

HOUSE AMENDMENTS TO HOUSE BILL 3253

By COMMITTEE ON RULES

May 22

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete line 3
2 and insert “293.701, 346.120, 346.210, 346.220, 346.290, 346.510, 346.520, 346.530, 346.540, 346.550 and
3 346.560; and prescribing an effective date.”.

4 Delete lines 5 through 30 and delete pages 2 through 4 and insert:

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

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

13 **“(2) Moneys in the fund shall be used for the purposes of, and are continuously appro-**
14 **propriated to the commission for:**

15 **“(a) Maintaining and replacing equipment;**

16 **“(b) Purchasing new equipment;**

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

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

19 **“(e) Retirement or pension funds, health insurance contributions and, if determined by**
20 **a vote of vending facility managers, paid sick leave and vacation time.**

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

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

26 **“(2) The commission shall determine by rule the standard percentage of net proceeds to**
27 **be collected under this section. The commission shall provide in an agreement with a vending**
28 **facility manager the percentage of net proceeds that the commission will collect from the**
29 **vending facility manager under this section. The commission shall reduce, but not below a**
30 **percentage determined by the commission by rule, the percentage collected by the following**
31 **amounts:**

32 **“(a)(A) Four percentage points if the vending facility offers exclusively healthy vending**
33 **items and local vending items;**

34 **“(B) Three percentage points if at least 75 percent but less than 100 percent of the of-**
35 **ferings at the vending facility are healthy vending items and local vending items; or**

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

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

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

7 “(d) One percentage point if the vending facility employs at least one person with a dis-
8 ability, as defined in ORS 174.107, or who is a veteran, as defined in ORS 408.225, in addition
9 to the vending facility manager; and

10 “(e) One-half of one percentage point for each person with a disability or veteran em-
11 ployed by the vending facility in addition to the persons described in paragraph (d) of this
12 subsection.

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

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

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

23 “[(a)(A) Four percentage points if the vending facility offers exclusively healthy vending items and
24 local vending items;]

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

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

29 “[(b) Two percentage points if the vending facility employs at least one person who is blind, in
30 addition to the vending facility manager;]

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

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

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

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

42 “(a) **Weekly contact requirements with any employees or subcontractors of the manager;**

43 “(b) **Vending facility inspections; and**

44 “(c) **The development and maintenance of work logs.**

45 “(2) **The commission shall include the active participation, as described in section 8 of**

1 this 2017 Act, of the commission's business enterprise consumer committee, in developing
2 the statement described in this section.

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

7 **"(2) In determining whether to approve an agreement with a subcontractor, the com-**
8 **mission shall consider:**

9 **"(a) The quality of service that the vending facility manager and subcontractor are able**
10 **to provide;**

11 **"(b) Any product storage requirements; and**

12 **"(c) The preference of a state agency, department or political subdivision regarding the**
13 **vending facility manager's use of a subcontractor.**

14 **"(3) The commission may provide in an agreement with a vending facility manager that**
15 **the commission may increase the percentage of net proceeds collected under section 3 of this**
16 **2017 Act from a vending facility manager who enters into an agreement with a subcontractor**
17 **under this section.**

18 **"(4) The commission shall establish a list of approved subcontractors with which a**
19 **vending facility manager may enter into an agreement. The commission shall consult with**
20 **the business enterprise consumer committee in establishing the list. The commission may**
21 **revise the list as necessary. The commission may, in approving subcontractors, give prefer-**
22 **ence to subcontractors that provide healthy vending items or local vending items and that**
23 **employ persons with disabilities, as defined in ORS 174.107, and veterans, as defined in ORS**
24 **408.225.**

25 **"(5) The commission may determine by rule the services or products that a subcontrac-**
26 **tor may provide and the extent to which a subcontractor may perform some or all of the**
27 **duties of a vending facility manager.**

28 **"(6) A vending facility manager who enters into an agreement with a subcontractor un-**
29 **der this section is solely responsible for fulfilling the requirements of the vending facility**
30 **manager statement described in section 5 of this 2017 Act and for meeting any obligations**
31 **arising from agreements into which the vending facility manager has entered for the purpose**
32 **of managing the vending facility. Unless the commission gives written approval, an agree-**
33 **ment between a vending facility manager and a subcontractor may not include any provision**
34 **that imposes liability on the commission or that obligates the commission to the subcon-**
35 **tractor.**

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

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

45 **"SECTION 8. The Commission for the Blind shall ensure the active participation of the**

1 **commission’s business enterprise consumer committee in the commission’s administrative,**
2 **policy and program development decisions that impact the commission’s business enterprise**
3 **program. The commission shall provide data and information to the committee in order to**
4 **effectuate the committee’s active participation.**

5 “**SECTION 9.** ORS 346.120 is amended to read:

6 “346.120. [*There is created a commission for persons who are blind and for the prevention of*
7 *blindness, to be known as*] The Commission for the Blind **is established.** The commission shall:

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

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

16 “(a) Regular review of financial statements of the commission;

17 “(b) Participation in the development of the budget for the commission; and

18 “(c) Directing the resources of the commission to implement program goals.

19 “**SECTION 10.** ORS 346.210 is amended to read:

20 “346.210. [*The Commission for the Blind may, whenever it deems proper, aid persons with visual*
21 *impairments or groups of such persons by supplying materials, equipment or machinery to them, and*
22 *also may assist them in the sale and distribution of their products. The ownership of the materials,*
23 *equipment or machinery supplied to persons with visual impairments may be transferred to such per-*
24 *sons by the commission.*]

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

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

32 “**SECTION 11.** ORS 346.220 is amended to read:

33 “346.220. [*Whenever any of the products or services, including operation of vending facilities as*
34 *defined in ORS 346.510, of persons with visual impairments, produced under the supervision and di-*
35 *rection of the Commission for the Blind, meet the requirements of any state department or institution*
36 *as to quality, quantity and price, such products or services shall have preference and the state depart-*
37 *ments and institutions shall purchase from the commission such products or services as may be re-*
38 *quired.*]

39 “(1) **As used in this section, ‘political subdivision’ has the meaning given that term in**
40 **ORS 346.510.**

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

43 “(3) **If a state agency, department or political subdivision constructs a new public build-**
44 **ing or property, modifies an existing public building or property, enters into or modifies a**
45 **contract for products or services or otherwise seeks to procure a service, including the op-**

1 **eration of vending facilities as defined in ORS 346.510, the agency, department or political**
2 **subdivision shall notify the Commission for the Blind of the intended action and allow the**
3 **commission to determine whether a vending facility manager licensed under ORS 346.510 to**
4 **346.570 is able to provide the product or service.**

5 **“(4) The agency, department or political subdivision shall procure the service from the**
6 **commission if the service:**

7 **“(a) Is offered by persons with visual impairments under the direction and supervision**
8 **of the commission; and**

9 **“(b) Meets the requirements of the agency, department or political subdivision for quality**
10 **and quantity.**

11 **“SECTION 12.** ORS 346.290 is amended to read:

12 **“346.290. (1) There is established in the General Fund of the State Treasury an account to be**
13 **known as the Commission for the Blind Account. Except for funds made available to the Commission**
14 **for the Blind under ORS 346.270 or deposited pursuant to [ORS 346.540] section 2 of this 2017**
15 **Act, all moneys received by the commission for promoting the welfare of persons with visual**
16 **impairments shall be paid into the State Treasury and credited to the Commission for the Blind**
17 **Account.**

18 **“(2) All moneys in the Commission for the Blind Account are continuously appropriated to the**
19 **commission for use by the commission for the respective purposes authorized by law.**

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

24 **“SECTION 13.** ORS 346.510 is amended to read:

25 **“346.510. As used in ORS 346.510 to 346.570[, the term]:**

26 **“(1) ‘Healthy vending item’ and ‘local vending item’ have the meanings given those terms**
27 **by rules adopted by the Commission for the Blind.**

28 **“[(1) ‘Operator’ means the individual person who is blind and who is responsible for the day-to-day**
29 **conduct of the vending facility operation.]**

30 **“(2) ‘Person who is blind’ means a person [having] who has not more than 20/200 visual acuity**
31 **in the better eye with best correction or whose visual acuity, if better than 20/200, is accompanied**
32 **by a limit to the field of vision to such a degree that its widest diameter subtends an angle of no**
33 **greater than 20 degrees[. Such blindness shall be] and whose blindness is certified by a licensed**
34 **physician who specializes in diseases of the eye.**

35 **“(3) ‘Political subdivision’ means a city, county, local government, municipality, town or**
36 **village of this state.**

37 **“[(3)] (4) ‘Public building’ or ‘property’ means [any] a building, land or other real property, or**
38 **a portion of a building, land or other real property, that is owned, leased, managed or occupied**
39 **by [any] a department or an agency of the State of Oregon or [any of its political subdivisions] by**
40 **a political subdivision, except public elementary and secondary schools.**

41 **“[(4)] (5) ‘Vending facility’ means:**

42 **“(a) [Such] Shelters, counters, shelving, display and wall cases, refrigerating apparatus and other**
43 **appropriate auxiliary equipment [as] that are necessary or customarily used for the vending of [such**
44 **articles as may be] articles, including an established mix of healthy vending items approved by**
45 **the Commission for the Blind and the agency [having care, custody and control of the building or**

1 *property in or on which*], **department or political subdivision charged with maintaining the**
2 **public building or property where** the vending facility is located;

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

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

6 “(6) ‘**Vending facility manager**’ means a person who is:

7 “(a) **Blind**;

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

9 “(c) **Licensed under ORS 346.510 to 346.570**.

10 “**SECTION 14**. ORS 346.520 is amended to read:

11 “346.520. (1) **In accordance with 20 U.S.C. 107 et seq., and** for [*the*] purposes of providing
12 persons who are blind with remunerative employment, enlarging the economic opportunities of
13 [*those*] persons **who are blind** and stimulating [*them*] **persons who are blind** to greater efforts to
14 make themselves self-supporting with independent livelihoods, persons who are blind and who are
15 licensed under [*the provisions of*] ORS 346.510 to 346.570 by the Commission for the Blind[, *as set*
16 *forth in ORS 346.510 to 346.570, shall operate*] **have priority in managing** vending facilities in or
17 on any public buildings or properties where, in the discretion of the [*head of the department or*
18 *agency*] **agency, department or political subdivision** in charge of the maintenance of [*such*] **the**
19 **public** buildings or properties, [*such*] vending facilities may properly and satisfactorily operate.

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

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

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

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

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

30 “(b) **Require that the commission or the vending facility manager pay to the agency, de-**
31 **partment or political subdivision any portion of a commission, gratuity or revenue earned**
32 **by the vending facility manager from the operation of the vending facility**.

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

36 “**SECTION 15**. ORS 346.530 is amended to read:

37 “346.530. (1) Each [*head of the department or agency in charge of the maintenance of*] **agency,**
38 **department or political subdivision charged with maintaining** public buildings or properties
39 shall:

40 “(a) [*Periodically*] **Annually** notify the Commission for the Blind in writing of any and all ex-
41 isting locations where vending facilities are in operation or where vending facilities might properly
42 and satisfactorily be operated.

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

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

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

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

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

17 “346.540. (1) The Commission for the Blind shall:

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

23 “(b) With the consent of the [*head of the department or*] agency, **department or political sub-**
24 **division** charged with [*the maintenance of*] **maintaining** the buildings or properties, establish vend-
25 ing facilities in those locations [*which*] **that** the commission [*for the Blind has determined to be*]
26 **determines are** suitable[, *and may enter into leases or licensing agreements therefor*] **and enter into**
27 **agreements to operate the vending facilities.**

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

30 “(d) Adopt rules as [*it may from time to time deem*] necessary to [*assure*] **ensure** the proper and
31 satisfactory operation of [*such*] vending facilities[,] and for the benefit of vending facility
32 [*operators*] **managers.**

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

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

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

44 “[2)] (3) If the [*head of the department or agency*] **agency, department or political subdivision**
45 charged with [*the maintenance of*] **maintaining public** buildings or properties does not consent to

1 the establishment of vending facilities in locations in the **public** building or on the **public** property
2 *[which were determined suitable by the commission, that person]* **that the commission determines**
3 **are suitable, the agency, department or political subdivision** shall inform the commission in
4 writing of the reasons why consent is not given.

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

13 “**SECTION 17.** ORS 346.550 is amended to read:

14 “346.550. A vending facility operated under the provisions of ORS 346.510 to 346.570 *[shall]*
15 **must** be used solely for the vending of *[such]* commodities and articles *[as may be]* approved by the
16 Commission for the Blind and by the *[head of the]* **state agency**, department or *[agency]* **political**
17 **subdivision** *[in charge of the maintenance of]* **charged with maintaining** the **public** building or
18 property in or on which *[such]* **the vending** facility is operated.

19 “**SECTION 18.** ORS 346.560 is amended to read:

20 “346.560. The *[operator]* **vending facility manager** of each vending facility operated under *[the*
21 *provisions of]* ORS 346.510 to 346.570 *[shall be]* **is** subject to the provisions of any *[and all]* laws and
22 ordinances *[applying]* **that apply** within the territory *[within which such]* **where the vending** facil-
23 ity is located, including *[those requiring]* **any laws and ordinances that require** a license or permit
24 for the conduct of *[such business or any particular aspect thereof]* **any aspect of the operation of**
25 **the vending facility.**

26 “**SECTION 19.** ORS 293.701 is amended to read:

27 “293.701. As used in ORS 293.701 to 293.857, unless the context requires otherwise:

28 “(1) ‘Council’ means the Oregon Investment Council.

29 “(2) ‘Investment funds’ means:

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

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

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

33 “(d) Employment Department Special Administrative Fund referred to in ORS 657.822;

34 “(e) Insurance Fund referred to in ORS 278.425;

35 “(f) Funds under the control and administration of the Department of State Lands;

36 “(g) Oregon Student Assistance Fund referred to in ORS 348.570;

37 “(h) Moneys made available to the Commission for the Blind under ORS 346.270 and *[346.540]*
38 **section 2 of this 2017 Act** or rules adopted thereunder;

39 “(i) Forest Development Revenue Bond Fund referred to in ORS 530.147 and State Forestry
40 General Obligation Bond Fund referred to in ORS 530.280;

41 “(j) Oregon War Veterans’ Fund referred to in ORS 407.495;

42 “(k) Oregon War Veterans’ Bond Sinking Account referred to in ORS 407.515;

43 “(L) World War II Veterans’ Compensation Fund;

44 “(m) World War II Veterans’ Bond Sinking Fund;

45 “(n) Funds in the hands of the State Treasurer that are not required to meet current demands

1 and that are invested in the Oregon Short Term Fund established under ORS 293.728 or in another
2 commingled investment vehicle;

3 “(o) State funds that are not subject to the control and administration of officers or bodies
4 specifically designated by law;

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

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

7 “(r) Public University Fund established by ORS 352.450;

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

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

10 “(u) Education Stability Fund established by ORS 348.696;

11 “(v) Deferred Compensation Fund established under ORS 243.411;

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

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

15 “(3) ‘Investment officer’ means the State Treasurer in the capacity as investment officer for the
16 council.

17 “**SECTION 20.** The Commission for the Blind shall provide in any agreement with a
18 vending facility manager that the commission shall increase the percentage of net proceeds
19 collected under section 3 of this 2017 Act by four percent if a vending facility manager li-
20 censed under ORS 346.510 to 346.570 does not operate in compliance with the requirements
21 of the vending facility manager statement described in section 5 of this 2017 Act.

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

23 “**SECTION 22.** (1) Sections 2, 3, 5 to 8 and 20 of this 2017 Act and the amendments to ORS
24 293.701, 346.120, 346.210, 346.220, 346.290, 346.510, 346.520, 346.530, 346.540, 346.550 and 346.560
25 by sections 9 to 19 of this 2017 Act become operative on January 1, 2018.

26 “(2) The Commission for the Blind may take any action before the operative date speci-
27 fied in subsection (1) of this section that is necessary to enable the commission to exercise,
28 on and after the operative date specified in subsection (1) of this section, all of the duties,
29 functions and powers conferred on the commission by sections 2, 3, 5 to 8 and 20 of this 2017
30 Act and the amendments to ORS 293.701, 346.120, 346.210, 346.220, 346.290, 346.510, 346.520,
31 346.530, 346.540, 346.550 and 346.560 by sections 9 to 19 of this 2017 Act.

32 “**SECTION 23.** The amendments to section 3 of this 2017 Act by section 4 of this 2017 Act
33 become operative on January 1, 2020.

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