

SENATE BILL NO. 335

INTRODUCED BY WILLIAMS

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE BLIND VENDOR VOCATIONAL OPPORTUNITIES PROGRAM TO INCLUDE MILITARY RESERVATIONS AND STATE VOCATIONAL AND HIGHER EDUCATION INSTITUTIONS; AND AMENDING SECTION 18-5-402, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-5-402, MCA, is amended to read:

"18-5-402. Definitions. As used in this part, the following definitions apply:

(1) "Blind person" means a person whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity is greater than 20/200 but is accompanied by a limitation in the field of vision in the better eye to such a degree that the widest diameter of the visual field subtends an angle ~~no~~ that is not greater than 20 degrees as determined by an ophthalmologist or a physician skilled in diseases of the eye.

(2) "Blind vendor" means a person certified as a blind person for the purpose of this part and who is operating a vending facility administered by the department.

(3) "Certified blind person" means a blind person whom the department has determined to be a blind person as defined in this part, who is in need of vocational opportunities, and who is qualified to operate a vending facility.

(4) "Department" means the department of public health and human services.

(5) "Federal property" means buildings or portions of buildings or other real property owned or leased by the federal government ~~excluding military reservations~~ upon which the department may administer vending facilities by an agreement entered into under the authority of the federal Randolph-Sheppard Act, as amended.

(6) "Other property" means all real property other than state or federal property as defined in this part.

(7) "State property" means those buildings or portions of buildings or other real property owned or leased under a lease-purchase agreement; or, in the case of a building, leased in its entirety by the state or agencies of the state ~~that are and utilized~~ used in the conduct of state matters and occupied principally by state employees. ~~State property for the purpose of this part does not include vocational institutions or institutions of higher education.~~ STATE PROPERTY FOR THE PURPOSE OF THIS PART DOES NOT INCLUDE VOCATIONAL INSTITUTIONS



1 OR INSTITUTIONS OF HIGHER EDUCATION.

2 (8) "Vending facility" means an area and equipment inclusive of vending machines on state property
3 ~~which~~ that is or may be ~~utilized~~ used in providing a food, beverage, or other service to employees and other
4 persons present on the property.

5 (9) (a) "Vending machine" means a device for the dispensing of foodstuffs, liquids, or other products
6 when money is inserted into the device. ~~Vending machine~~

7 (b) The term does not include postage stamp machines or coin-operated telephones.

8 (10) "Vocational rehabilitation programs" means those programs provided for under the federal
9 Randolph-Sheppard Act, as amended, and Title 53, chapter 7, part 3."

10 - END -