

Introduced: 2/16/82  
Referred: State Affairs

1 IN THE SENATE

BY BRADLEY, FISCHER AND RODEY

2 SENATE BILL NO. 778

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of vending facilities  
7 on public property by blind persons."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 23.15.100(a) is amended by adding new paragraphs to read:

10 (5) survey the potential for providing vending facilities on  
11 public property and, when feasible, establish vending facilities operated  
12 by blind persons;

13 (6) license blind persons for the operation of vending facili-  
14 ties;

15 (7) provide the training and supervision necessary to enable  
16 blind persons to operate vending facilities;

17 (8) conduct elections for officers of the Society of Blind  
18 Vendors;

19 (9) consider all recommendations of the Society of Blind  
20 Vendors under AS 23.15.134(b).

21 \* Sec. 2. AS 23.15.130(b) is amended to read:

22 (b) Receipts from the net proceeds of vending facilities on [IN]  
23 public property [BUILDINGS], other than vending facilities operated by a  
24 licensee, shall be paid into [TO] the fund.

25 \* Sec. 3. AS 23.15 is amended by adding new sections to read:

26 Sec. 23.15.132. VENDORS' LICENSES. (a) The agency shall issue a  
27 license for the operation of a vending facility on public property to a  
28 blind person who is a resident of the state and who qualifies for a  
29 license under regulations adopted by the agency. A license issued under

1 this section does not expire unless the licensed vendor ceases to operate  
2 the vending facility. A license issued under this section may be term-  
3 inated by the agency if the agency finds that the licensed vendor is not  
4 operating the facility in accordance with regulations adopted by the  
5 agency.

6 (b) A blind person may appeal a decision of the agency regarding  
7 his licensure or termination of license under this section. A person  
8 filing an appeal may request an administrative review or a full evi-  
9 dentiary hearing to be conducted in accordance with regulations of the  
10 agency.

11 Sec. 23.15.133. VENDING FACILITIES. (a) A vending facility may  
12 not be established on public property except as authorized by the agency.

13 (b) A vending facility authorized by the agency shall be selected  
14 and located only after consulting with the persons responsible for the  
15 maintenance and operation of the public property to be served by the  
16 vending facility. A contract for the operation of the vending facility  
17 by a person licensed under AS 23.15.132 shall be executed by the agency  
18 and shall contain provisions insuring that the licensed vendor shall  
19 charge reasonable prices and that the vending facility shall provide  
20 high quality merchandise and generate a fair profit.

21 Sec. 23.15.134. SOCIETY OF BLIND VENDORS. (a) The Society of  
22 Blind Vendors consisting of all persons licensed under AS 23.15.132 is  
23 established. The agency shall conduct a biennial election of a presi-  
24 dent, vice-president, secretary, and treasurer of the society and may  
25 conduct elections to fill vacancies in office at any time.

26 (b) The agency shall consult with the Society of Blind Vendors and  
27 consider all recommendations of the society concerning

28 (1) administrative and policy decisions on establishing or  
29 removing vending facilities operated by blind persons;

- 1 (2) grievances of licensed vendors;
- 2 (3) the development and administration of a statewide system
- 3 for the transfer and promotion of licensed vendors;
- 4 (4) the development of training and retraining programs for
- 5 licensed vendors and blind persons interested in obtaining a license to
- 6 operate a vending facility; and
- 7 (5) the organization of meetings and conferences for blind
- 8 vendors in the state.

9 \* Sec. 4. AS 23.15.210(11) is amended to read:

10 (11) "public property" [BUILDING] means [ANY] property [BUILD-

11 ING] owned or leased by the state, [OR] an agency of the state, or a

12 political subdivision of the state [ANY SPACE LEASED BY THE STATE OR

13 ANY AGENCY OF THE STATE, AND DESIGNATED BY THE DIVISION AS BEING APPRO-

14 PRIATE FOR PARTICIPATION IN THE BUSINESS ENTERPRISE PROGRAM];

15 \* Sec. 5. AS 23.15.210(12) is amended to read:

16 (12) "vending facility" means a [AN AUTOMATIC] vending machine,

17 cafeteria, snack bar, shelter, cart, or counter where food, tobacco,

18 newspapers, periodicals, and other articles [OR SUNDRIES] are offered

19 for sale and dispensed automatically or manually whether prepared on

20 or off the premises.

21 \* Sec. 6. AS 23.15.100(b)(5) is repealed.

22 \* Sec. 7. Notwithstanding AS 23.15.133 enacted in sec. 3 of this Act a

23 vending facility being operated on public property on the effective date of

24 this Act may continue in operation until the contract under which the vending

25 facility is being operated expires or is terminated. After the contract

26 expires or is terminated, the vending facility shall cease to operate until

27 the provisions of AS 23.15.133 are met.

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