

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 220**

Introduced by Wishart, 27.

Read first time January 14, 2019

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Commission for the Blind and Visually  
2 Impaired Act; to amend sections 71-8607 and 71-8611, Reissue Revised  
3 Statutes of Nebraska; to adopt changes to federal law regarding  
4 vending facility programs; to change provisions relating to priority  
5 status for blind persons operating vending facilities on state  
6 property; and to repeal the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-8607, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 71-8607 (1) The commission shall:

4 (a) Apply for, receive, and administer money from any state or  
5 federal agency to be used for purposes relating to blindness, including  
6 federal funds relating to vocational rehabilitation of blind persons as  
7 provided in subsection (1) of section 71-8610;

8 (b) Receive on behalf of the state any gifts, donations, or bequests  
9 from any source to be used in carrying out the purposes of the Commission  
10 for the Blind and Visually Impaired Act;

11 (c) Promote self-support of blind persons as provided in sections  
12 71-8608, 71-8609, and 71-8611;

13 (d) Provide itinerant training of alternative skills of blindness,  
14 including, but not limited to, braille, the long white cane for  
15 independent travel, adaptive technology, and lifestyle maintenance;

16 (e) Establish, equip, and maintain a residential training center  
17 with qualified instructors for comprehensive prevocational training of  
18 eligible blind persons. The center shall also provide comprehensive  
19 independent living training as well as orientation and adjustment  
20 counseling for blind persons;

21 (f) Administer and operate a vending facility program in the state,  
22 in its capacity as the designated licensing agency pursuant to the  
23 federal Randolph-Sheppard Act, as the act existed on January 1, 2019  
24 ~~amended~~, 20 U.S.C. 107 et seq., for the benefit of blind persons;

25 (g) Contract for the purchase of information services for blind  
26 persons; and

27 (h) Perform other duties necessary to fulfill the purposes of the  
28 Commission for the Blind and Visually Impaired Act.

29 (2) The commission may perform educational services relating to  
30 blindness and may cooperate and consult with other public and private  
31 agencies relating to educational issues.

1           Sec. 2. Section 71-8611, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-8611 For the purpose of providing blind persons with remunerative  
4 employment, enlarging the economic opportunities of blind persons, and  
5 stimulating blind persons to greater efforts in striving to make  
6 themselves self-supporting, the commission shall administer and operate  
7 vending facilities programs pursuant to the federal Randolph-Sheppard  
8 Act, as the act existed on January 1, 2019 ~~amended~~, 20 U.S.C. 107 et seq.  
9 Blind persons licensed by the commission pursuant to its rules and  
10 regulations are authorized to operate vending facilities in any federally  
11 owned building or on any federally owned or controlled property, in any  
12 state-owned building or on any property owned or controlled by the state,  
13 or on any property owned or controlled by any county, city, or  
14 municipality with the approval of the local governing body, when, in the  
15 judgment of the director of the commission, such vending facilities may  
16 be properly and satisfactorily operated by blind persons. With respect to  
17 vending facilities in any state-owned building or on any property owned  
18 or controlled by the state, priority shall be given to blind persons,  
19 except that this shall not apply to the Game and Parks Commission or the  
20 University of Nebraska. If a blind person is selected to operate vending  
21 facilities in such building or on such property, he or she shall do so on  
22 a rent-free basis ~~This priority shall only be given if the product price~~  
23 ~~in the bid submitted is comparable in price to the product price in the~~  
24 ~~other bids submitted for similar products sold in similar buildings or on~~  
25 ~~similar property and all other components of the bid for a contract,~~  
26 ~~except for any rent paid to the state, are found to be reasonably~~  
27 ~~equivalent to the other bidders.~~

28           Sec. 3. Original sections 71-8607 and 71-8611, Reissue Revised  
29 Statutes of Nebraska, are repealed.