, each portion shall comply with the requirements for that use.

(3) **Areas Used Only by Employees as Work Areas.** Areas that are used only as work areas shall be designed and constructed so that individuals with disabilities can approach, enter, and exit the areas. This code does not require that any areas used only as work areas be constructed to permit maneuvering within the work area or be constructed or equipped (i.e., with racks or shelves) to be accessible.

(4) **Temporary Structures.** This code covers temporary buildings or facilities as well as permanent facilities. Temporary buildings and facilities are not of permanent construction but are extensively used or are essential for public use for a period of time. Examples of temporary buildings or facilities covered by this code include, but are not limited to: reviewing stands, temporary classrooms, bleacher areas, exhibit areas, temporary banking facilities, temporary health screening services, or temporary safe pedestrian passageways around a construction site. Structures, sites and equipment directly associated with the actual processes of construction, such as scaffolding, bridging, materials hoists, or construction trailers are not included.

(5) General Exceptions.

(a) In new construction, a person or entity is not required to meet fully the requirements of this code where that person or entity can demonstrate that it is structurally impracticable to do so. Full compliance will be considered structurally impracticable only in those rare circumstances when the

unique characteristics of terrain prevent the incorporation of accessibility features. If full compliance with the requirements of this code is structurally impracticable, a person or entity shall comply with the requirements to the extent it is not structurally impracticable. Any portion of the building or facility which can be made accessible shall comply to the extent that it is not structurally impracticable.

If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities (e.g., those who use crutches or who have sight, hearing, or mental impairments) in accordance with this section.

(b) Accessibility is not required in non-occupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passageways, or freight (non-passenger) elevators, and frequented only by service personnel for repair purposes; such spaces include, but are not limited to, elevator pits, elevator penthouses, piping or equipment catwalks.

(c) This edition of the code does not apply to buildings, structures or facilities which were either under construction or under contract for construction on or before October 1, 1997.

11. RESIDENTIAL BUILDINGS

Accessibility Residential Housing, Florida. (Reserved)

(1) All new single family houses, duplexes, triplexes, condominiums, and townhouses shall provide at least one bathroom, located with maximum possible privacy, where bathrooms are provided on habitable grade levels, with a door that has a 29-inch clear opening. However, if only a toilet room is provided at grade level, such toilet rooms shall have a clear opening of not less than 29 inches.

(2) Buildings, structures, or facilities being converted from residential to nonresidential or mixed use shall comply with the requirements of 4.1.6.

Exhibit 3

Documented Housing Cost Increases
Manufactured Homes
“Stick Built” Homes
City of Parsons Affordable Housing
Program

MAFFEI CONSTRUCTION

1712 Grand- 21012 NESS RD ~ Parsons, KS 67357
Phone 316-421-5026 - 316-423-8110 ~ Fax 316-423-8143

BID PROPOSAL

Date June 16, 1999

PROPOSAL SUBMITTED TO:

CITY OF PARSONS
Larry Eller
Grant Administrator
Parsons, Ks 67357

WORK TO BE PERFORMED AT:

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Bid to build a wheel chair ramp on manufactured homes existing porch to handicapped specifications. 1-12 pitch ramp 3' wide 4X4 landing 2 rails

Materials		\$704.34
	tax	48.60
	Total	\$752.94
Labor	60 hours at 20.00 per hour	\$1200.00
Total cost		\$1952.94

All materials is guaranteed to be as specified, and above work to be performed in accordance with specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

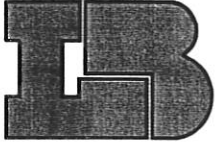
Respectfully submitted _____

Per _____

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control

Note - This proposal may be withdrawn by us if not accepted within 30 days

Certificate of Insurance supplied on acceptance of Bid.



La Forge and Budd Construction Company, Inc.

2020 N. 21st STREET • P.O. BOX 833 • PARSONS, KANSAS 67357
PHONE (316) 421-4470

October 10, 2000

City of Parsons
Municipal Building
Parsons, KS 67357
AATN: Larry Eller

RE: Sidewalk for handicap
access proposal

Per your request, LaForge and Budd Construction Company, Inc. proposes the following for your review and consideration. Scope of work is as follows:

Provide dirt fill and 4' wide concrete sidewalk to provide access to manufactured homes for handicap access.

TOTAL PRICE	\$2,450.00
(including materials, labor & equipment)	

If you have any questions, or need any further information, please advise.

Sincerely,
LaForge & Budd Construction Co., Inc.

Rick Butler
Vice President

RB/gr

cc file

NEW AND USED MOBILE HOMES

• SALES •

SERVICE •

REPAIR



KANSAS

Mobile Home Sales

SERVICE IS OUR MOTTO

3627 MAIN • PARSONS, KANSAS 67357

Phone 421-1080

October 10, 2000

Larry Eller,

The Spirit Home that we will be using on our city project is a Bridgeport Ltd..

Model #BL16001----1408 Square Ft.

The Schult Ltd. Edition Model #K5288-47, 1420 Square Ft. would cost us \$3,750.00 more.

Thank You

Kansas Mobile Homes

Larry Williams
Larry Williams

MINUTES
BID OPENING
HOUSING REHABILITATION
NOVEMBER 19, 2001

Bids were opened 1:00 p.m. on November 19, 2001 in the City Clerks Office, Municipal Building on a Single Family Residence to be built on Hughes Avenue.

Contractors Present: Barry Johnson

Staff Present: Debbie Lamb

Bids were received as follows:

Barry Johnson, Johnson Construction
Parsons, Kansas

Base Bid	\$93,609.00
Alternate Bid w/ Crawl Space	\$91,204.00

Mark Forbes, Home Improvements
Parsons, Kansas

<u>Accessible</u> Base Bid	\$85,500.00
<u>Alternate Bid w/ Crawl Space</u>	\$79,500.00

The bid opening was adjourned at 1:05 p.m.

Debbie Lamb
Debbie Lamb, Interim City Clerk



Topeka Independent Living Resource Center

785-233-4572 V/TTY • FAX 785-233-1561 • TOLL FREE 1-800-443-2207
501 SW Jackson Street • Suite 100 • Topeka, KS 66603-3300

**Written Testimony
In Support of
HB 2020
Presented by Becca Vaughn
February 20, 2002**

Honorable Federal and State Affairs Committee Chairperson and Members,

HB 2020 is not a complicated or confusing bill. What **HB 2020** says is if you want our state tax dollars you will need to give us something back in return. That something is five basic features of universal design or "Visitability", which allow all our community members to equally use and enjoy the housing that is built with our public funds. Not so different than requiring energy efficiency features or proper electrical and plumbing features.

HB 2020 does not require "expensive" accessibility features, such as lowered counters, grab bars, automatic door openers, roll in showers or raised toilets. Of the five required features of universal design or "Visitability", two of them (36" passage through the main floor and a minimum 32" entry door, the industry standard is actually 36" for entry doors) are already standard building industry practice. **HB 2020** applies solely to "new construction" dwellings (amended on the floor of the House 2001) thus allowing for incorporation of these features in the blue print stage, which equals zero to little overall cost increase.

HB 2020 (the Sub. SB 304) was recommended for legislation by an interim Special Joint Committee of Federal and State Affairs in November of 2000. **HB 2020** contains similar legislation as the 2000 session bill, **Sub. SB 304**, which passed out of the Senate on a **30 in favor, 8 against vote**.

This is not a **disability or "handicapped"** issue. This is a community issue, a moral question of including all members of a community, not just the "special" few that do not have toddlers, aging parents, grandparents, family or friends who have had accidents, which left them with a mobility limitation. **HB 2020** is cost efficient (does not call for additional funding), is the right thing to do and will allow all Kansans access to affordable, accessible and integrated housing. We ask you to support **HB 2020**, as amended on the floor of the House (removing rehabilitation application) and pass this important legislation, with no additional amendments. In this time of budget uncertainty, it makes sense to get the most use of our precious state funds.

Thank you for your support of **HB 2020**.

Advocacy and services provided by and for people with disabilities.

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Kansas Disability Rights *Action* Coalition for Housing

Topeka Chapter

**501 SW Jackson
Topeka, KS 66603**

**(785) 233-4572 (V/TTY)
(785) 233-0779 (fax)**

Basic Accessibility in Housing HB 2020 Questions & Answers

Q: What is "basic accessibility"?

A: Sometimes referred to as "visit-ability," basic access provides the most essential features that persons with mobility impairments need to enter homes and have some degree of access to the rooms and bathrooms. The act would require five such features in covered dwellings:

- 1) One accessible entrance
- 2) All interior doorways wide enough for wheelchair passage
- 3) An accessible route through the main floor
- 4) Reinforcement of specified bathroom walls to allow for future installation of grab bars
- 5) Light switches, electrical outlets and other environmental controls in accessible locations.

Q: Who will benefit from the act?

A: Basic accessibility improves the lives of the entire community. It allows all of us to invite all people – all friends and family members – into our homes, while counteracting the social isolation and lack of housing choices experienced by people with disabilities. In addition, basic access provides everyone with greater maneuverability and safety in performing everyday chores and activities, such as pushing baby strollers and bicycles or moving furniture, groceries and other awkward or heavy items into and within dwellings.

Q: What types of dwellings would be covered under the act?

A: Single-family, duplex and triplex dwellings receiving financial assistance from the State, including federal funds administered through the State, for new construction would be covered. Multi-family dwellings (4 or more units) would not be covered; all newly-constructed multi-family housing is covered under the federal Fair Housing Amendments Act and the Kansas Act Against Discrimination, both requiring a greater than basic degree of accessibility.

Q: Will the act apply to any individual owner/occupants of private homes?

A: No. The act will only apply to dwellings constructed or rehabilitated by developers or organizations (e.g., CHDOs).

- Q: Would the act apply to housing projects assisted solely by local (city or county) resources?
A: No. HB 2020 only covers projects receiving state funds or federal funds which the state administers. Only that portion of the project receiving the state funds would be covered.
- Q: Would private properties that accept tenant-based Section 8 rental vouchers/certificates and no other form of federal assistance be required to comply with the act?
A: No.
- Q: Would the use of manufactured homes for new publicly assisted housing still be cost-effective under the act?
A: Yes. Little or no cost increase would occur in providing the act's four interior accessibility features. Even creating accessible entrances would potentially result in only minimal cost increases; when specified from the outset of new construction, manufactured home sites can be graded in such a manner, such as by the simple use of berming, to create entrances with neither steps nor ramps. If there are major design plans to the unit it could require a fee for altering those plans, however that would be a one time only cost.
- Q: Would any exemptions be permitted?
A: Yes. The Department of Commerce and Housing may waive the accessible entrance requirement of the act in instances of environmental or financial impracticability. Rules and regulations defining the criteria for this and possible other waiver's shall be adopted.
- Q: Has the State documented the need for basic accessibility in housing?
A: Yes. Publications by the Department of Commerce and Housing, such as the *Kansas Consolidated Plan 1999-2002* and the *Analysis of Impediments to Fair Housing Choice 1997*, confirm that Kansas has a severe shortage of housing that is accessible to persons with disabilities. The latter document identified this problem as the #1 impediment to fair housing choice in the state.
- Q: Have other states passed similar legislation?
A: Yes. Statutes requiring basic accessibility features have been passed in Texas, Florida, Vermont, Georgia and the cities of Atlanta, GA, Austin, TX, and Urbana, IL; a federal basic access law has been passed in the United Kingdom. Furthermore, the U.S. Department of Housing and Urban Development supports the incorporation of visitable design in its housing programs and has issued a strong directive encouraging basic access in its HOPE VI projects.
- Q: Would the act necessitate any new allocation of funds?
A: No.

For information in Topeka call Becca at 1-800-443-2207, in Wichita call Karen at
1-316-681-8188
or Robin in Hays at 1-800-569-5926

KDRACH is a grassroots, state-wide coalition of people with disabilities, their advocates and friends working toward housing justice for all.

HB 2020

Kansas Visitability Bill

Brief Legislative History of HB 2020 (Visitability Legislation)

1999 Session

SB 304 (Same legislation as HB 2020) was introduced, assigned to Senate Federal and State Affairs Committee

2000 Session

SB 304 passed out of committee on a unanimous vote

SB 304 passed the full Senate on an overwhelmingly favorable vote

SB 304 was assigned to the House Federal and State Affairs Committee

SB 304 died in committee, due to lack of action, however the Chair recommended it for an interim study

Summer 2000

SB 304 was studied by Interim committee, held hearings and recommended for legislation for the 2001 Session

2001 Session

HB 2020 was introduced and assigned to the House Federal and State Affairs Committee

HB 2020 passed out of committee

HB 2020 was passed on the by the House Committee as a whole, after floor amendment to remove the rehabilitation component

HB 2020 was assigned to the Senate Federal and State Affairs Committee late in the session

2002 Session

HB 2020 is pending in the Federal and State Affairs Committee

HB 2020 will be considered by the Senate this legislative session

What we want:

- ❖ HB 2020 to be scheduled for a committee hearing early in the session
- ❖ HB 2020 be passed out of committee, as amended by the House, with no additional amendments
- ❖ HB 2020 passed favorably by the full Senate, with no additional amendments from the floor

Visitability Resources

- ❖ Information on national and international “Visitability” initiatives is available by visiting the Concrete Change website

www.concretechange.home.mindspring.com

- ❖ Call KDRACH for more information

- ❖ Becca at 1-800-443-2207 (Topeka)
- ❖ Robin at 1-800-569-5926 (Hays)
- ❖ Karen at 1-316-681-8188 (Wichita)
- ❖ Jay at 1-913-321-5140 (Kansas City)
- ❖ Bob at 1-785-841-0333 (Lawrence)
- ❖ Troy at 1-316-276-1900 (Garden City)
- ❖ Greg at 1-620-421-0983 (Parsons)

- ❖ Kansas Silver Haired Legislators have introduced similar legislation (**SHL 1813**)
Please see attached resolution

Visitability benefits the entire community while utilizing our public dollars wisely. The State already allows funding for building affordable housing, HB 2020 will not call for any new appropriations. Let’s build all housing constructed with our public dollars “Visitable” so all people are welcome into our homes, children will have safer entrance into their homes and everyone will find ease with moving heavy or bulky household items. Visitability, it just makes good \$ense!

Please support HB 2020

Proudly backed by members of the state-wide disability housing coalition, the Kansas Disability Rights Action Coalition for Housing (KDRACH)

SILVER HAired LEGISLATURE RESOLUTION NO. 1813

by PSA 3

A RESOLUTION urging the expansion and development of housing assistance programs in the Department of Commerce and Housing to provide universal housing opportunities for all elderly Kansans.

WHEREAS, Demographically, the population of the United States is growing older. According to the United States Bureau of the Census, nationally there are almost 34 million Americans aged 65 and over, roughly 12% of all Americans. The elderly population increased eleven-fold from 1900 to 1994, while the non-elderly increased only three-fold. If Census Bureau predictions prove accurate, the American population will increase by almost 50% from 1995 to 2050, while the 65 and over age group will increase by 135%; and

WHEREAS, In Kansas, the aging trend is more pronounced. According to 1990 census statistics nearly, 15% of Kansans were age 65 or over. In addition, among the fifty states, Kansas has the fifth highest percentage of citizens aged 85 and over. According to the Kansas Budget Division, the number of the state's citizens aged 85 or more will double in the next 10 years; and

WHEREAS, Many of the elderly live on fixed incomes. Social Security was the major source of income for older couples and individuals in 1992, providing 40% of the total household income. It provided at least half of the total income for 63% of beneficiaries in 1992. The median income of older persons in 1995 was \$16,684 for males and \$9,626 for females. More than one half of elderly over age 75 who lived alone had incomes below \$10,000 in 1992, and 86 percent had incomes below \$20,000; and

WHEREAS, The State's housing inventory has remained stagnant for many years, particularly in rural areas, and much of the existing housing is not suitable for the needs of older Kansans; and

WHEREAS, The incorporation of universal design characteristics in homes would make such housing easier and safer for everyone to use and would allow elderly Kansans to remain in their homes longer: Now, Therefore,

Be it resolved by the Silver Haired Legislature of the State of Kansas: That programs of the Department of Commerce and Housing and other existing state agencies promote the development of and disseminate widely information regarding universal design standards for incorporation into the state's housing inventory; and

Be it further resolved: That additional that such standards include, but not be limited to, traffic paths free of steps and stairs, wide doors and hallways, lever-type handles on doors and faucets, electrical outlets and switches positioned in such a way as to minimize bending, stooping and stretching by residents.

Illinois, Arizona communities order new homes be more accessible to people in wheelchairs

Thursday, February 7, 2002
Breaking News Sections

(02-07) 00:21 PST NAPERVILLE, Ill. (AP) --

Two localities have adopted rules requiring that new homes be more accessible to people in wheelchairs, with wider doorways, lower light switches and other such features.

The City Council in Naperville, a fast-growing Chicago suburb, adopted the standards in a 7-1 vote Tuesday. A similar measure was approved the same day in Pima County, Ariz.

The Naperville measure extends the "visitability" standards required in public housing to private, single-family homes. The rules are called "visitability" standards because they make it easier for handicapped people to visit others.

"I think we're on the cutting edge of something," Naperville Mayor George Pradel said.

The new standards in this city of 128,000 do not apply to existing houses.

With the new standards, first-floor interior doorways must be at least 32 inches wide so people in wheelchairs can get through more easily. To make electrical sockets and light switches easier to reach from a wheelchair, the sockets can be no lower than 15 inches above the floor and the switches can be no higher than 48 inches.

A vote on a proposal to require homes to have at least one step-free entrance was put off for further study.

The Arizona ordinance, though, requires new homes to have a stepless entryway. It also mandates wider doorways, levers on some doors and grab bars on bathroom walls.

The ordinance was approved 3-2 by the Pima County Board of Supervisors.

"This is one tiny little thing we can do to make that situation a little easier for people in this community," said Colette Altaffer, who serves on Tucson's Commission on Disability Issues. County Administrator Chuck Huckelberry said the measure will be phased in

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over the next 12 to 18 months.

In Naperville, some builders said they were concerned that the new standards would add to the cost of new homes.

But city officials said the cost will be minimal. For example, they said, reinforcing bathroom walls in case the homeowner decides to install railings will add no more than \$250 per bathroom.

"This gives people in wheelchairs more freedom," said Bill Malleris, a Naperville activist whose neuromuscular disorder requires that he use a wheelchair. "They can go where they want without having someone lift them out of a chair to go into houses, or help them use the bathroom."

Tilrcbv

From: Eleanor Smith <eleanors@MINDSPRING.COM>
To: <VISITABILITY-LIST@LISTSERV.ACSU.BUFFALO.EDU>
Sent: Thursday, February 07, 2002 10:01 AM
Subject: NY Times article re 2 home access ordinances

Wheelchair Users Achieve Milestone in 2 Ordinances

February 7, 2002

By JODI WILGOREN

NAPERVILLE, Ill., Feb. 6 - The next time Bill Malleris goes to a party at a new home here, he will drink as much as he wants without worry.

"We're going to be able to go to the bathroom," exulted Mr. Malleris, 46, whose neuromuscular disability causes him to use a motorized wheelchair and who for years has had to leave friends' homes or make undignified arrangements because their bathroom doors are too narrow.

Mr. Malleris, himself a developer, is celebrating because on Tuesday night this suburb of 135,000 west of Chicago became one of the first two municipalities in the nation to require that all new private homes be built with 32-inch-wide ground-floor doorways and other elements of wheelchair-accessible design.

Naperville was joined by Pima County, Ariz., where the Board of Supervisors voted on Tuesday to approve a similar measure, one that took the additional step of mandating that all new homes be built with at least one entrance that can be used by wheelchairs.

The votes are a victory for the 15-year-old "visitability" movement, which wants provisions of the Americans With Disabilities Act that now apply to public places and apartment buildings to be extended to private homes as well. The goal of the movement is to ensure that disabled people can freely visit their neighbors.

The issue has led to battles pitting minority rights against property rights, as home builders and others resist universal mandates that benefit only a small part of the population. According to the Census Bureau, 2.1 million Americans, or fewer than 1 percent of the total, use wheelchairs.

Already, several cities, including Chicago, Atlanta, Austin, Tex., and Urbana, Ill., have passed similar laws pertaining to housing built with public funds. But by placing these design restrictions on a market that is entirely private, the Naperville and Pima County ordinances traverse new territory, with local governments taking building codes beyond issues of safety or esthetics.

"When someone builds a home, they're not just building it for themselves - that home's going to be around for 100 years," said Eleanor Smith, a teacher from Decatur, Ga., whose organization, Concrete Change, has lobbied for visitability legislation around the country.

"These things hurt nobody," Ms. Smith said of visitability ordinances, "and they help a lot of other people."

J. Mark Harrison, executive vice president of the Home Builders Association of Illinois, disagrees. "At what point," Mr. Harrison said, "do we stop taking away rights of healthy people in writing a standard for the handicapped?"

The three basic components of visitability are an entrance with no steps, ground-floor hallways and doorways wide enough for wheelchairs, and a ground-floor bathroom big enough for a wheelchair to enter and turn around. Cost estimates vary from \$500 to \$5,000, though opponents say it is the principle, not the price tag, that bothers them.

At Naperville City Hall on Tuesday night, local builders invoked John Stuart Mill and the founding fathers, decrying the ordinance as "social engineering." They said that the new rules would add to construction costs and that the market, not special interests, should dictate design.

Tom Bart said he had built nearly 300 homes in the area, one of them wheelchair-accessible. "I enjoyed doing it," he said, "and the man paid me for it." But he begged the Council not to "take away constitutional rights and freedom of choice for 99 percent of my customers."

The lone dissenter in the 7-to-1 vote, Richard R. Furstenau, worried about a slippery slope. "I don't think it ever stops once it gets started," he said.

Though the Council approved the requirement for wider ground-floor doorways - along with rules mandating wood blocking behind bathroom walls to support future installation of grab bars, and the placement of electrical outlets and light switches at heights reachable from a wheelchair - it asked for more information about the no-step entrances. City officials said this requirement would most likely be added to the building code within a few months. The measures adopted on Tuesday take effect in 60 days.

The builders notwithstanding, the measure had strong public support.

One man said the regulations were a matter as much of safety as of convenience, particularly in case of fire. A city councilman recalled the difficulty he had had helping his wife, who needed a wheelchair temporarily, into the bathroom. Several people spoke of the aging baby-boom generation, and Mr. Malleris, who was the prime mover behind the ordinance, warned that "everyone is one accident from being in this chair."

John Mice, a 37-year resident of Naperville, said the ordinance fulfilled the nation's promise as a haven for the disenfranchised, and imagined people talking admiringly about his hometown. "We could be the lighthouse community," he said. "This will tell the world that Naperville not only has big wallets, but has big hearts."

<http://www.nytimes.com/2002/02/07/national/07DISA.html?ex=1014054688&ei=1&en=4e0088508011519c>

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Tilrcbv

From: Eleanor Smith <eleanors@MINDSPRING.COM>
To: <VISITABILITY-LIST@LISTSERV.ACSU.BUFFALO.EDU>
Sent: Thursday, February 07, 2002 10:18 AM
Subject: more media re recent ordinances/NAHB

Beto Barrera of Chicago just phoned me saying major TV stations are reporting on the ordinances, and Illinois city papers across the state are writing articles too. Also, he said there's an NPR opportunity shaping up.

Also, Associated Press phoned me this morning.

Meanwhile we (4 local advocates plus the forward-thinking ED of the Ga Assoc of Home Blders) were in 2 long meetings at the NAHB convention yesterday and good headway was made toward a possible co-cooperative effort at a serious, effective voluntary Visitability campaign. Will report on that later.

Below is article from Arizona newspaper with details of meeting at which the Pima County ordinance passed.

Copyright 2002 The Arizona Daily Star

February 6, 2002, Wednesday

Pima County, Ariz., Mandates Design for Disabled in New Homes

By Patty Machelor

Homes built in Pima County must include features that accommodate the disabled, a split Board of Supervisors decided Tuesday. In passing its Inclusive Home Design Ordinance, Pima County joined Britain and Vermont in requiring stepless entryways and other amenities in new homes.

A sharply divided group of residents spoke for about two hours Tuesday before advocates of the measure won approval on a 3-2 party-line vote, with Republican Supervisors Ray Carroll and Ann Day dissenting. The ordinance, originally called a "visitability code," requires wider doorways, levers on some doors, a zero-step entrance and grab bars on bathroom walls.

"We've been at this for two years. It's just sort of relief," said Colette Altaffer, who serves on Tucson's Commission on Disability Issues along with her husband, William, who is wheelchair-bound because of a progressive neuromuscular disease. The couple first started pushing for the city to adopt the ordinance, but has not met with success there.

During Tuesday's hearing, Colette Altaffer recalled the recent death of her father. She said paramedics were unable to fit a stretcher through the narrow doorways of her parents' 50-year-old home. She said she is struggling to make the house safe for her mother. "This is one tiny little thing we can do to make that situation a little easier for people in this community," she said.

While seven other speakers urged passage of the ordinance, six opposed it -- including three who testified from wheelchairs. "The concept is wonderful, it's refreshing to hear, but when you're talking about violating someone else's rights, what framework are you doing it in?" asked Michael Roberts, government relations director for the Arizona Chapter of Paralyzed Veterans of America, after the meeting.

Larry Lattomus, a quadriplegic, told the board he adamantly opposes forcing people to pay for these features. "It's unfair to ask thousands of other people in the community to do this in case a person like me comes to visit them," he said. "This has always been linked to subsidized housing, which to me makes sense."

Alan Lurie, the Southern Arizona Home Builders Association's executive vice president, seconded their statements and urged the board to leave home designs up to the homeowner. County Administrator Chuck Huckelberry said the measure will be phased in over the next 12 to 18 months so people can plan accordingly.

To see more of The Arizona Daily Star, or to subscribe to the newspaper, go to <http://www.azstarnet.com>

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Tilrcbv

From: Home Modification <hmap@rcf-fs.USC.EDU>
To: <VISITABILITY-LIST@LISTSERV.ACSU.BUFFALO.EDU>
Sent: Thursday, February 07, 2002 10:57 AM
Subject: Harvard report on "Aging in Place".

For those who might be interested in the above:

The Joint Center for Housing Studies of Harvard University and the Neighborhood Reinvestment Corporation have released a report entitled "Aging in Place: Coordinating Housing and Health Care Provisions for America's Growing Elderly Population." The report examines the current landscape, trends and barriers to coordinating housing and health services.

To access the report, use the following link:

http://www.jchs.harvard.edu/publications/WP2001/W01-13_lawler.pdf.

Chris

Christopher Lee, Program Associate
 National Resource Center on Supportive Housing & Home Modification
 University of Southern California
 Andrus Gerontology Center, #228
 3715 McClintock Ave.
 Los Angeles, CA 90089-0191.

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**Senate Federal and State Affairs Committee
Testimony in Support of HB 2020
February 20, 2002**

Thank you Chairperson Harrington for the opportunity to speak in favor of House Bill 2020. My name is Bob Mikesic, I am the Advocacy Coordinator at Independence, Inc. an independent living resource center serving people with disabilities in Douglas, Jefferson and Franklin counties in northeast Kansas.

HB 2020's requirements for basic accessibility in new housing built with public financial assistance is the most logical and needed extension of fair housing rights for people with disabilities since the 1988 amendments to the Fair Housing Act. As you know, the Fair Housing Act (FHA) and Kansas Act Against Discrimination (KAAD) both prohibit discrimination in housing based on disability, and both require basic accessibility features in multifamily housing with 4 or more units per dwelling.

There are no federal or state accessibility requirements for single family, duplex and triplex housing. As a result, the vast majority of such housing is not accessible, primarily due to the traditional practice of building housing with steps at the entrance and narrow bathroom doorways. This traditional building practice does not serve people well.

HB 2020 is a responsible, cost effective approach to this problem. State funds should be used to construct housing that is accessible to all Kansans. Especially when it is so clear there is a statewide need for more housing with basic accessibility features.

The current Kansas Consolidated Plan for FY 2000-2002, the Kansas Department of Commerce and Housing's authoritative needs assessment, clearly identifies the need for more housing with basic accessibility features. "In 1990, statewide there were about 107,000 households headed by persons who were 75 years old or older, a good indication of the scale of the frail elderly population. Kansas also contained over 36,000 persons, not living in group quarters, with mobility impairments indicating the vast need for housing accessible to the disabled." (p. 129)

The Fair Housing Task Force of the Kansas Department of Commerce & Housing listed in their "Kansas Analysis of Impediments to Fair Housing" the following major fair housing impediment:

People with Disabilities Have Difficulty Finding Accessible Housing

The 1990 Census reported that approximately 105,000 Kansans have mobility problems or self-care limitations. More than 50 percent of those reporting each type of limitation were persons age 65 and older. People with disabilities

INDEPENDENCE, INC.

Serving People With Disabilities Since 1978

Independent Living Resource Center • 2001 Haskell Avenue • Lawrence, Kansas 66046 • 785/841-0333



Sn Fed St
Attach # 7
02/20/02

experience the worse case housing needs, and there is widespread noncompliance with the accessibility requirements of the Fair Housing Act. Nearly 57 percent of respondents agreed that the disabled confront difficulties finding accessible housing. Ninety percent of disabled respondents felt that they confront difficulties locating accessible housing. Persons with disabilities, and single parent households, continue to experience both blatant and subtle forms of housing discrimination in Kansas communities and across the nation.

The composition of our population is changing. People with and without disabilities are living longer. It's time that housing designs address not just the life cycle of buildings, but the life cycle of people as well.

Please act favorably on HB 2020. It's a fair, cost effective, responsible way of using public financial assistance to create more housing with basic accessibility features.

Thank you.

Senate Federal and State Affairs Committee
Written Testimony HB 2020
Submitted: February 20, 2002

Thank you Senator Harrington, and Committee members for holding hearings on HB 2020. This is an important piece of legislation that would positively affect the lives of adults and children with disabilities.

My daughter, Jessica is a 10-year-old, fourth grader who uses a wheelchair for mobility. Using a power chair enables Jessica to determine for herself where and when to go, allowing her to strive for the greatest level of independence possible. The lack of accessibility in housing has considerably limited the places we can visit. As our family moves closer to becoming first time home buyers House Bill 2020 would increase the amount of accessible housing available to those of us who might qualify for a first time home owners loan through the state. If housing is built with basic features of accessibility it is much more cost effective than doing those modifications after the home is built.

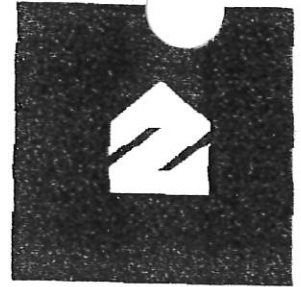
Legislation requiring basic wheelchair accessibility in single-family, duplex, and triplex dwellings built with state financial assistance is a necessity. It is unjust to build barriers for future generations with our tax dollars. This bill would increase access to housing opportunities for both adults with disabilities and families that include a child with a disability. Housing needs to be available for all individuals, including those with disabilities. House Bill 2020 will improve the quality of life for our family and many others in countless ways. At this time Jessica's grandmother lives in subsidized housing that is not visitable. Jessica can't visit her grandmother and use her wheelchair, because the townhouse is not accessible. Although this bill may not immediately impact this housing development, it will open up opportunities in housing that is newly constructed.

We do realize that this bill wouldn't cover all housing, but it is an appropriate step and would be greatly appreciated. In conclusion, we urge this committee to favorably pass House Bill 2020 requiring basic wheelchair accessibility and visitability in homes built with state financial assistance, so there will come a time when Jessica, and future generations, can not only have friends over to visit but also she may play at their houses. House Bill 2020 will bring us a step closer to a fully inclusive and accessible community, not just for people with disabilities, but for all people.

Thank you for your time.

Jennifer and Jessica Schwartz
2529 Maverick Lane
Lawrence, KS 66046
(785) 832-8353
jschwa5474@aol.com

Sn Fed St
Attach # 8
02/20/02



February 20, 2002

RE: HB 2020 – Handicapped Visitability

Madam Chairwoman and Committee Members:

My name is Tony Zimbelman and I live at 1344 Pine Grove Court, Wichita, Kansas. I am the owner of Zimbelman Construction, LLC, a residential building company operating in Wichita and Sedgwick County. I am here to speak in opposition of HB 2020 requiring handicapped visitability standards in housing projects that include government funds.

My company is currently working on a single-family housing project that is subsidized by HUD's Home Ownership 80 Program. The City of Wichita Housing Department has formed a partnership with POWER CDC, a not for profit redevelopment group, and my company, to provide affordable housing for families in northeast Wichita. James Arbertha, administrator of POWER CDC, markets the homes. He finds qualified clients, helps them get construction loans, and permanent financing. Most of the loans are FHA or VA financed, which require a minimum amount, or no money down. The City of Wichita donates the land and the funding from the Homeownership 80 Program, and my company constructs the homes for a fixed fee.

We build two floor plans. Exhibit "A" (attached) is a 900 square foot bi-level. We create the bi-level by raising the basement out of the ground about four feet. This allows for windows on the lower level, which are above ground, instead of in a window well as they are in our ranch plan. Exhibit "B" (attached) is an 864 square foot ranch. It has two window wells for egress out of the basement bedroom and recreation room. The main level and one bedroom in the lower level are finished on both plans as part of the base price, which we have been able to keep around \$67,500.00. These homes would normally appraise for about \$80,000.00 So far, we have completed ten homes, three are under construction and we are getting ready to start five more. The program includes additional land for constructing up to sixty homes. All in all, the program has been a resounding success.

If the legislature passes HB 2020, they could very well bring this program, and others like it, to a halt. The two home plans we build were designed to be economical to construct. These entry-level home plans have been built repeatedly by various builders for nearly fifteen years. If these plans are required to be modified to meet handicapped requirements, we can no longer offer them at a base price of \$67,500.00. The modifications to the ranch plan would include:

1. Ramps and handrails at the front porch.
2. Adding three additional feet to the side of the Master Suite, Bedroom #2 and Garage to accommodate a five-foot turning radius in the bathroom. The current

bathroom is only five foot wide. It would have to increase to eight foot wide to meet the requirements. Since the bedrooms are rather small already, taking three feet for the bath out of the bedrooms is not an option. It would have to be added onto the side of the house. This would add 72 square feet to the house and 60 square feet to the Garage.

3. Grab bars, handicap toilet, and vanity modifications in the bathroom.
4. Wider hallways and larger door openings to the bathroom and two bedrooms.

I estimate the cost of the above to be \$6,000.00 to \$7,000.00 over and above our base price. Unfortunately, this would probably price most of our potential buyers out of the market.

The bi-level plan has additional problems. The entry is at ground level. Since the basement has been raised to accommodate the view out basement windows, one must either go up several stairs to get to the main level, or down several stairs to get to the lower level. To make this home accessible to the handicapped, we would either have to add a chair lift to go from floor to floor, or an elevator. This cost, in addition to the above additional costs, would make this home unaffordable to our buyers.

In addition to the affordability issues, I question whether HB 2020 violates individual private property rights. Even though our buyers receive subsidies, they still sign a note and a mortgage like every other homebuyer. The deed is transferred to them, and they become owners of the property. Why should the legislature require them to pay for modifications to their property that are not required of other property owners? Do they not have the same constitutional rights and privileges offered to every other property owner? If we allow this to happen, how long will it be before everyone has to meet the same requirements? It is entirely unfair to ask our buyers to pay for modifications that are *not required of other buyers building the same home in a different area.*

To summarize, if HB 2020 passes, it will most likely price most of our potential buyers out of the market, eliminate one our home plans from future production (bi-level), and require our future buyers to pay more for their homes than other buyers building the same plan in another development. We cannot compete under those circumstances. Our program would most likely fold because our homes would become as costly as other entry level homes in Wichita. Our buyers would most likely migrate to other areas that do not have the same restrictions put on them by the legislature or, even worse, end up not being able to afford a home at all. Please do not let this happen.

Thank you for your time and consideration. I urge you to defeat HB 2020.

Tony Zimbelman, President
Zimbelman Construction, LLC
1344 Pine Grove Court
Wichita, Kansas 67212
1-316-721-8989

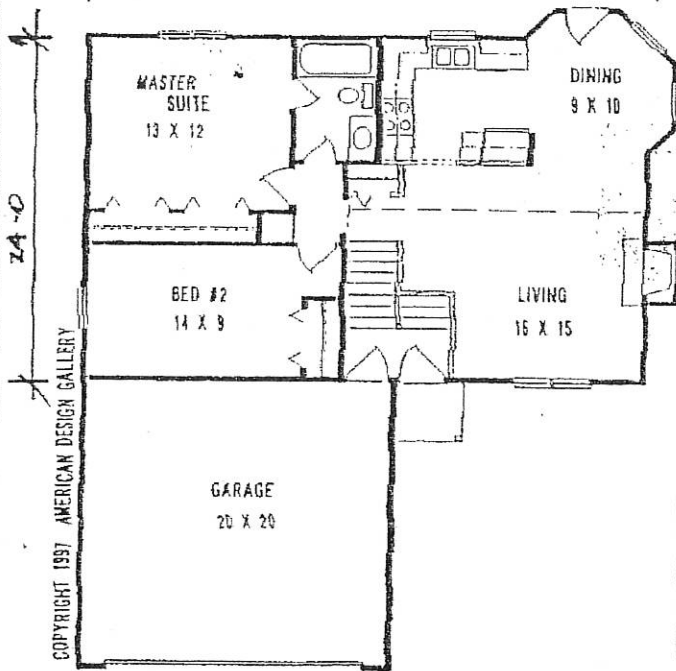
American Design Gallery

1829 W. 13th. St. Wichita, Ks. 67205 (316) 262-1196



PLAN # 900

36'-0"



FEATURES:

- vaulted ceilings in living & dining room
- plant shelf
- covered porch

SPEC'S:

- 900 sq. ft.
- 38' x 46'
- 2 bed
- 2 bath

PRICE CODE: A

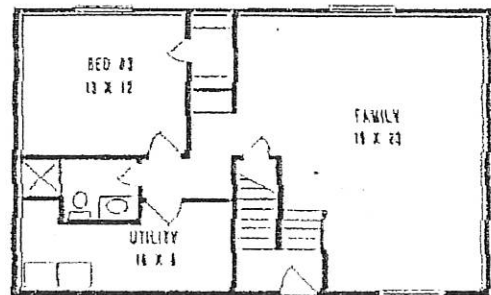
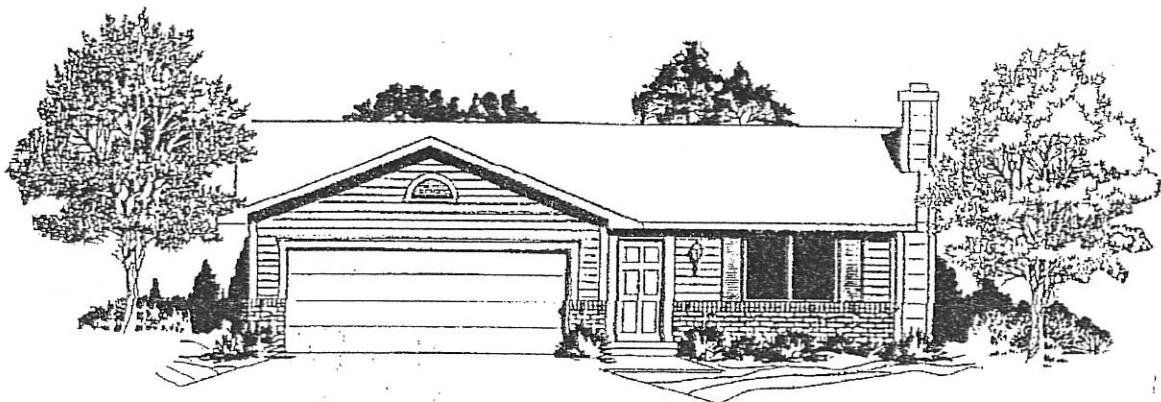


EXHIBIT "A"

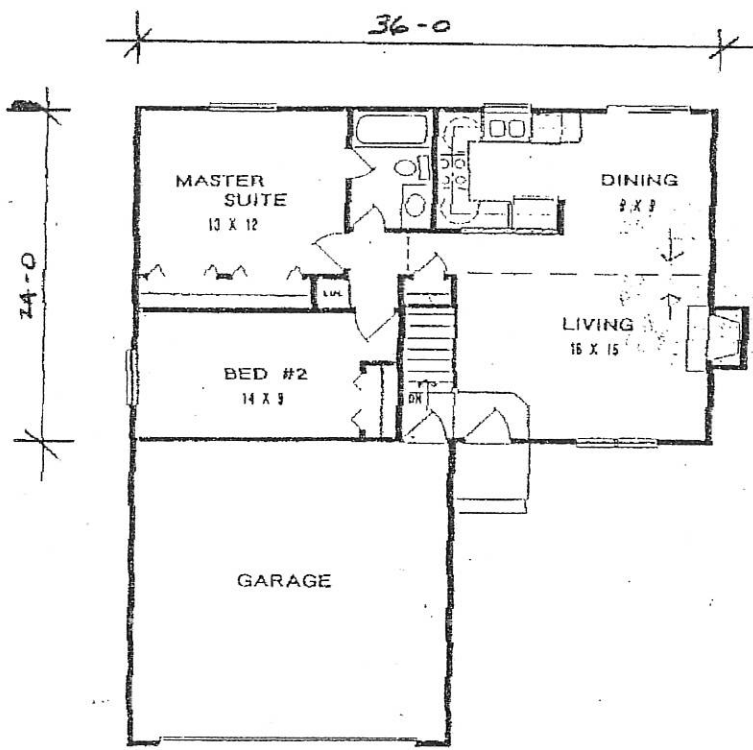
American Design Gallery

1829 W. 13th. St. Wichita, Ks. 67203 (316) 262-1196



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PLAN # 864



FEATURES:

- vaulted ceilings in living, dining and kitchen
- skylite in bath
- plant shelves

SPEC'S:

- 864 sq. ft.
- 36' x 44'
- 2 bed
- 1 bath

PRICE CODE: A

EXHIBIT "B"

9-4



KANSAS

Bill Graves
Governor

DEPARTMENT OF HUMAN RESOURCES
Kansas Commission on Disability Concerns

Richard E. Beyer
Secretary

TESTIMONY TO SENATE FEDERAL AND STATE AFFAIRS COMMITTEE HB 2020

Sharon Huffman, Legislative Liaison
February 20, 2002

Thank you for the opportunity to testify regarding HB 2020. The Kansas Commission on Disability Concerns (KCDC) is an advisory commission that provides information and education to the legislature and governor on issues of importance to Kansans with disabilities. The mission statement of KCDC is: The Kansas Commission on Disability Concerns believes that all people with disabilities are entitled to be equal citizens and equal partners in Kansas society. The purpose of the Kansas Commission on Disability Concerns is to involve all segments of the Kansas community through legislative advocacy, education and resource networking to ensure full and equal citizenship for all Kansans with disabilities.

HB 2020 would require owners of single-family, duplex and triplex dwellings receiving financial assistance from the state, including federal funds administered through the state, to provide basic accessibility when building the dwelling. Owners of multi-family dwellings (four or more units) would not be covered because they are already covered under the federal Fair Housing Amendments Act and the Kansas Act Against Discrimination. This act also would not apply to individual owners or occupants of private homes.

The basic accessibility features that would be required in this bill are:

1. One accessible entrance
2. All interior doorways wide enough for wheelchair passage
3. An accessible route through the main floor
4. Reinforcement of specified bathroom walls to allow for future installation of grab bars
5. Light switches, electrical outlets and other environmental controls in accessible locations

This bill would not require owners to immediately renovate dwellings to comply with the five features mentioned. It would require features undergoing rehabilitation to be made accessible rather than rebuilding non-accessible features.

It has been well documented in both the *Kansas Consolidated Plan 1999-2002* and *the Analysis of Impediments to Fair Housing Choice 1997* by the Department of Commerce and Housing that Kansas has a severe shortage of housing that is accessible to persons with disabilities. The latter document identified this problem as the number one impediment to fair housing choice in the state.

KCDC urges this committee to support passage of HB 2020.

CONSTRUCTION COSTS

for Creating "Visit-ability" (Basic Access) in New Homes

1. Zero-Step Entrances:

Since all lots have to be graded for development, the key to keeping costs down is to position the house on the lot and grade the lot with the zero-step entrance in mind. (See our link to [Zero-Step Entrances](#)) When this is done, \$150 is a reasonable average additional cost for the zero-step entrance. It should be remembered that visitability does not demand a front entrance if a side or back entrance is the most feasible.

Why such a low cost? Because:

1. for many homes the cost is zero and
2. on the approximately 5% to 10% of lots which are truly difficult, steps are actually needed at every entrance, and zero-step entrance is not feasible. (Again, see [Zero-Step Entrances](#).)

When the cost is averaged over the remaining 90%+ of lots, the \$150 average cost stated above is generously high.

Among the many homes where the zero-step entrance usually costs nothing are the 41% of all single-family homes in the U.S. which are built on a concrete slab*.

On the homes not built on a slab--those which have a basement or crawl space--there are several low-cost options. Over 2/3 of new homes have attached garages or carports.** Often the zero-step entrance can easily be constructed from the garage by planning the house floor and garage floor on the same level -- or nearly so -- rather than having the typical one or two steps up into the house. In those cases, either no ramp or a very short concrete ramp is all that is needed.

On homes with basements or crawl spaces, low-cost front, back or side entrances that do not require entering through the garage are often easy and inexpensive. Berming can allow a sidewalk or short "bridge" leading directly to the porch. Or, a short ramp may be all that is required, made of attractive materials with a deck-like appearance. In calculating cost, the cost of the omitted steps should be deducted from the cost of a ramp.

The very high cost estimates for zero-step entrances which some builders put forth are often based on ignorance of the best construction methods, or include averaging in worst-case scenarios which in fact should not be constructed at all.

2. Interior passage doors:

Interior passage doors should be 3'0" or 2'10" wide, including bathrooms (Passage doors are those that lead from one room to another, as opposed to closets.) Wide closet doors are good too, but way down the list from passage doors in terms of necessity. If a 3'0" or 2'10" door absolutely will not fit in a tight plan, 2'8" is much better than lesser widths. A 3'0" door provides about 34 inches of clear passage space, depending on the thickness of the door which is hung; 2'10" doors provide about 32 inches of clear passage space; 2'8" provide about 30 inches. More door width is needed than the simple width of a wheelchair, because doors can not always be approached straight on..... just as a car needs a lane wider than the car itself to be able to turn a corner.

\$50 per home is a generous average estimate for wide enough doors. In most cases, a wide opening is simply cut into the wall and an architect does not need to be called in to change plans. The builder can adjust the existing plans with too-narrow doors by manually drawing a minor adjustment to the doorways on the plans. Adding square footage is not necessary to create adequately wide doors.

In a few cases, such as an unusually small bathroom, three or four inches may need to be shaved from an adjoining room, but again adding square footage is not the economical solution. (Another option in a small space is a pocket door.)

How wide should the passage doors be?

- o Less than 2'8"----big trouble
- o 2'8"---- better than nothing
- o 2'10"----Ideal. This width is becoming increasingly available at low cost as customer demand increases. (2'10" is the interior door width required by the Fair Housing Amendment in new apartment buildings.)
- o 3'0"----Excellent, where space allows.

*Figure supplied by the National Association of Home Builders, based on nationwide statistics for 1994

**Figure supplied by NAHB, based on nationwide statistics for 1996.

Summary

- On new construction: \$150 zero-step entrance plus \$50 interior doors; total about \$200 (about 1/3 the cost of one bay window).
- These costs can be compared to the costs of retrofitting:
 - o --conservatively, an average of \$1,000 to add a zero-step entrance to an existing home
 - o --conservatively, an average of \$700 to widen one existing doorway

Also relevant - other social and financial costs caused by architectural barriers:

- --The residents can't comfortably entertain friends and relatives who have mobility limitation.
- --A non-disabled person who experiences a temporary disability such as broken bones or recuperation from surgery must seek a different place to live while recuperating, or try to rent temporary ramps and bedside commodes.
- --The residents strain their muscles carrying bicycles, baby carriages, heavy furniture, etc., up steps.
- --A resident may need to move permanently to a nursing home, while a lack of barriers would have allowed the person to stay at home for added months or years.
- --Resale or renting the home cuts out potential customers who have mobility limitation or who want a home that welcomes disabled visitors.

(from concretechange.home.mindspring.com/costs.htm)

Kansas Disability Rights Action Coalition for Housing

**2401 E. 13th Street
Hays, KS 67601**

**(785) 625-6942 (V/TTY)
(785) 625-2334 (fax)**

Testimony to the Senate Committee on Federal and State Affairs,
Senator Nancey Harrington, Chair
In Support of House Bill 2020
by Robin Tropper, Coordinator, Kansas DRACH
February 20, 2002

Thank you Chairperson Harrington and Committee members for hearing my testimony today as a proponent of HB 2020, requiring basic accessibility (visitability) in single-family, duplex and triplex housing built with financial assistance administered by the State. I'm Robin Tropper, Coordinator of the Kansas Disability Rights Action Coalition for Housing (KDRACH), a state-wide grassroots, cross-disability group of individuals and organizations working to ensure that the civil rights of people with disabilities of all ages are fully honored in all housing in Kansas.

KDRACH authored this bill with the conviction that public funding must be used in a manner that is made equally available to all people – not based on skin color, not based on religion, not based on whether a person can walk. We are examining an issue concerning equality, equality of opportunity to enjoy housing subsidized with public dollars, an issue of civil rights.

Federal and state civil rights laws already set accessibility standards for multifamily housing of four or more units. The proposed bill would fill a gap by requiring five essential features, based on well-established standards, for one-, two-, and three-family housing constructed by developers who choose to access public dollars. Note that HB 2020 will not apply to individual homeowner-occupants, nor to any direct federal funding received by large entitlement communities.

These requirements need to be made statutory. The Kansas Department of Commerce and Housing currently does not have accessibility requirements in place consistently across all funding streams available to housing developers, and such policies are subject to periodic change, even though the *Kansas Consolidated Plan* and the *State's Analysis of Impediments to Fair Housing Choice* identify a severe shortage of accessible housing. Moreover, people with disabilities cannot depend on voluntary efforts by the building industry to incorporate visitable design, despite the enhanced marketability of homes having these features, and despite the wealth of research demonstrating that the added monetary cost of constructing visitable homes is typically negligible or minimal when planned from the outset. In fact, nationwide, the industry has resisted change and has fought hard to chip away at the fair housing rights people with disabilities have gained in recent years. Like statutes enacted in the states of Texas, Georgia, Vermont, and in a half-dozen municipalities across the nation, HB 2020 will ensure that public financing for housing will not be spent erecting new architectural barriers to people with disabilities.

When we speak of building homes with stepless entrances, homes with wide doorways and hallways and reachable light switches, we're promoting the independence and dignity associated with being able to get around in our own homes and being able to visit friends and family all throughout our lives. Basic access features often mean the difference between institutionalization/isolation and living in our own homes as we age or acquire mobility impairments. Please ask yourselves the following questions: What is the social cost to our state when we continue funding construction of homes that do not allow all people to enter them? What is the cost to all of us and to our communities when we continue excluding people who have difficulty walking from becoming our neighbors, when we exclude certain young and elderly individuals from visiting friends and family members, or when we preclude our loved ones from "aging in place" in their own homes? Can we even weigh the fiscal cost of making changes that create equality against the human cost of not making them – of perpetuating exclusion and isolation?

I urge this committee to vote in favor of HB 2020, to support a vision that future generations of publicly financed housing will provide everyone with equal residential choices and the ability to invite all people into their homes. I would be happy to address any questions. Thank you.

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Attach #11
02/20/02

REMARKS OF
JIM SNYDER
FEBRUARY 20, 2002

MEMBERS OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE.
My name is Jim Snyder. I am President of the Kansas Council of the Silver Haired Legislators. Our Council is a separate arm of the Silver Haired Group.

I am here today to speak in favor of House Bill 2020. Attached to this copy is a Resolution passed unanimously by the Silver Haired Legislature when we met in October of last year. Although our Resolution extends further—into the private sector as well as the public—we do endorse HB 2020 for it's concept and its probability of helping Senior Citizens retaining their independence further than they might otherwise.

Our group would appreciate your support in passing this bill favorably and helping see that it is signed and becomes law.

I am available for questions. Thank you.

Sn Fedst
Attach # 12
02/20/02

(As Amended by SHL Committee on Education - 2)
SILVER HAired LEGISLATURE RESOLUTION NO. 1813

by PSA 3

1 A RESOLUTION urging the expansion and development of housing assistance programs in the
2 Department of Commerce and Housing to provide universal housing opportunities for all
3 elderly Kansans.
4

5
6 WHEREAS, Demographically, the population of the United States is growing older.

7 According to the United States Bureau of the Census, nationally there are almost 34 million
8 Americans aged 65 and over, roughly 12% of all Americans. The elderly population increased
9 eleven-fold from 1900 to 1994, while the non-elderly increased only three-fold. If Census Bureau
10 predictions prove accurate, the American population will increase by almost 50% from 1995 to
11 2050, while the 65 and over age group will increase by 135%; and

12 WHEREAS, In Kansas, the aging trend is more pronounced. According to 1990 census
13 statistics nearly, 15% of Kansans were age 65 or over. In addition, among the fifty states, Kansas
14 has the fifth highest percentage of citizens aged 85 and over. According to the Kansas Budget
15 Division, the number of the state's citizens aged 85 or more will double in the next 10 years; and

16 WHEREAS, Many of the elderly live on fixed incomes. Social Security was the major
17 source of income for older couples and individuals in 1992, providing 40% of the total household
18 income. It provided at least half of the total income for 63% of beneficiaries in 1992. The median
19 income of older persons in 1995 was \$16,684 for males and \$9,626 for females. More than one
20 half of elderly over age 75 who lived alone had incomes below \$10,000 in 1992, and 86 percent
21 had incomes below \$20,000; and

- 2 -

1 WHEREAS, The State's housing inventory has remained stagnant for many years,
2 particularly in rural areas, and much of the existing housing is not suitable for the needs of older
3 Kansans; and

4 WHEREAS, The incorporation of universal design characteristics in homes would make
5 such housing easier and safer for everyone to use and would allow elderly Kansans to remain in
6 their homes longer: Now, Therefore,

7 *Be it resolved by the Silver Haired Legislature of the State of Kansas:* That programs of
8 the Department of Commerce and Housing and other existing state agencies promote the
9 development of and disseminate widely information regarding universal design standards for
10 incorporation into the state's housing inventory; and

11 *Be it further resolved:* That ~~additional that~~ such standards include, but not be limited to,
12 traffic paths free of steps and stairs, wide doors and hallways, lever-type handles on doors and
13 faucets, electrical outlets and switches positioned in such a way as to minimize bending, stooping
14 and stretching by residents: ; and

15 *Be it further resolved:* That financial incentives be provided to individuals who build
16 housing incorporating such universal design standards.

TENANTS TO HOMEOWNERS, INC.
A community housing development organization

2020 Testimony Alan Bowes Tenants to Homeowners, Inc.
Lawrence KS

My name is Alan Bowes, I am the director of a non-profit housing development organization in Lawrence called Tenants to Homeowners, Inc.

Two years ago my board of directors adopted the provision of 2020 for the construction projects of our CHDO. We do new construction, and existing home rehab.

For two years we have struggled and worked to put these accessibility features in our housing projects. It has been hard and at times very frustrating. At times it is also very rewarding.

My experience has been that a great deal of planning, designing and redesigning is required. Much more thinking and figuring is required. Other people's perspectives and needs must be considered. Sometimes we actually had to be creative and innovative.

I want to say this is not a bad thing. I've been involved in building about thirty years. I started as a laborer. I've worked as a cost account for a construction firm. Most framing and insulating is done with 1960 techniques. Nailers join walls in a way which leaves uninsulated strips in exterior walls. Headers are uninsulated which leave uninsulated areas in outer walls. Batt insulation is installed so that it has no insulating effect. Builders and designers will not change, will not think unless you require them to do so. This bill could require them to think, or leave the field to someone who is willing to think.

2020 will at least require builders and designers to think and try to make housing accessible. This creates a example for others. The cumulative effect could be very progressive. Not passing this bill will subsidize outdated inefficient building methods and design.

TENANTS TO HOMEOWNERS, INC.**A community housing development organization**

It has been stated today with a straight face that one inadvertent violation of these provisions would ban the violator for life from receiving state funding. I did my first job with KS Dept. of Housing funding in 1981. I have had a lot of experience with the Dept. of Housing. When a violation is found, the builder corrects it. The usual procedure is that plans are submitted, if the plans contained a violation the process would stop until they were corrected. If a violation is found during a monitoring visit the violation is corrected before any more draws are authorized. If a violation is found after the completion of the project the owner/sponsor has it corrected to maintain their good relationship with the Dept. of Housing and avoid paying the funds back that they have received from the Dept. of Housing. To be banned from funding under this provision I can only imagine that a violation would have to be deliberate and the builder refused all opportunities to correct the violation. I would encourage the committee to leave the violation clause in place to show the state of Kansas is serious about the housing it finances being accessible to all its citizens.

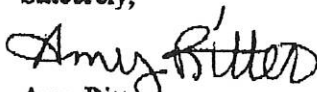
Senator Nancey Harrington
Chairperson of the Senate Federal and State Affairs Committee
State Capital
Topeka, Ks.

Feb. 13, 2002

Dear Senator Harrington and Committee Members,

I am asking for your support of the HB-2020, which is otherwise known as the Kansas Visitability Bill. If this bill were to become a law, it would mean so much to persons with a disability. When I first moved to El Dorado, finding accessible housing was almost impossible. What I did find was really out of my price range but I took it since there wasn't anything else available. There are other accessible housing but there is an age limit on them. I work for an Independent Living Center and deal with the same problem when persons with a disability want to move to El Dorado. They are referred to our agency in hopes of finding accessible housing and instead, having to tell them that there isn't anything available. If this bill would become law, there could be affordable/accessible housing available for persons with a disability, like myself. PLEASE give your support for HB-2020 so EVERYONE can have a home they can live in. Thank you for taking the time to read my letter, it's very much appreciated.

Sincerely,



Amy Ritter
El Dorado, Kansas

Sn Fed St
Attach #14
02/20/02

Senator Nancy Harrington
Chairperson of the Senate Committee on Federal and State Affairs
State Capital
Topeka, Kansas

February 14, 2002

Dear Senator Harrington and Committee Members,

I would like to thank you for letting me testify today on this important legislation. I'm asking for your support of HB 2020, basic accessibility for single-family, duplex and triplex housing, sometimes referred to as "Kansas Visit-ability Bill" When this bill becomes law, it would open up so many more housing options for people who have disabilities.

I know for myself that when I became disabled in 1996 and I moved back to Kansas after a long stay in the hospital in New Mexico. I found it very hard and impossible to find accessible housing. I had to move into a non-accessible home. Lucky for me that I had friends and family who were able to make the changes necessary for me to live in that home. And now that I am an Independent Living Specialist I am asked all the time to try and find an accessible apartment or house. I am still running into that same brick wall. The few places that have an accessible unit are already rented. And they plan on living there for a long period of time. Because they know like I know that there is a lack of accessible housing, not only in El Dorado but across the State of Kansas.

So I am asking you the members of this committee to PLEASE give a YES vote for HB2020, so people with disabilities can have an accessible home they can live in. I would like to Thank You for letting me speak to you today on this very important piece of legislation.

Sincerely,



Cecil E. Walker Jr.

615 1/2 N. Main

El Dorado, Ks.

SnFedSt
Attach #15
02/20/02



Gina McDonald
President/CEO

Member Agencies:

Center for Independent Living for Southwest Kansas
Garden City, KS
316/276-1900 Voice

Coalition for Independence
Kansas City, KS
913/287-0999 Voice/TT

ILC of Northeast Kansas
Atchison, KS
913/367-1830 Voice

ILC of Southcentral Kansas
Wichita, KS
316/942-6300 Voice/TT

Independence, Inc.
Lawrence, KS
785/841-0333 Voice
785/841-1046 TT

Independent Connection
Salina, KS
785/827-9383 Voice/TT

LINK, Inc.
Hays, KS
785/625-6942 Voice/TT

Prairie Independent Living Resource Center
Hutchinson, KS
316/663-3989 Voice

Resource Center for Independent Living, Inc.
Osage City, KS
785/528-3105 Voice

Southeast Kansas Independent Living, Inc.
Parsons, KS
316/421-5502 Voice
316/421-6551 TT

The Whole Person, Inc.
Kansas City, MO
816/561-0304 Voice
816/531-7749 TT

Three Rivers ILC
Wamego, KS
785/456-9915 Voice

Topeka Independent Living Resource Center
Topeka, KS
785/233-4572 Voice/TT

Testimony to
Senate Federal and State Affairs
Senator Nancey Harrington, Chairperson
HB 2020
2-20-02

My name is Gina McDonald and I represent the Kansas Association of Centers for Independent Living (KACIL). KACIL represents 13 Centers for Independent Living (CIL's). Centers provide services to people with disabilities of all ages. Centers for Independent Living also provide assistance to businesses and all other entities in the community to assist them in offering services to people with disabilities. We advocate at a state and national level for the rights of all people with disabilities to live in the communities of their choice.

Thank you for the opportunity to offer our support for HB 2020.

As we listen to testimony in Ways and Means committee, we hear repeatedly that our state is aging. Overall in the next ten years many counties in Kansas will be among the nations oldest counties in terms of citizens.

Further, we are aware of the need for state and federal assistance for seniors and people with disabilities to remodel their homes so they can remain in the community. The alternative to remodeling is costly care in Nursing Facilities. Were it not for access in their homes many could not remain in place.

It makes so much more sense to build houses that contain basic accessibility features in the first place so that we can all remain in our homes as we age and/or become disabled.

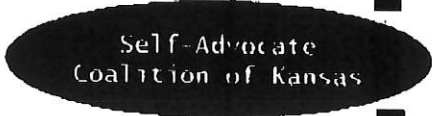
It would reduce the costs that the state is now paying to put in ramps, widen doors and remodel bathrooms for seniors and people with disabilities.

It is smart from the perspective of builders to build for the demographics that will be in place in this state in the future.

KACIL supports HB 2020 and asks that you pass it out favorably.

Thank you for your consideration and vision on this most important concept.

If you have any questions, I can be reached at the number on this letterhead.



DATE: February 19, 2002

TO: Nicole Kraus - *Em 143-N*

FROM: Self-Advocate Coalition of Kansas

RE: HB 2020

The Self-Advocate Coalition of Kansas (SACK) is the statewide advocacy group for adults with developmental disabilities. SACK supports the principles of independence, integration, inclusion and productivity. SACK is writing you today in support of HB 2020. Basic access to all new homes built with our state dollars just makes sense. Please support this bill.

Thank you,

Jeanne Abraham-Lunz
Jeanne Abraham-Lunz
Support Staff

Kathy Lobb
Kathy Lobb
Legislative Liaison



2518 Ridge Court
Room 236
Lawrence, Kansas 66046

Phone: 1-888-354-7225 or
785-749-0121
Fax: 785-843-3726
Email: kssack123@aol.com
Web: kansasack.org

*SnFedSt
Attach #17
02/20/02*



555 S. Kansas Avenue
Suite 201
Topeka, KS 66603
(785) 232-4070
(785) 232-8259 Fax

February 20, 2002

Senator Harrington
Chairman Senate Federal and State Affairs Committee

Good morning Senator Harrington and members of the Senate Federal and State Affairs Committee. My name is Ernest Kutzley and I am the Associate State Director of Advocacy for AARP Kansas. AARP Kansas represents the views of our more than 350,000 members in the state of Kansas. Thank you for this opportunity to express our views in *support* of House Bill 2020.

Housing is a critical factor in determining the quality of life and economic security of older persons (age 65 and above). Rapid growth of the older population accentuates the need for housing options that can accommodate the diverse needs of older persons and enhance their ability to live independently. Projections by the Census Bureau indicate that by 2020, the older population (age 65 and over) will have grown to 53.7 million, a 54 percent increase from 34.8 million in 2000. The population growth in the next ten years will be more modest, but that growth will occur disproportionately among the oldest old

Strategies to expand housing choices for older persons increasingly involve changes in state and local regulations and land-use policy. Such changes can include revising building and life-safety codes to accommodate assisted living, removing zoning barriers to housing alternatives such as accessory apartments and shared housing, and implementing state and local planning programs to improve the physical design of communities and include the housing needs of low-income, disabled and older persons in state and local development strategies.

States and local governments play essential roles in expanding housing options for older persons and protecting their rights as housing purchasers and may also encourage universal design, which provides a range of housing features such as widened doors, accessible kitchens and bathrooms, and other architecturally friendly features that help persons remain independent during different life stages. Visitability features are a component of universal design that deals with access to the main part of the house, such as a zero-step entrance. Such visitability features provide benefit not only to household members, but enable others with mobility limitations to visit. Some local jurisdictions have begun to promote features such as these in new construction, employing a variety of incentives

601 E Street, NW Washington, DC 20049 (202) 434-2277 www.aarp.org
Esther "Tess" Canja, President William D. "Bill" Novelli, Executive Director

Sn Fed St
Attach # 18
02/20/02

AARP supports legislation that promotes:

Applications of the concept of universal design, which permits housing to meet the lifespan needs of residents and helps older persons remain independent.

Home-modification and repair programs that enable frail older persons to live independently in their own homes longer and more safely.

Therefore AARP *supports* House Bill 2020. Thank you for this opportunity and your *support* of HB 2020.

Ernest Kutzley
Associate State Director/Advocacy
AARP Kansas

State of Kansas

LANA OLEEN
SENATOR, 22ND DISTRICT
GEARY AND RILEY COUNTIES
(785) 296-2497



COMMITTEE ASSIGNMENTS
CHAIR: CONFIRMATION OVERSIGHT
VICE CHAIR: ORGANIZATION, CALENDAR & RULES
MEMBER: STANDING & JOINT COMMITTEES

Majority Leader Kansas Senate

SENATE CHAMBER, STATE CAPITOL
TOPEKA, KANSAS 66612-1504

February 20, 2002

Senate Federal and State Affairs Committee Testimony on HB 2020

Chairman Harrington and Members of the Senate Federal and State Affairs Committee:

Thank you for the opportunity to offer written testimony in support of HB 2020. The public policy issue contained in this bill is to ensure that builders who use taxpayers' dollars to construct homes or remodel homes meet accommodation standards for all Kansas citizens. It is a sound, balanced policy which will serve Kansans well.

HB 2020 is a straight forward bill that will benefit all citizens. The bill is a reasonable compromise agreement and the result of the dedicated efforts of interested parties. HB 2020 is a sound piece of legislation and merits enactment.

I encourage your favorable passage of HB 2020.

Sincerely,

A handwritten signature in blue ink that reads "Lana Oleen".

Senator Lana Oleen

HOME
3000 STAGG HILL ROAD
MANHATTAN, KANSAS 66502
(785) 537-3300

DISTRICT OFFICE
1619 POYNTZ AVENUE
MANHATTAN, KANSAS 66502
(785) 537-9194—PHONE
(785) 537-9198—FAX

STATE OFFICE
STATE CAPITOL, ROOM 356-E
FAX (785) 296-6718
1-800-432-3924 (JAN.-APRIL)
E-mail: oleen@senate.state.ks.us

Sn Fed St
Attach # 19
02/20/02

Testimony in regard to HB 2020

Members of the Committee, our family has many friends and acquaintances that have mobility difficulties. We feel the need for this bill, as amended by and passed in the House, for anyone who wishes to make their house accessible.

We ask for your support in passing HB 2020 out of your committee.

Thank you for your consideration.

Josie Torrez
1832 SW Webster
Topeka, Kansas 66604
232-8295 (H)

Sn Fedst
Attach #20
02/20/02



Western Kansas Association on Concerns of the Disabled

2401 East 13th • Hays, Kansas 67601 • (785) 625-6942

Access + Opportunity = Independence
Celebrating More Than 20 YEARS of Civil Rights Advocacy

Testimony to
House Committee on Federal and State Affairs
Senator Nancy Harrington
House Bill 2020

By
Gary Howard
Western Kansas Association on Concerns of the Disabled
February 20, 2002

Thank you, Chairperson Harrington and Committee members for allowing me to testify today as a supporter of House Bill 2020. My name is Gary Howard. I have been president of WKACD for a few years and also served as Vice President for several years before that. WKACD is a grassroots, advocacy and socialization organization that has worked toward including people with disabilities, in all areas of society.

There are several reasons that I am asking for your support on this bill. The first is the need for accessible housing. This is one of the most difficult barriers, to adapting to life with mobility impairments, as more and more people are doing. Second, this would help counteract the isolation felt by people with disabilities because they are unable to visit friends and families. You can easily understand how important that it is for anyone to be able to turn to their loved ones in times of crisis.

This bill would *not* affect any owner-occupied private homes, just housing developers. If my tax dollars are going to be used to build public housing, I would like to know that there will be accessibility requirements for that new construction being done. These requirements would not create any excessive expense or undue burden for contractors. This is an ideal time to start the change and HB 2020 is a good way to accomplish this goal of visitability and equal access.

Thank you for your time, and if you have any questions about this, I can be contacted at (785) 625-6942.

Gary Howard



United Way Agency

SnFedst
Attach # 21
02/20/02

**Testimony Presented to
Senate Federal & State Affairs Committee
HB 2020
By Shannon Jones
February 20, 2002**

My name is Shannon Jones. I am the director of the Statewide Independent Living Council of Kansas (SILCK). The SILCK is mandated by the federal Rehabilitation Act as amended in 1998 to study existing services for people with disabilities and make recommendations to improve or expand services that will enable Kansans with disabilities to achieve their optimum level of independence and improve their quality of life.

The SILCK strongly supports HB 2020. Today Kansas has the fourth highest aging population in the country. As we age, we acquire disabilities. This means the need for accessibility will not go away. We need to address a long-range plan for how we will address our aging and disabled population. While more people are choosing to stay in their own homes, they do not want to be prisoners in their homes. According to a study done by the Kansas Department of Health and Environment, "Behavioral Risk Factor Surveillance Survey", between 16 - 18% of adult Kansans identify themselves as having some form of a mobility impairment.

BASIC ACCESS IMPROVES THE LIVES OF EVERYONE IN OUR COMMUNITIES.

In addition, Kansas has been a national leader in implementing home and community based services across the state to ALL populations. The result has been that more and more people are choosing to stay in their homes and receive services. The passage of this bill would greatly enhance the community services system.

The SILCK urges this committee to favorably pass HB 2020 requiring basic access in all housing built or rehabilitated with public funds in the state of Kansas.

Sn Fed St
Attach #22
02/20/02



111 Grant Ave.
Garden City, KS 67846
(620) 276-1900 V/TT
(620) 271-0200 Fax

**Testimony to
Committee on Federal and State Affairs,
Senator Nancey Harrington,
on SB 2020
by**

**Troy A. Horton, Center for Independent Living in Southwest Kansas
February 20, 2002**

Thank you Committee members for allowing me to submit testimony today. Please support Visit-ability SB 2020. I am the Executive Director of the Center for Independent Living for Southwest Kansas. The Center serves 25 countries in Southwest Kansas. As the director of an Independent Living Center I have contact with a lot of people with disabilities. Most of these people would like to own a house. Accessible houses are not available for people to buy. So they are faced with the cost of remodeling the house, which individuals cannot afford. They are forced to look for assistance through state funded programs. Some people meet the qualifications of such programs to assist part-way making their home accessible but the funding is a one time amount locking them in to live there because there is no funding if they want to move again in the future. So the state is funding the remodeling of houses for people with mobility impairments through various programs and organizations.

I am a person with a mobility impairment and have used a wheelchair for 17 years. I live in an apartment, which I made accessible for myself and would like to move into a house. I have been ready to buy a home for a while now but there are none that I have seen without steps to get into the house. Houses that meet the requirements as in SB 2020 Visit-ability do not exist near me. My other option is to make the necessary changes myself, as I have to plan for remodeling costs before I even buy a home. The added cost to make it accessible on top of the cost of the house comes to more money than I can afford, this forces me to remain where I live now. We know it is more cost effective to build a new accessible home over the cost of remodeling one.

I also visit friends, family and church functions in peoples home. This makes it difficult as they seem to all have steps. I am young, just turned thirty and like to be very active. Many times I let people pull me up and down the steps just so I can participate with my friends. I find myself lying on the sidewalk as my wheelchair rolls toward the street. Another crash landing I survived, but I was going up not down. Lets try it again! they say. There are many other stories I could tell you about how I have got into peoples houses and also used their bathrooms. The bathrooms are almost never useable, I have had to take the door off and parts of the frame just to be able enter the bathroom.

Visit-ability SB 2020 tries to unite community life by letting everyone be able to visit their neighbor and requires the wisest use of public funds being used for housing. I believe Visit-ability will save the state money in the long term, allow more choices where people with

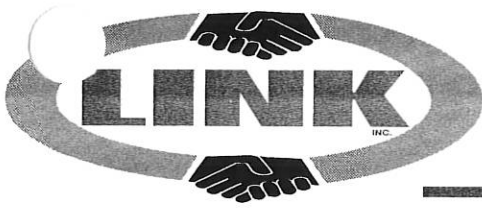
1023 North Kansas Suite 2
Liberal, KS 67901
(620) 624-5500 V/TT
(620) 624-6576 Fax

2601 Central
Dodge City, KS 67801
(620) 227-6660 V/TT
(620) 227-8185 Fax

Sn Fed St
Attach # 23
02/20/02

disabilities can live, and create affordable accessible houses. **Please support Visit-ability SB 2020.**

Thank you very much for your time. If you have any questions, I would be glad to answer them.



Living Independently in Northwest Kansas

2401 E. 13th Street
(785) 625-6942(V/T)

Hays, KS 67601
(785) 625-6137 (FAX)

Brian Atwell
February 20, 2002 Testimony to the
Senate Committee on Federal & State Affairs
Senator Nancey Harrington, Chair
House Bill 2020

Thank you Senator Harrington and committee members for allowing me to testify in support of the Kansas Visitability Bill, House Bill 2020. I am pleased to hear that this committee is reviewing basic accessibility in dwellings.

I am excited about the potential of this bill to increase accessibility options in dwellings which are constructed with public financial assistance. Growing up in rural western Kansas and having a life experience with a disability has put me in many situations where access into dwellings has been a large barrier. Even the smallest improvements in access afforded by this bill will be a great improvement over no access at all. People with disabilities will not be isolated if basic access features such as no step accessible entrance, accessible route and interior doorways, reinforced bathroom walls and accessible placement of switches, outlets and controls are included in these effected dwellings. By making houses visitable, people with disabilities will be able to visit friends and families whom may have these five accessibility features in their homes.

Thank you for your time, please contact me if you have any questions.

Brian M. Atwell, Director
LINK, Inc.



LINK, Inc. also has offices in Hill City, Colby, Osborne and Great Bend

Sn Fed St
Attach #24
02/20/02

Senator Nancy Harrington
Chairperson Senate Federal and State Affairs Committee
Sub. HB 2020

Steve Hinds
Consumer Advocate
Independent Living Resource Center
Wichita KS

As a Consumer Advocate and Housing Coordinator working with people with disabilities, I face the ever increasing problem of finding housing with even the most basic features of accessibility. I receive three or four calls a week for accessible housing, housing that does not exist. Presently I am working with a family needing a home that will accommodate their daughter's disability. The only homes we have found will need some bathroom modifications and a ramp. These modifications have been estimated to be \$11,175.00 on one home to \$16,775.00 on the other.

Housing & Credit Counseling Inc. in Topeka has listed five impediments to fair housing, the number one impediment is the lack of accessible housing. The Kansas Department of Commerce & Housing Fair Housing Action Plan 1997-2000 reports the leading impediment to fair housing as "difficulty in finding suitable and accessible housing." According to Elizabeth Julian, former HUD Assistant Secretary for Fair Housing and Equal Opportunity, "people with disabilities have the worst-case needs in this country and there is still wide-spread noncompliance with the accessibility requirements of the Fair Housing Act."

1992 data collected by the Economic & Statistics Administration of the United States Department of Commerce showed nearly 49 million people with a disability, 24.1 million of these were severe. In 1995 approximately 54 million, or 1 in 5 reported a disability, 1 in 10 disabilities were severe. This is a 10.25% increase in the number of people with disabilities in just three years. Using this rate of increase there are approximately 66 million people with disabilities in the United States today.

With a 1 in 5 disability rate Kansas has approximately 530,810 people with a disability, Wichita alone has 65,850 people with a disability. The Independent Living Resource Center serves 689 people on the Physical Disability waiver alone. Independent living Centers across the state serve approximately 3200 with a physical disability through Home and Community Based Services. There are many more with physical and mental disabilities not receiving these services, as well as the frail and elderly that would benefit from basic accessibility in housing

All members of the household would benefit from safer homes that impose fewer constraints on daily activities. Families would be able to live together in their own home, instead of facing the emotional and economic costs of moving or institutionalizing a family member. Households can "age in place" over the life cycle without incurring significant remodeling expenses. People with mobility impairments will be able to visit their friends and family because the barriers that keep them out will no longer exist. People without disabilities will benefit also, bringing in the baby strollers and groceries, or moving furniture and other awkward or heavy items into and within the home will be easier.

Please, do not say no to basic accessibility for thousands of Kansas residents who are now in need, and those in the future who will be in need of this basic right, to live and function safely in their own homes. To be able to go outdoors with ease, to not feel trapped by not being able to leave their own front porch or visit friends and family.

SnFedSt
Attach # 25
02/20/02

February 19, 2002

Naomi Passman
1534 S. Battin
Wichita, Kansas 67218

Senator Nancey Harrington
Topeka State Capitol
Topeka, Kansas 66612

Dear Senator Harrington,

I am writing this letter to show my support of HB2020 (Visitability Bill). I strongly feel that the acceptance of HB2020 will greatly enhance the lives of individuals with disabilities.

I use a manual wheelchair, and not being able to have the freedom to visit friends and family because there is no basic access is quite distressing. I am often forced to decline invitations to participate in activities simply because there are steps, the doorways are too narrow or the bathrooms are too small to accommodate my wheelchair.

With HB2020 in effect, my life and independence, along with other individuals with disabilities will be greatly improved.

Sincerely,



Naomi Passman

Sn Fed St
Attach # 26
02/20/02