



General Assembly

January Session, 2003

**Raised Bill No. 970**

LCO No. 3498

Referred to Committee on Program Review and Investigations

Introduced by:  
(PRI)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE RELATIVE TO THE VENDING OPERATIONS OF THE  
BOARD OF EDUCATION AND SERVICES FOR THE BLIND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-303 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) (1) The authority in charge of any building or property owned,  
4 operated or leased by the state or any municipality therein shall grant  
5 to the Board of Education and Services for the Blind a permit to  
6 operate in such building or on such property a food service facility, a  
7 vending machine or a stand for the vending of newspapers,  
8 periodicals, confections, tobacco products, food and such other articles  
9 as such authority approves when, in the opinion of such authority,  
10 such facility, machine or stand is desirable in such location. Any  
11 person operating such a stand in any such location on October 1, 1945,  
12 shall be permitted to continue such operation, but upon such person's  
13 ceasing such operation such authority shall grant a permit for  
14 continued operation to the Board of Education and Services for the

15 Blind. Said board may establish a training facility at any such location.

16 (2) Notwithstanding the provisions of subdivision (1) of this  
17 subsection, on and after July 1, 2003, the authority in charge of any  
18 building or property owned, operated or leased by any municipality,  
19 vocational-technical school or public institution of higher education  
20 may, but shall not be required to, grant to the Board of Education and  
21 Services for the Blind a permit for the operation of a vending machine  
22 in any such building or property owned, operated or leased by such  
23 municipality or vocational-technical school. Nothing in this section  
24 shall be construed to relieve such authority, vocational-technical  
25 school, public institution of higher education or the Board of Education  
26 and Services for the Blind of any contractual obligation entered into on  
27 or before June 30, 2003, pursuant to subdivision (1) of this subsection.

28 (3) Vending machine income accrued as a result of a municipality,  
29 vocational-technical school or public institution of higher education  
30 which on and after July 1, 2003, grants a permit to the Board of  
31 Education and Services for the Blind for the operation of a vending  
32 machine at a building or property owned, operated or leased by any  
33 such municipality, vocational-technical school or public institution of  
34 higher education shall be deposited in the nonlapsing account  
35 established pursuant to subsection (c) of this section.

36 (b) Pursuant to the Randolph-Sheppard Vending Stand Act, 49 Stat.  
37 1559 (1936), 20 USC 107, as amended from time to time, the Board of  
38 Education and Services for the Blind is authorized to maintain a  
39 nonlapsing account and to accrue interest thereon for federal vending  
40 machine income which, in accordance with federal regulations, shall  
41 be used for the payment of fringe benefits to the vending facility  
42 operators by the Board of Education and Services for the Blind.

43 (c) The Board of Education and Services for the Blind [may] shall  
44 maintain a nonlapsing account and accrue interest thereon for state  
45 and local vending machine income which shall be used for the  
46 payment of fringe benefits, training and support to vending facilities

47 operators, and [to provide entrepreneurial and independent-living  
48 training and equipment to children who are blind or visually impaired  
49 and adults who are blind] the development of jobs for adults who are  
50 blind. Not later than July 1, 2004, and annually thereafter, the director  
51 of the Board of Education and Services for the Blind shall submit a  
52 report, in accordance with section 11-4a, to the joint standing  
53 committee of the General Assembly having cognizance of matters  
54 relating to appropriations and the budgets of state agencies which sets  
55 forth the number and types of new jobs created in the preceding  
56 calendar year for adults who are blind. At the end of each fiscal year,  
57 any sum of money in excess of seven hundred fifty thousand dollars in  
58 said account, shall revert to the General Fund of the state.

59 (d) The Board of Education and Services for the Blind may disburse  
60 state and local vending machine income to student or client activity  
61 funds, as defined in section 4-52.

62 (e) Notwithstanding any of the provisions of this section the  
63 authority in charge of any state or municipal building or property with  
64 both vending machines and a vending stand in operation pursuant to  
65 subsection (a) of this section shall permit blind operators of such  
66 vending stands, during the period of operation of such stands, to  
67 accrue revenues derived from the vending machines, in the manner  
68 prescribed by the Board of Education and Services for the Blind.

69 Sec. 2. Section 10-298 of the general statutes is repealed and the  
70 following is substituted in lieu thereof (*Effective July 1, 2003*):

71 (a) The Board of Education and Services for the Blind shall,  
72 annually, as provided in section 4-60, submit to the Governor its  
73 report, containing a statement of the activities of the board during the  
74 preceding year. Said board shall prepare and maintain a register of the  
75 blind in this state which shall describe their condition, cause of  
76 blindness and capacity for education and industrial training. The  
77 board may register cases of persons whose eyesight is seriously  
78 defective and who are liable to become visually handicapped or blind,

79 and may take such measures in cooperation with other authorities as it  
80 deems advisable for the prevention of blindness or conservation of  
81 eyesight and, in appropriate cases, for the education of children and  
82 for the vocational guidance of adults having seriously defective sight  
83 but who are not blind.

84 (b) The board may accept and receive any bequest or gift of personal  
85 property and, subject to the consent of the Governor and Attorney  
86 General as provided in section 4b-22, any devise or gift of real property  
87 made to said board, and may hold and use such property for the  
88 purposes, if any, specified in connection with such bequest, devise or  
89 gift.

90 (c) The Board of Education and Services for the Blind may enter  
91 into memoranda of understanding with other state agencies to carry  
92 out the purposes set forth in subsection (a) of section 10-303, as  
93 amended by this act, including, but not limited to, memoranda  
94 concerning the operation of vending facilities at rest and recreation  
95 areas adjacent to state highways. Any revenue accrued to the Board of  
96 Education and Services for the Blind as a result of such memoranda  
97 shall be deposited in the nonlapsing account established pursuant to  
98 subsection (c) of section 10-303, as amended by this act.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>

**Statement of Purpose:**

To implement the recommendations of the Legislative Program Review and Investigations Committee relative to vending operations under the purview of the Board of Education and Services for the Blind.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*