

2023 SENATE INDUSTRY AND BUSINESS

SCR 4016

2023 SENATE STANDING COMMITTEE MINUTES

Industry and Business Committee Fort Union Room, State Capitol

SCR 4016
2/13/2023

A concurrent resolution directing the Legislative Management to consider studying the availability of adequately accessible housing in the state for individuals with mobility impairments or physical disabilities.

10:53 AM Chairman D. Larsen called the meeting to order. Members present: Chairman D. Larsen, Vice Chairman Kessel, Senator Barta, Senator Klein, Senator Boehm.

Discussion Topics:

- Apartment accessibility
- Garage placement
- Mailbox placement

10:53 AM Senator Magrum introduced SCR 4016 and testified in favor. (verbal)

10:58 AM Micha Olson, Attorney at Protection and Advocacy, testified in favor. #20501

11:16 AM Sargianna Wutzke, Lead Operations Officer for Community Options, testified in favor. #20547

11:22 AM Chairman D. Larsen closed the hearing on SCR 4016.

11:22 AM Senator Klein moved DO PASS of SCR 4016.

11:22 AM Senator Boehm seconded the motion DO PASS SCR 4016.

Roll Call Vote – DO PASS SCR 4016

Senators	Vote
Senator Doug Larsen	Y
Senator Greg Kessel	Y
Senator Jeff Barta	Y
Senator Keith Boehm	Y
Senator Jerry Klein	Y

Motion passed: 5-0-0

Senator Barta will carry the bill.

11:25 AM Chairman D. Larsen closed the meeting.

Brenda Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

SCR 4016: Industry and Business Committee (Sen. Larsen, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4016 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.

2023 HOUSE INDUSTRY, BUSINESS AND LABOR

SCR 4016

2023 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SCR 4016
3/9/2023

A concurrent resolution directing the Legislative Management to consider studying the availability of adequately accessible housing in the state for individuals with mobility impairments or physical disabilities

9:45 AM Chairman Longmuir opened the hearing. Members present: Chairman Longmuir, Vice Chairman Fegley, Rep. Hatlestad, Rep. Heilman, Rep. Jonas, Rep. Klemin, Rep. Motschenbacher, Rep. Ostlie, Rep. Rios, Rep. Toman, Rep. Warrey, Rep. Davis, and Rep. Hager. Absent: Rep. Holle

Discussion Topics:

- Handicap-accessible housing.
- Study development.
- Transportation.
- Mailbox location.
- Fair housing and rehabilitation act.

Senator Magrum: Introduced the bill. No written testimony.

Micah Olson, P&A: Testimony #21939

Sargianna Wutzke: Lead Operations Officer for Community Options: Testimony #21984

The hearing closed at 10:19 AM.

Rep. Motschenbacher moved a Do Pass and be placed on the consent calendar;
Seconded by Rep. Heilman

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick Hatlestad	Y
Representative Matt Heilman	Y
Representative Dawson Holle	A
Representative Jim Jonas	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nico Rios	Y
Representative Nathan Toman	Y

House Political Subdivisions Committee

SCR 4016

March 9, 2023

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Representative Jonathan Warrey	Y
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Roll call vote: 13 Yes 0 No 1 Absent; Motion carried.

Carrier: Rep. Motschenbacher

The meeting closed at 10:21 AM

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

SCR 4016: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4016 was placed on the Tenth order on the calendar.

TESTIMONY

SCR 4016



PROTECTION & ADVOCACY PROJECT

400 EAST BROADWAY, SUITE 409

BISMARCK, ND 58501-4071

701.328.2950

Senate Industry & Business Committee

Senate Bill SCR 4016– February 13, 2023

Testimony of Micah Olson, P&A Position-In Favor

My name is Micah Olson. I am an attorney at Protection and Advocacy. I use a wheelchair and have had personal experience in finding accessible housing in Bismarck and Minot. Previously I worked as an Independent Living Advocate at Independence Inc., Center for Independent Living in Minot, where I often assisted consumers in finding accessible and affordable housing. I am in favor of SCR 4016, a resolution to study affordable, accessible housing.

Before I moved to Minot in June of 2019, I contacted several landlords about options for apartments. I indicated that I wanted a first-floor apartment with a garage. I visited six apartments. All of the apartments I visited would have worked for me, but there were accessibility problems at each of them. Even if an apartment had been designated an accessible unit, several had garages that were located very far away from the building, which would be difficult, especially in the winter. The apartment I chose was the most accessible. It had a garage directly across from the door of the apartment building, which was convenient for me. However, after I moved in, I found that the mailbox was not placed in an accessible location. The mailbox was located about 6 feet in from a curb without a curb cut. I could not get to it with my wheelchair. Also, even though my apartment was supposed to be an accessible unit, my mailbox was on the highest row, and I could not reach it. The management company moved the mailbox to the edge of the curb, so I could reach it and gave me a lower mailbox that I could access either from my car or wheelchair, but the process took several weeks. If I had moved in the winter, the ground would have been frozen and that fix probably would not have been possible until spring.

I moved to Bismarck at the end of December of 2022. When I was looking for an apartment, I only found two viable options. I moved into an apartment that was designated as an accessible unit. However, the apartment is located on the second floor, which will be a problem if the elevator is out of order or if there is a fire. The apartment is also located very far from the elevator, which would be a problem for someone who has difficulty with mobility. Again, I had the highest mailbox, but the mailboxes were in a mailroom, so it was an easier problem to resolve than at my apartment in Minot.

While working at the Center for Independent Living in Minot, I found that there were not many affordable and accessible options for many consumers I worked with to find housing. For example, one wheelchair user required a roll-in shower. We only found one available apartment that had a roll-in shower. However, that apartment was not on the bus route. He did not drive, so he would have to rely on paratransit, which is not always reliable or available. Another consumer chose a less accessible apartment because it was on the bus route, which would give her greater access to transportation. Other consumers identified problems with adequate parking and a lack of curb cuts. Many of these problems should have been identified and corrected when the apartments were built, but they were not.

A study should be conducted to identify issues with affordable, accessible housing in the state and to develop solutions. The study should also include how municipalities are inspecting new developments, and whether developers and management companies are adequately considering all aspects of accessibility when constructing apartment buildings, including the location of accessible units within the building, and the location of garages and common areas, such as mailboxes.

Senate Industry & Business Committee: SCR 4016

Senator Larsen and members of the Senate Industry & Business Committee,

My name is Sargianna Wutzke. I am the Lead Operations Officer for Community Options. We are an agency that provides services to people with developmental disabilities. Unfortunately, in the state of North Dakota, there is a huge concern with the lack of accessible housing for people with mobility issues. Most living spaces are not truly handicapped accessible and do not suit the needs of people with mobility difficulties, especially those individuals who utilize wheelchairs.

We serve individuals with developmental disabilities throughout the state, and this is one of the biggest concerns for those individuals receiving services. It is a struggle for them to find places to live where they can access things that we may take for granted.

When I purchased my first home, I looked at over sixty homes before I found the one that was right for me. All these homes were accessible enough for me, however there were a variety of reasons why they were not the right one. Could you imagine having only two options of places that may fit your needs due to the need for accessibility? Unfortunately, that can be the case for individuals with mobility challenges especially those who utilize wheelchairs. There are many things that we take for granted that individuals may need to make their home accessible. For a place to be accessible to someone, things in the home may need to be at a different height level for individuals to access them. These could include countertops, cabinets, light switches, electrical outlets, appliances, thermostats, shelves, and mailboxes. Some other things for homes to be accessible may include roll in showers, grab bars, and doors accessible to someone who utilizes a wheelchair.

We have individuals who live on their own in apartment buildings and would be able to complete different tasks independently if their apartment was truly accessible. We have an individual who lives in apartment but cannot do her laundry independently since her apartment building has a top loading washer making her not able to reach the knobs. We also have individuals who need staff to assist them with cooking due to where the knobs are located on their stove. These are just a few challenges that occur when spaces are not truly handicapped accessible.

Because of all these concerns, I believe a study is needed to research the availability of adequately accessible housing in the state for individuals with mobility impairments or physical disabilities. The study should also look at developing solutions to the issues with accessible housing in our state. I encourage a do pass on SCR 4016.

Sargianna Wutzke



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400 EAST BROADWAY, SUITE 409

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House Political Subdivisions Committee

Senate Bill SCR 4016– March 9, 2023

Testimony of Micah Olson, P&A Position-In Favor

My name is Micah Olson. I am an attorney at Protection and Advocacy. I use a wheelchair and have had personal experience in finding accessible housing in Bismarck and Minot. Previously I worked as an Independent Living Advocate at Independence Inc., Center for Independent Living in Minot, where I often assisted consumers in finding accessible and affordable housing. I am in favor of SCR 4016, a resolution to study affordable, accessible housing.

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House Political Subdivisions: SCR 4016

Representative Longmuir and members of the House Political Subdivisions Committee,

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Sargianna Wutzke