

Senate Bill 1005

Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Commission for the Blind)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Grants Commission for the Blind first and exclusive right to operate vending facility on public building or property.

A BILL FOR AN ACT

1
2 Relating to vending facilities; amending ORS 346.530 and 346.570.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 346.530 is amended to read:

5 346.530. (1) Each head of the department or agency in charge of the maintenance of public
6 buildings or properties shall:

7 (a) Periodically notify the Commission for the Blind in writing of any and all existing locations
8 where vending facilities are in operation or where vending facilities might properly and satisfac-
9 torily be operated.

10 (b) Not less than 30 days prior to the reactivation, leasing, re-leasing, licensing or issuance of
11 permit for operation of any vending facility, inform the Commission for the Blind of such contem-
12 plated action.

13 (c) Inform the Commission for the Blind of any locations where such vending facilities are
14 planned or might properly and satisfactorily be operated in or about other public buildings or
15 properties as may now or thereafter come under the jurisdiction of the department or agency for
16 maintenance, such information to be given not less than 30 days prior to leasing, re-leasing, licens-
17 ing or issuance of permit for operation of any vending facility in such public building or on such
18 property.

19 *[(2) If the Commission for the Blind makes an offer to operate a vending facility under the pro-*
20 *visions of this section and the offer is not accepted for reasons other than the decision to have no*
21 *vending facility on the premises, such head of the department or agency shall notify the commission in*
22 *writing of the reasons for refusing its offer, including but not limited to the terms and conditions of the*
23 *offer which was accepted, if any.]*

24 **(2) The Commission for the Blind shall have the first and exclusive right to operate a**
25 **vending facility on any public building or property if:**

26 **(a) The head of the department or agency in charge of the maintenance of the public**
27 **building or property and the commission agree that a vending facility may be properly and**
28 **satisfactorily operated on the public building or property; and**

29 **(b) The commission determines that a blind person licensed under the provisions of ORS**
30 **346.510 to 346.570 is capable of operating the facility.**

31 **(3) If the Commission for the Blind chooses not to exercise its right to operate a vending**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **facility under this section:**

2 (a) **The commission shall inform the head of the department or agency in charge of the**
3 **maintenance of the public building or property of the commission's decision in writing within**
4 **30 days after receiving notice from the department or agency under subsection (1) of this**
5 **section; and**

6 (b) **The head of the department or agency in charge of the maintenance of the public**
7 **building or property may solicit and accept other offers to operate the vending facility.**

8 [(3)] (4) Any contract or agreement entered into subsequent to July 1, 1975, which is not in
9 compliance with or **is** in violation of ORS 346.220 and 346.510 to 346.570, shall be null and void.

10 **SECTION 2.** ORS 346.570 is amended to read:

11 346.570. (1) Those individuals who are operating vending facilities in public buildings or on
12 public properties, as defined in ORS 346.510 prior to August 20, 1957, shall not be affected by ORS
13 346.510 to 346.570[, *except and only insofar as provided in ORS 346.530 (2)*].

14 (2) Any blind person who is presently operating a vending facility in or on public buildings or
15 properties who desires to make use of the advantages of the program authorized by ORS 346.510 to
16 346.570 shall have the right to do so; and, in such instance, the Commission for the Blind may ne-
17 gotiate and consummate arrangements for the purchase of such vending facility equipment as it may
18 deem necessary for the satisfactory operation of the vending facility.

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