

A-Engrossed
House Bill 3253

Ordered by the House May 22
Including House Amendments dated May 22

Sponsored by COMMITTEE ON HUMAN SERVICES AND HOUSING

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.

[Clarifies that state agencies and departments shall purchase certain products and services from Commission for the Blind. Requires commission to submit annual report to interim committees of Legislative Assembly. Creates Business Enterprise Program within commission.]

Requires state agencies, departments and political subdivisions to grant to persons who are blind priority to establish and operate vending facilities in public buildings. Clarifies that state agencies, departments and political subdivisions shall procure certain services from Commission for the Blind. Requires commission to collect percentage of net proceeds earned by vending facility and use moneys collected for specified purposes. Allows vendor who is blind to enter into agreement with subcontractor, approved by commission, to operate vending facility. Requires commission to submit annual report to interim committees of Legislative Assembly.

Requires commission to decrease percentage of net proceeds collected if vending facility offers certain vending items or employs person who is blind, person with disability or veteran. Sunsets December 31, 2019.

[Declares emergency, effective on passage.]

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to persons who are blind; creating new provisions; amending ORS 293.701, 346.120, 346.210,
3 346.220, 346.290, 346.510, 346.520, 346.530, 346.540, 346.550 and 346.560; and prescribing an ef-
4 fective date.

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

6 **SECTION 1. Sections 2 to 8 of this 2017 Act are added to and made a part of ORS 346.510**
7 **to 346.570.**

8 **SECTION 2. (1) The Commission for the Blind shall establish in the State Treasury a fund**
9 **from the net proceeds of the operation of vending facilities. Moneys deposited into the fund,**
10 **including the interest earned, shall be credited to a special checking account, separate and**
11 **distinct from the General Fund. Disbursement from the account may be made by check**
12 **signed by the person designated by the commission. Interest earned by the account shall be**
13 **credited to the account.**

14 **(2) Moneys in the fund shall be used for the purposes of, and are continuously appropri-**
15 **ated to the commission for:**

16 **(a) Maintaining and replacing equipment;**

17 **(b) Purchasing new equipment;**

18 **(c) Management services, including but not limited to management training services;**

19 **(d) Ensuring a fair minimum of return to vending facility managers; and**

20 **(e) Retirement or pension funds, health insurance contributions and, if determined by a**

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 **vote of vending facility managers, paid sick leave and vacation time.**

2 **(3) The commission shall provide to the Governor and to vending facility managers**
3 **quarterly reports of the account established under this section.**

4 **SECTION 3. (1) The Commission for the Blind shall collect a percentage of net proceeds**
5 **earned by a vending facility. The moneys collected under this section shall be deposited into**
6 **the fund established under section 2 of this 2017 Act.**

7 **(2) The commission shall determine by rule the standard percentage of net proceeds to**
8 **be collected under this section. The commission shall provide in an agreement with a vending**
9 **facility manager the percentage of net proceeds that the commission will collect from the**
10 **vending facility manager under this section. The commission shall reduce, but not below a**
11 **percentage determined by the commission by rule, the percentage collected by the following**
12 **amounts:**

13 **(a)(A) Four percentage points if the vending facility offers exclusively healthy vending**
14 **items and local vending items;**

15 **(B) Three percentage points if at least 75 percent but less than 100 percent of the offer-**
16 **ings at the vending facility are healthy vending items and local vending items; or**

17 **(C) Two percentage points if at least 50 percent but less than 75 percent of the offerings**
18 **at the vending facility are healthy vending items and local vending items;**

19 **(b) Two percentage points if the vending facility employs at least one person who is blind,**
20 **in addition to the vending facility manager;**

21 **(c) One percentage point for each person who is blind and is employed by the vending**
22 **facility in addition to the persons described in paragraph (b) of this subsection;**

23 **(d) One percentage point if the vending facility employs at least one person with a disa-**
24 **bility, as defined in ORS 174.107, or who is a veteran, as defined in ORS 408.225, in addition**
25 **to the vending facility manager; and**

26 **(e) One-half of one percentage point for each person with a disability or veteran employed**
27 **by the vending facility in addition to the persons described in paragraph (d) of this sub-**
28 **section.**

29 **SECTION 4.** Section 3 of this 2017 Act is amended to read:

30 **Sec. 3. (1) The Commission for the Blind shall collect a percentage of net proceeds earned by**
31 **a vending facility. The moneys collected under this section shall be deposited into the fund estab-**
32 **lished under section 2 of this 2017 Act.**

33 **(2) The commission shall determine by rule, and shall state in an agreement with a vending**
34 **facility manager, the [standard] percentage of net proceeds to be collected under this section.**
35 *[The commission shall provide in an agreement with a vending facility manager the percentage of net*
36 *proceeds that the commission will collect from the vending facility manager under this section. The*
37 *commission shall reduce, but not below a percentage determined by the commission by rule, the per-*
38 *centage collected by the following amounts:]*

39 *[(a)(A) Four percentage points if the vending facility offers exclusively healthy vending items and*
40 *local vending items;]*

41 *[(B) Three percentage points if at least 75 percent but less than 100 percent of the offerings at the*
42 *vending facility are healthy vending items and local vending items; or]*

43 *[(C) Two percentage points if at least 50 percent but less than 75 percent of the offerings at the*
44 *vending facility are healthy vending items and local vending items;]*

45 *[(b) Two percentage points if the vending facility employs at least one person who is blind, in ad-*

1 *dition to the vending facility manager;]*

2 *[(c) One percentage point for each person who is blind and is employed by the vending facility in*
3 *addition to the persons described in paragraph (b) of this subsection;]*

4 *[(d) One percentage point if the vending facility employs at least one person with a disability, as*
5 *defined in ORS 174.107, or who is a veteran, as defined in ORS 408.225, in addition to the vending*
6 *facility manager; and]*

7 *[(e) One-half of one percentage point for each person with a disability or veteran employed by the*
8 *vending facility in addition to the persons described in paragraph (d) of this subsection.]*

9 **SECTION 5. (1) The Commission for the Blind shall adopt by rule a vending facility**
10 **manager statement of full-time responsibilities with which a vending facility manager shall**
11 **comply. The statement must describe the responsibilities of a vending facility manager, in-**
12 **cluding, but not limited to, responsibilities regarding:**

- 13 (a) **Weekly contact requirements with any employees or subcontractors of the manager;**
- 14 (b) **Vending facility inspections; and**
- 15 (c) **The development and maintenance of work logs.**

16 (2) **The commission shall include the active participation, as described in section 8 of this**
17 **2017 Act, of the commission's business enterprise consumer committee, in developing the**
18 **statement described in this section.**

19 **SECTION 6. (1) With approval from the Commission for the Blind, a vending facility**
20 **manager may enter into an agreement with a subcontractor included on the list of approved**
21 **subcontractors described in subsection (4) of this section in order to enable the manager to**
22 **operate the vending facility.**

23 (2) **In determining whether to approve an agreement with a subcontractor, the commis-**
24 **sion shall consider:**

- 25 (a) **The quality of service that the vending facility manager and subcontractor are able**
26 **to provide;**
- 27 (b) **Any product storage requirements; and**
- 28 (c) **The preference of a state agency, department or political subdivision regarding the**
29 **vending facility manager's use of a subcontractor.**

30 (3) **The commission may provide in an agreement with a vending facility manager that**
31 **the commission may increase the percentage of net proceeds collected under section 3 of this**
32 **2017 Act from a vending facility manager who enters into an agreement with a subcontractor**
33 **under this section.**

34 (4) **The commission shall establish a list of approved subcontractors with which a vending**
35 **facility manager may enter into an agreement. The commission shall consult with the busi-**
36 **ness enterprise consumer committee in establishing the list. The commission may revise the**
37 **list as necessary. The commission may, in approving subcontractors, give preference to**
38 **subcontractors that provide healthy vending items or local vending items and that employ**
39 **persons with disabilities, as defined in ORS 174.107, and veterans, as defined in ORS 408.225.**

40 (5) **The commission may determine by rule the services or products that a subcontractor**
41 **may provide and the extent to which a subcontractor may perform some or all of the duties**
42 **of a vending facility manager.**

43 (6) **A vending facility manager who enters into an agreement with a subcontractor under**
44 **this section is solely responsible for fulfilling the requirements of the vending facility man-**
45 **ager statement described in section 5 of this 2017 Act and for meeting any obligations arising**

1 from agreements into which the vending facility manager has entered for the purpose of
2 managing the vending facility. Unless the commission gives written approval, an agreement
3 between a vending facility manager and a subcontractor may not include any provision that
4 imposes liability on the commission or that obligates the commission to the subcontractor.

5 (7) The commission may adopt rules relating to the assignment of a vending facility
6 manager to manage a vending facility. The commission shall consult with the commission's
7 business enterprise consumer committee in developing any criteria under this subsection.

8 **SECTION 7.** The surviving spouse or domestic partner of a vending facility manager who
9 is deceased or who becomes terminally incapacitated by a physical or mental illness may
10 continue to operate the vending facility formerly operated by the original vending facility
11 manager for up to six months after the date of death or incapacitation, or until the date on
12 which the operating agreement expires, for the purpose of winding down the operations of
13 the vending facility.

14 **SECTION 8.** The Commission for the Blind shall ensure the active participation of the
15 commission's business enterprise consumer committee in the commission's administrative,
16 policy and program development decisions that impact the commission's business enterprise
17 program. The commission shall provide data and information to the committee in order to
18 effectuate the committee's active participation.

19 **SECTION 9.** ORS 346.120 is amended to read:

20 346.120. *[There is created a commission for persons who are blind and for the prevention of*
21 *blindness, to be known as] The Commission for the Blind is established. The commission shall:*

22 (1) Establish and be responsible for the administration of *[a program or]* programs for persons
23 who are blind *[which will]* **that** promote, in the manner set forth in ORS 346.110 to 346.270, the
24 welfare of persons with visual impairments~~*[, including but]*~~. **The programs may include, but are**
25 **not limited to, cooperation by contract or otherwise with public and private agencies, and with**
26 **subcontractors of managers licensed under ORS 346.510 to 346.570, in providing *[services,]***
27 **vending facility locations and other** programs and facilities for persons with visual impairments.

28 (2) Be responsible for the fiscal oversight of the commission~~*[, which]*~~. **Oversight** includes but is
29 not limited to:

- 30 (a) Regular review of financial statements of the commission;
31 (b) Participation in the development of the budget for the commission; and
32 (c) Directing the resources of the commission to implement program goals.

33 **SECTION 10.** ORS 346.210 is amended to read:

34 346.210. *[The Commission for the Blind may, whenever it deems proper, aid persons with visual*
35 *impairments or groups of such persons by supplying materials, equipment or machinery to them, and*
36 *also may assist them in the sale and distribution of their products. The ownership of the materials,*
37 *equipment or machinery supplied to persons with visual impairments may be transferred to such per-*
38 *sons by the commission.]*

39 (1) **The Commission for the Blind may, in the discretion of the commission or if re-**
40 **quested by a vending facility manager licensed under ORS 346.510 to 346.570, aid persons with**
41 **visual impairments by supplying to a person with a visual impairment materials, equipment**
42 **or machinery, or by allowing the manager to subcontract with a third party to obtain ma-**
43 **terials, equipment or machinery, in order to enable the operation of a vending facility.**

44 (2) **The commission may transfer to the person with a visual impairment ownership of**
45 **any materials, equipment or machinery owned by the commission and supplied to the person.**

1 **SECTION 11.** ORS 346.220 is amended to read:

2 346.220. [*Whenever any of the products or services, including operation of vending facilities as*
3 *defined in ORS 346.510, of persons with visual impairments, produced under the supervision and di-*
4 *rection of the Commission for the Blind, meet the requirements of any state department or institution*
5 *as to quality, quantity and price, such products or services shall have preference and the state depart-*
6 *ments and institutions shall purchase from the commission such products or services as may be re-*
7 *quired.*]

8 (1) **As used in this section, “political subdivision” has the meaning given that term in**
9 **ORS 346.510.**

10 (2) **The state shall grant to persons who are blind a priority to establish and operate**
11 **vending facilities in public buildings in this state.**

12 (3) **If a state agency, department or political subdivision constructs a new public building**
13 **or property, modifies an existing public building or property, enters into or modifies a con-**
14 **tract for products or services or otherwise seeks to procure a service, including the opera-**
15 **tion of vending facilities as defined in ORS 346.510, the agency, department or political**
16 **subdivision shall notify the Commission for the Blind of the intended action and allow the**
17 **commission to determine whether a vending facility manager licensed under ORS 346.510 to**
18 **346.570 is able to provide the product or service.**

19 (4) **The agency, department or political subdivision shall procure the service from the**
20 **commission if the service:**

21 (a) **Is offered by persons with visual impairments under the direction and supervision of**
22 **the commission; and**

23 (b) **Meets the requirements of the agency, department or political subdivision for quality**
24 **and quantity.**

25 **SECTION 12.** ORS 346.290 is amended to read:

26 346.290. (1) There is established in the General Fund of the State Treasury an account to be
27 known as the Commission for the Blind Account. Except for funds made available to the Commission
28 for the Blind under ORS 346.270 or deposited pursuant to [*ORS 346.540*] **section 2 of this 2017**
29 **Act**, all moneys received by the commission for promoting the welfare of persons with visual
30 impairments shall be paid into the State Treasury and credited to the Commission for the Blind
31 Account.

32 (2) All moneys in the Commission for the Blind Account are continuously appropriated to the
33 commission for use by the commission for the respective purposes authorized by law.

34 (3) The commission shall keep a record of all moneys deposited in the Commission for the Blind
35 Account. The record shall indicate by separate cumulative accounts the source from which the
36 moneys are derived and the individual activity or program against which each withdrawal is
37 charged.

38 **SECTION 13.** ORS 346.510 is amended to read:

39 346.510. As used in ORS 346.510 to 346.570[*the term*]:

40 (1) **“Healthy vending item” and “local vending item” have the meanings given those terms**
41 **by rules adopted by the Commission for the Blind.**

42 [*(1) “Operator” means the individual person who is blind and who is responsible for the day-to-day*
43 *conduct of the vending facility operation.*]

44 (2) **“Person who is blind” means a person [having] who has not more than 20/200 visual acuity**
45 **in the better eye with best correction or whose visual acuity, if better than 20/200, is accompanied**

1 by a limit to the field of vision to such a degree that its widest diameter subtends an angle of no
2 greater than 20 degrees[. *Such blindness shall be*] **and whose blindness is** certified by a licensed
3 physician who specializes in diseases of the eye.

4 **(3) "Political subdivision" means a city, county, local government, municipality, town or**
5 **village of this state.**

6 [(3)] **(4) "Public building" or "property" means [any] a building, land or other real property, or**
7 **a portion of a building, land or other real property, that is** owned, leased, **managed** or occupied
8 by [any] a department or **an** agency of the State of Oregon or [any of its political subdivisions] **by**
9 **a political subdivision**, except public elementary and secondary schools.

10 [(4)] **(5) "Vending facility" means:**

11 (a) [Such] Shelters, counters, shelving, display and wall cases, refrigerating apparatus and other
12 appropriate auxiliary equipment [as] **that** are necessary or customarily used for the vending of [such
13 articles as may be] **articles, including an established mix of healthy vending items** approved by
14 the Commission for the Blind and the agency [having care, custody and control of the building or
15 property in or on which], **department or political subdivision charged with maintaining the**
16 **public building or property where** the vending facility is located;

17 (b) Manual or coin operated vending machines or similar devices for vending [such] articles,
18 **including machines or devices that accept electronic payment;** or

19 (c) Cafeterias or snack bars for the dispensing of food stuffs and beverages.

20 **(6) "Vending facility manager" means a person who is:**

21 **(a) Blind;**

22 **(b) Responsible for the day-to-day conduct of the vending facility operation; and**

23 **(c) Licensed under ORS 346.510 to 346.570.**

24 **SECTION 14.** ORS 346.520 is amended to read:

25 346.520. (1) **In accordance with 20 U.S.C. 107 et seq., and** for [the] purposes of providing per-
26 sons who are blind with remunerative employment, enlarging the economic opportunities of [those]
27 persons **who are blind** and stimulating [them] **persons who are blind** to greater efforts to make
28 themselves self-supporting with independent livelihoods, persons who are blind and who are licensed
29 under [the provisions of] ORS 346.510 to 346.570 by the Commission for the Blind[, as set forth in
30 ORS 346.510 to 346.570, shall operate] **have priority in managing** vending facilities in or on any
31 public buildings or properties where, in the discretion of the [head of the department or agency]
32 **agency, department or political subdivision** in charge of the maintenance of [such] **the public**
33 buildings or properties, [such] vending facilities may properly and satisfactorily operate.

34 (2) Notwithstanding ORS 276.385, the [department or agency in charge of the maintenance of]
35 **agency, department or political subdivision charged with maintaining** a public building or
36 property [in or on which] **where** a vending facility is operated under ORS 346.510 to 346.570 may
37 not:

38 (a) Charge the commission [for the Blind] or persons who are blind and who are licensed under
39 the provisions of ORS 346.510 to 346.570 any amount for:

40 [(a)] **(A) Rental of the space [in or on which] where** the vending facility is operated; [or]

41 [(b)] **(B) Utility costs** incurred in the operation of the vending facility; **or**

42 **(C) The priority, right, permit, license or lease to operate a vending facility at the public**
43 **building or property.**

44 **(b) Require that the commission or the vending facility manager pay to the agency, de-**
45 **partment or political subdivision any portion of a commission, gratuity or revenue earned**

1 **by the vending facility manager from the operation of the vending facility.**

2 (3) Subsection (2) of this section does not apply to charges imposed by the Department of
3 Transportation. Subject to the availability of funds, the department may refrain from charging any
4 amount for rental of space or utility costs described in subsection (2) of this section.

5 **SECTION 15.** ORS 346.530 is amended to read:

6 346.530. (1) Each [*head of the department or agency in charge of the maintenance of*] **agency,**
7 **department or political subdivision charged with maintaining** public buildings or properties
8 shall:

9 (a) [*Periodically*] **Annually** notify the Commission for the Blind in writing of any and all existing
10 locations where vending facilities are in operation or where vending facilities might properly and
11 satisfactorily be operated.

12 (b) Not less than 30 days prior to the reactivation, leasing, re-leasing, licensing or issuance of
13 a permit for operation of any vending facility, inform the commission [*for the Blind of such contem-*
14 *plated*] **of the pending** action.

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

21 (2) If the commission [*for the Blind makes an offer*] **offers** to operate a vending facility under
22 [*the provisions of*] this section and the offer is not accepted for reasons other than the decision **not**
23 to have [*no*] a vending facility on the premises, [*such head of the department or*] **the agency, de-**
24 **partment or political subdivision** shall notify the commission in writing of the reasons for refusing
25 [*its*] **the commission's** offer[, *including but not limited to the terms and conditions of the offer which*
26 *was accepted, if any*].

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

30 **SECTION 16.** ORS 346.540 is amended to read:

31 346.540. (1) The Commission for the Blind shall:

32 (a) [*Make surveys of*] **As the commission determines is necessary, survey** public buildings
33 or properties to determine [*their*] **the suitability of the public buildings or properties** as locations
34 for vending facilities to be operated by persons who are blind and advise the [*heads of departments*
35 *or*] agencies, **departments or political subdivisions** charged with [*the maintenance of such*] **main-**
36 **taining the public** buildings or properties [*as to their*] **of the commission's** findings.

37 (b) With the consent of the [*head of the department or*] agency, **department or political subdi-**
38 **vision** charged with [*the maintenance of*] **maintaining** the buildings or properties, establish vending
39 facilities in those locations [*which*] **that** the commission [*for the Blind has determined to be*] **deter-**
40 **mines are** suitable[, *and may enter into leases or licensing agreements therefor*] **and enter into**
41 **agreements to operate the vending facilities.**

42 (c) **Recruit,** select, train, license and install qualified persons who are blind as managers of
43 [*such*] vending facilities **in public buildings or properties.**

44 (d) Adopt rules as [*it may from time to time deem*] necessary to [*assure*] **ensure** the proper and
45 satisfactory operation of [*such*] vending facilities[,] and for the benefit of vending facility

1 [operators] **managers**.

2 (e) Provide for the continued operation of established vending facilities if a qualified person who
3 is blind is not available until a qualified person who is blind is available for assignment as manager.

4 (f) **Not later than January 15 of each year, submit an annual report on the performance**
5 **of the commission's business enterprise program to the interim committees of the Legisla-**
6 **tive Assembly related to health and human services. The commission shall include with the**
7 **report the results of any surveys made under paragraph (a) of this subsection that were**
8 **conducted since the submission of the previous year's report.**

9 (2) **The commission may enter into agreements in compliance with ORS chapter 190 to**
10 **operate vending facilities located in public buildings or on public properties described in**
11 **subsection (1)(b) of this section.**

12 [(2)] (3) If the [head of the department or agency] **agency, department or political subdivision**
13 charged with [the maintenance of] **maintaining public** buildings or properties does not consent to
14 the establishment of vending facilities in locations in the **public** building or on the **public** property
15 [which were determined suitable by the commission, that person] **that the commission determines**
16 **are suitable, the agency, department or political subdivision** shall inform the commission in
17 writing of the reasons why consent is not given.

18 [(3)] *The commission may establish in the State Treasury a fund from the net proceeds of the op-*
19 *eration of vending facilities. Moneys so deposited including the interest thereon shall be credited by*
20 *the State Treasurer to a special checking account, separate and distinct from the General Fund. Dis-*
21 *bursement may be made by check signed by the person designated by the commission. The fund shall*
22 *be used for the purposes of and are continuously appropriated for maintenance and replacement of*
23 *equipment, management services, assuring a fair minimum of return to vendors, or for such other*
24 *purposes necessary and proper for the benefit of operators of vending facilities. Interest earned by the*
25 *account shall be credited to the account.]*

26 **SECTION 17.** ORS 346.550 is amended to read:

27 346.550. A vending facility operated under the provisions of ORS 346.510 to 346.570 [shall] **must**
28 be used solely for the vending of [such] commodities and articles [as may be] approved by the Com-
29 mission for the Blind and by the [head of the] **state agency, department or [agency] political sub-**
30 **division [in charge of the maintenance of] charged with maintaining the public** building or property
31 in or on which [such] **the vending** facility is operated.

32 **SECTION 18.** ORS 346.560 is amended to read:

33 346.560. The [operator] **vending facility manager** of each vending facility operated under [the
34 provisions of] ORS 346.510 to 346.570 [shall be] **is** subject to the provisions of any [and all] laws and
35 ordinances [applying] **that apply** within the territory [within which such] **where the vending** facil-
36 ity is located, including [those requiring] **any laws and ordinances that require** a license or permit
37 for the conduct of [such business or any particular aspect thereof] **any aspect of the operation of**
38 **the vending facility.**

39 **SECTION 19.** ORS 293.701 is amended to read:

40 293.701. As used in ORS 293.701 to 293.857, unless the context requires otherwise:

41 (1) "Council" means the Oregon Investment Council.

42 (2) "Investment funds" means:

43 (a) Public Employees Retirement Fund referred to in ORS 238.660;

44 (b) Industrial Accident Fund referred to in ORS 656.632;

45 (c) Consumer and Business Services Fund referred to in ORS 705.145;

- 1 (d) Employment Department Special Administrative Fund referred to in ORS 657.822;
- 2 (e) Insurance Fund referred to in ORS 278.425;
- 3 (f) Funds under the control and administration of the Department of State Lands;
- 4 (g) Oregon Student Assistance Fund referred to in ORS 348.570;
- 5 (h) Moneys made available to the Commission for the Blind under ORS 346.270 and [346.540]

6 **section 2 of this 2017 Act** or rules adopted thereunder;

- 7 (i) Forest Development Revenue Bond Fund referred to in ORS 530.147 and State Forestry
- 8 General Obligation Bond Fund referred to in ORS 530.280;

9 (j) Oregon War Veterans' Fund referred to in ORS 407.495;

10 (k) Oregon War Veterans' Bond Sinking Account referred to in ORS 407.515;

11 (L) World War II Veterans' Compensation Fund;

12 (m) World War II Veterans' Bond Sinking Fund;

13 (n) Funds in the hands of the State Treasurer that are not required to meet current demands
14 and that are invested in the Oregon Short Term Fund established under ORS 293.728 or in another
15 commingled investment vehicle;

16 (o) State funds that are not subject to the control and administration of officers or bodies spe-
17 cifically designated by law;

18 (p) Funds derived from the sale of state bonds;

19 (q) Social Security Revolving Account referred to in ORS 237.490;

20 (r) Public University Fund established by ORS 352.450;

21 (s) Local Government Employer Benefit Trust Fund referred to in ORS 657.513;

22 (t) Elderly and Disabled Special Transportation Fund established by ORS 391.800;

23 (u) Education Stability Fund established by ORS 348.696;

24 (v) Deferred Compensation Fund established under ORS 243.411;

25 (w) Trust for Cultural Development Account established under ORS 359.405; and

26 (x) The State Library Donation Fund and the Talking Book and Braille Library Endowment
27 Fund subaccount established under ORS 357.195.

28 (3) "Investment officer" means the State Treasurer in the capacity as investment officer for the
29 council.

30 **SECTION 20. The Commission for the Blind shall provide in any agreement with a vend-**
31 **ing facility manager that the commission shall increase the percentage of net proceeds col-**
32 **lected under section 3 of this 2017 Act by four percent if a vending facility manager licensed**
33 **under ORS 346.510 to 346.570 does not operate in compliance with the requirements of the**
34 **vending facility manager statement described in section 5 of this 2017 Act.**

35 **SECTION 21. Section 20 of this 2017 Act is repealed on December 31, 2019.**

36 **SECTION 22. (1) Sections 2, 3, 5 to 8 and 20 of this 2017 Act and the amendments to ORS**
37 **293.701, 346.120, 346.210, 346.220, 346.290, 346.510, 346.520, 346.530, 346.540, 346.550 and 346.560**
38 **by sections 9 to 19 of this 2017 Act become operative on January 1, 2018.**

39 **(2) The Commission for the Blind may take any action before the operative date specified**
40 **in subsection (1) of this section that is necessary to enable the commission to exercise, on**
41 **and after the operative date specified in subsection (1) of this section, all of the duties,**
42 **functions and powers conferred on the commission by sections 2, 3, 5 to 8 and 20 of this 2017**
43 **Act and the amendments to ORS 293.701, 346.120, 346.210, 346.220, 346.290, 346.510, 346.520,**
44 **346.530, 346.540, 346.550 and 346.560 by sections 9 to 19 of this 2017 Act.**

45 **SECTION 23. The amendments to section 3 of this 2017 Act by section 4 of this 2017 Act**

1 **become operative on January 1, 2020.**

2 **SECTION 24. This 2017 Act takes effect on the 91st day after the date on which the 2017**
3 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

4
