

Requested by Representative KENY-GUYER

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3253**

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

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

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

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

16 **“(2) Moneys in the fund shall be used for the purposes of, and are**  
17 **continuously appropriated to the commission for:**

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

19 **“(b) Purchasing new equipment;**

20 **“(c) Management services, including but not limited to manage-**  
21 **ment training services;**

1       “(d) Ensuring a fair minimum of return to vending facility manag-  
2       ers; and

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

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

9       “SECTION 3. (1) The Commission for the Blind shall collect a per-  
10       centage of net proceeds earned by a vending facility. The moneys col-  
11       lected under this section shall be deposited into the fund established  
12       under section 2 of this 2017 Act.

13       “(2) The commission shall determine by rule the standard percent-  
14       age of net proceeds to be collected under this section. The commission  
15       shall provide in an agreement with a vending facility manager the  
16       percentage of net proceeds that the commission will collect from the  
17       vending facility manager under this section. The commission shall  
18       reduce, but not below a percentage determined by the commission by  
19       rule, the percentage collected by the following amounts:

20       “(a)(A) Four percentage points if the vending facility offers exclu-  
21       sively healthy vending items and local vending items;

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

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

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

30       “(c) One percentage point for each person who is blind and is em-

1 **ployed by the vending facility in addition to the persons described in**  
2 **paragraph (b) of this subsection;**

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

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

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

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

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

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

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

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

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

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

6       “[(d) One percentage point if the vending facility employs at least one per-  
7 son with a disability, as defined in ORS 174.107, or who is a veteran, as de-  
8 fined in ORS 408.225, in addition to the vending facility manager; and]

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

12       “**SECTION 5. (1) The Commission for the Blind shall adopt by rule**  
13 **a vending facility manager statement of full-time responsibilities with**  
14 **which a vending facility manager shall comply. The statement must**  
15 **describe the responsibilities of a vending facility manager, including,**  
16 **but not limited to, responsibilities regarding:**

17       “(a) **Weekly contact requirements with any employees or subcon-**  
18 **tractors of the manager;**

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

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

21       “(2) **The commission shall include the active participation, as de-**  
22 **scribed in section 8 of this 2017 Act, of the commission’s business en-**  
23 **terprise consumer committee, in developing the statement described**  
24 **in this section.**

25       “**SECTION 6. (1) With approval from the Commission for the Blind,**  
26 **a vending facility manager may enter into an agreement with a sub-**  
27 **contractor included on the list of approved subcontractors described**  
28 **in subsection (4) of this section in order to enable the manager to op-**  
29 **erate the vending facility.**

30       “(2) **In determining whether to approve an agreement with a sub-**

1 contractor, the commission shall consider:

2 “(a) The quality of service that the vending facility manager and  
3 subcontractor are able to provide;

4 “(b) Any product storage requirements; and

5 “(c) The preference of a state agency, department or political sub-  
6 division regarding the vending facility manager’s use of a subcontrac-  
7 tor.

8 “(3) The commission may provide in an agreement with a vending  
9 facility manager that the commission may increase the percentage of  
10 net proceeds collected under section 3 of this 2017 Act from a vending  
11 facility manager who enters into an agreement with a subcontractor  
12 under this section.

13 “(4) The commission shall establish a list of approved subcontrac-  
14 tors with which a vending facility manager may enter into an agree-  
15 ment. The commission shall consult with the business enterprise  
16 consumer committee in establishing the list. The commission may re-  
17 vise the list as necessary. The commission may, in approving subcon-  
18 tractors, give preference to subcontractors that provide healthy  
19 vending items or local vending items and that employ persons with  
20 disabilities, as defined in ORS 174.107, and veterans, as defined in ORS  
21 408.225.

22 “(5) The commission may determine by rule the services or products  
23 that a subcontractor may provide and the extent to which a subcon-  
24 tractor may perform some or all of the duties of a vending facility  
25 manager.

26 “(6) A vending facility manager who enters into an agreement with  
27 a subcontractor under this section is solely responsible for fulfilling  
28 the requirements of the vending facility manager statement described  
29 in section 5 of this 2017 Act and for meeting any obligations arising  
30 from agreements into which the vending facility manager has entered

1 for the purpose of managing the vending facility. Unless the commis-  
2 sion gives written approval, an agreement between a vending facility  
3 manager and a subcontractor may not include any provision that im-  
4 poses liability on the commission or that obligates the commission to  
5 the subcontractor.

6 “(7) The commission may adopt rules relating to the assignment of  
7 a vending facility manager to manage a vending facility. The com-  
8 mission shall consult with the commission’s business enterprise con-  
9 sumer committee in developing any criteria under this subsection.

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

17 “SECTION 8. The Commission for the Blind shall ensure the active  
18 participation of the commission’s business enterprise consumer com-  
19 mittee in the commission’s administrative, policy and program devel-  
20 opment decisions that impact the commission’s business enterprise  
21 program. The commission shall provide data and information to the  
22 committee in order to effectuate the committee’s active participation.

23 “SECTION 9. ORS 346.120 is amended to read:

24 “346.120. [*There is created a commission for persons who are blind and for*  
25 *the prevention of blindness, to be known as]* The Commission for the Blind  
26 **is established.** The commission shall:

27 “(1) Establish and be responsible for the administration of [*a program*  
28 *or]* programs for persons who are blind [*which will]* **that** promote, in the  
29 manner set forth in ORS 346.110 to 346.270, the welfare of persons with visual  
30 impairments[, *including but*]. **The programs may include, but are not**

1 limited to, cooperation by contract or otherwise with public and private  
2 agencies, **and with subcontractors of managers licensed under ORS**  
3 **346.510 to 346.570**, in providing [*services,*] **vending facility locations and**  
4 **other** programs and facilities for persons with visual impairments.

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

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

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

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

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

13 “346.210. [*The Commission for the Blind may, whenever it deems proper,*  
14 *aid persons with visual impairments or groups of such persons by supplying*  
15 *materials, equipment or machinery to them, and also may assist them in the*  
16 *sale and distribution of their products. The ownership of the materials,*  
17 *equipment or machinery supplied to persons with visual impairments may be*  
18 *transferred to such persons by the commission.*]

19 “(1) **The Commission for the Blind may, in the discretion of the**  
20 **commission or if requested by a vending facility manager licensed**  
21 **under ORS 346.510 to 346.570, aid persons with visual impairments by**  
22 **supplying to a person with a visual impairment materials, equipment**  
23 **or machinery, or by allowing the manager to subcontract with a third**  
24 **party to obtain materials, equipment or machinery, in order to enable**  
25 **the operation of a vending facility.**

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

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

30 “346.220. [*Whenever any of the products or services, including operation of*

1 *vending facilities as defined in ORS 346.510, of persons with visual impair-*  
2 *ments, produced under the supervision and direction of the Commission for the*  
3 *Blind, meet the requirements of any state department or institution as to*  
4 *quality, quantity and price, such products or services shall have preference and*  
5 *the state departments and institutions shall purchase from the commission*  
6 *such products or services as may be required.]*

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

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

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

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

23 **“(a) Is offered by persons with visual impairments under the direc-**  
24 **tion and supervision of the commission; and**

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

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

28 **“346.290. (1) There is established in the General Fund of the State Treas-**  
29 **ury an account to be known as the Commission for the Blind Account. Ex-**  
30 **cept for funds made available to the Commission for the Blind under ORS**



1 346.270 or deposited pursuant to [ORS 346.540] **section 2 of this 2017 Act,**  
2 all moneys received by the commission for promoting the welfare of persons  
3 with visual impairments shall be paid into the State Treasury and credited  
4 to the Commission for the Blind Account.

5 “(2) All moneys in the Commission for the Blind Account are contin-  
6 uously appropriated to the commission for use by the commission for the  
7 respective purposes authorized by law.

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

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

13 “346.510. As used in ORS 346.510 to 346.570[, *the term*]:

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

17 “[*(1) ‘Operator’ means the individual person who is blind and who is re-*  
18 *sponsible for the day-to-day conduct of the vending facility operation. ]*”

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

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

27 “[*(3)*] (4) ‘Public building’ or ‘property’ means [*any*] **a building, land or**  
28 **other real property, or a portion of a building, land or other real prop-**  
29 **erty, that is** owned, leased, **managed** or occupied by [*any*] **a department or**  
30 **an agency of the State of Oregon or [*any of its political subdivisions*] by a**

1 **political subdivision**, except public elementary and secondary schools.

2 “[~~(4)~~] (5) ‘Vending facility’ means:

3 “(a) [*Such*] Shelters, counters, shelving, display and wall cases, refriger-  
4 ating apparatus and other appropriate auxiliary equipment [*as*] **that** are  
5 necessary or customarily used for the vending of [*such articles as may be*]  
6 **articles, including an established mix of healthy vending items** ap-  
7 proved by the Commission for the Blind and the agency [*having care, custody*  
8 *and control of the building or property in or on which*], **department or pol-**  
9 **itical subdivision charged with maintaining the public building or**  
10 **property where** the vending facility is located;

11 “(b) Manual or coin operated vending machines or similar devices for  
12 vending [*such*] articles, **including machines or devices that accept elec-**  
13 **tronic payment; or**

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

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

17 “(a) **Blind;**

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

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

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

22 “346.520. (1) **In accordance with 20 U.S.C. 107 et seq., and** for [*the*]  
23 purposes of providing persons who are blind with remunerative employment,  
24 enlarging the economic opportunities of [*those*] persons **who are blind** and  
25 stimulating [*them*] **persons who are blind** to greater efforts to make them-  
26 selves self-supporting with independent livelihoods, persons who are blind  
27 and who are licensed under [*the provisions of*] ORS 346.510 to 346.570 by the  
28 Commission for the Blind[, *as set forth in ORS 346.510 to 346.570, shall op-*  
29 *erate*] **have priority in managing** vending facilities in or on any public  
30 buildings or properties where, in the discretion of the [*head of the department*

1 *or agency*] **agency, department or political subdivision** in charge of the  
2 maintenance of [*such*] **the public** buildings or properties, [*such*] vending fa-  
3 cilities may properly and satisfactorily operate.

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

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

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

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

15 “(C) **The priority, right, permit, license or lease to operate a vend-**  
16 **ing facility at the public building or property.**

17 “(b) **Require that the commission or the vending facility manager**  
18 **pay to the agency, department or political subdivision any portion of**  
19 **a commission, gratuity or revenue earned by the vending facility**  
20 **manager from the operation of the vending facility.**

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

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

26 “346.530. (1) Each [*head of the department or agency in charge of the*  
27 *maintenance of*] **agency, department or political subdivision charged**  
28 **with maintaining** public buildings or properties shall:

29 “(a) [*Periodically*] **Annually** notify the Commission for the Blind in  
30 writing of any and all existing locations where vending facilities are in op-

1 eration or where vending facilities might properly and satisfactorily be op-  
2 erated.

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

6 “(c) Inform the commission [*for the Blind*] of any locations where [*such*]  
7 vending facilities are planned or might properly and satisfactorily be oper-  
8 ated in or about other public buildings or properties [*as may now or there-*  
9 *after come*] **that are or may be** under the jurisdiction of the **agency,**  
10 **department or [agency] political subdivision** for maintenance[, *such infor-*  
11 *mation to be given not less than 30 days prior to leasing, re-leasing, licensing*  
12 *or issuance of permit for operation of any vending facility in such public*  
13 *building or on such property*].

14 “(2) If the commission [*for the Blind makes an offer*] **offers** to operate a  
15 vending facility under [*the provisions of*] this section and the offer is not  
16 accepted for reasons other than the decision **not** to have [*no*] a vending fa-  
17 cility on the premises, [*such head of the department or*] **the agency, depart-**  
18 **ment or political subdivision** shall notify the commission in writing of the  
19 reasons for refusing [*its*] **the commission’s** offer[, *including but not limited*  
20 *to the terms and conditions of the offer which was accepted, if any*].

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

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

25 “346.540. (1) The Commission for the Blind shall:

26 “(a) [*Make surveys of*] **As the commission determines is necessary,**  
27 **survey** public buildings or properties to determine [*their*] **the suitability of**  
28 **the public buildings or properties** as locations for vending facilities to be  
29 operated by persons who are blind and advise the [*heads of departments or*]  
30 agencies, **departments or political subdivisions** charged with [*the mainte-*

1 *nance of such*] **maintaining the public** buildings or properties [*as to their*]  
2 **of the commission's** findings.

3 “(b) With the consent of the [*head of the department or*] **depart-**  
4 **ment or political subdivision** charged with [*the maintenance of*] **main-**  
5 **taining** the buildings or properties, establish vending facilities in those  
6 locations [*which*] **that** the commission [*for the Blind has determined to be*]  
7 **determines are** suitable[, *and may enter into leases or licensing agreements*  
8 *therefor*] **and enter into agreements to operate the vending facilities.**

9 “(c) **Recruit**, select, train, license and install qualified persons who are  
10 blind as managers of [*such*] vending facilities **in public buildings or prop-**  
11 **erties.**

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

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

18 “(f) **Not later than January 15 of each year, submit an annual report**  
19 **on the performance of the commission's business enterprise program**  
20 **to the interim committees of the Legislative Assembly related to**  
21 **health and human services. The commission shall include with the**  
22 **report the results of any surveys made under paragraph (a) of this**  
23 **subsection that were conducted since the submission of the previous**  
24 **year's report.**

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

29 “[2)] (3) If the [*head of the department or agency*] **agency, department**  
30 **or political subdivision** charged with [*the maintenance of*] **maintaining**

1 **public** buildings or properties does not consent to the establishment of  
2 vending facilities in locations in the **public** building or on the **public** prop-  
3 erty [*which were determined suitable by the commission, that person*] **that the**  
4 **commission determines are suitable, the agency, department or poli-**  
5 **tical subdivision** shall inform the commission in writing of the reasons why  
6 consent is not given.

7 “[(3) *The commission may establish in the State Treasury a fund from the*  
8 *net proceeds of the operation of vending facilities. Moneys so deposited in-*  
9 *cluding the interest thereon shall be credited by the State Treasurer to a spe-*  
10 *cial checking account, separate and distinct from the General Fund.*  
11 *Disbursement may be made by check signed by the person designated by the*  
12 *commission. The fund shall be used for the purposes of and are continuously*  
13 *appropriated for maintenance and replacement of equipment, management ser-*  
14 *vices, assuring a fair minimum of return to vendors, or for such other purposes*  
15 *necessary and proper for the benefit of operators of vending facilities. Interest*  
16 *earned by the account shall be credited to the account.*.]

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

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

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

25 “346.560. The [*operator*] **vending facility manager** of each vending facil-  
26 ity operated under [*the provisions of*] ORS 346.510 to 346.570 [*shall be*] **is**  
27 subject to the provisions of any [*and all*] laws and ordinances [*applying*] **that**  
28 **apply** within the territory [*within which such*] **where the vending** facility  
29 is located, including [*those requiring*] **any laws and ordinances that re-**  
30 **quire** a license or permit for the conduct of [*such business or any particular*

1 *aspect thereof]* **any aspect of the operation of the vending facility.**

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

3 “293.701. As used in ORS 293.701 to 293.857, unless the context requires  
4 otherwise:

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

6 “(2) ‘Investment funds’ means:

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

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

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

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

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

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

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

16 “(h) Moneys made available to the Commission for the Blind under ORS  
17 346.270 and [346.540] **section 2 of this 2017 Act** or rules adopted thereunder;

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

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

21 “(k) Oregon War Veterans’ Bond Sinking Account referred to in ORS  
22 407.515;

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

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

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

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

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

1 “(q) Social Security Revolving Account referred to in ORS 237.490;  
2 “(r) Public University Fund established by ORS 352.450;  
3 “(s) Local Government Employer Benefit Trust Fund referred to in ORS  
4 657.513;  
5 “(t) Elderly and Disabled Special Transportation Fund established by ORS  
6 391.800;  
7 “(u) Education Stability Fund established by ORS 348.696;  
8 “(v) Deferred Compensation Fund established under ORS 243.411;  
9 “(w) Trust for Cultural Development Account established under ORS  
10 359.405; and  
11 “(x) The State Library Donation Fund and the Talking Book and Braille  
12 Library Endowment Fund subaccount established under ORS 357.195.

13 “(3) ‘Investment officer’ means the State Treasurer in the capacity as in-  
14 vestment officer for the council.

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

22 **“SECTION 21. Section 20 of this 2017 Act is repealed on December**  
23 **31, 2019.**

24 **“SECTION 22. (1) Sections 2, 3, 5 to 8 and 20 of this 2017 Act and the**  
25 **amendments to ORS 293.701, 346.120, 346.210, 346.220, 346.290, 346.510,**  
26 **346.520, 346.530, 346.540, 346.550 and 346.560 by sections 9 to 19 of this**  
27 **2017 Act become operative on January 1, 2018.**

28 **“(2) The Commission for the Blind may take any action before the**  
29 **operative date specified in subsection (1) of this section that is neces-**  
30 **sary to enable the commission to exercise, on and after the operative**



1 **date specified in subsection (1) of this section, all of the duties, func-**  
2 **tions and powers conferred on the commission by sections 2, 3, 5 to 8**  
3 **and 20 of this 2017 Act and the amendments to ORS 293.701, 346.120,**  
4 **346.210, 346.220, 346.290, 346.510, 346.520, 346.530, 346.540, 346.550 and**  
5 **346.560 by sections 9 to 19 of this 2017 Act.**

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

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

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