

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 49

Session of
1977

INTRODUCED BY MESSRS. DiCARLO, LINCOLN, MRS. KELLY,
MRS. GILLETTE, MESSRS. CASSIDY, COLE, CALTAGIRONE, O'KEEFE
AND SALVATORE, JANUARY 17, 1977

AS RE-REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 2, 1977

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," changing provisions
4 relating to the Employment Fund for the Blind AND PROVIDING <—
5 TRAVEL AND MAINTENANCE REIMBURSEMENTS TO CERTAIN PERSONS.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 803, act of June 13, 1967 (P.L.31,
9 No.21), known as the "Public Welfare Code," amended July 27,
10 1967 (P.L.187, No.59), is amended to read:

11 Section 803. Business Enterprises; Equipment; Leases;
12 Repayment; TRAVEL AND MAINTENANCE FOR BUSINESS ENTERPRISES <—
13 PROGRAM COMMITTEE.--The department is hereby authorized to
14 purchase, own, install, maintain, license and lease equipment,
15 accessories and vending machines to be used for suitable
16 business enterprises for or on behalf of the blind and to
17 advance to deserving blind persons out of moneys in the
18 employment fund for the blind, such reasonable amounts as may be

1 considered proper to enable such blind persons to purchase the
2 merchandise, equipment, stock and accessories necessary to put
3 into operation a vending or refreshment stand or other suitable
4 business enterprises in some suitable location to be leased or
5 arranged for by the department AND PROVIDE TRAVEL AND <—
6 MAINTENANCE REIMBURSEMENT TO DULY ELECTED MEMBERS OF THE
7 BUSINESS ENTERPRISES PROGRAM COMMITTEE TO ENABLE ATTENDANCE AT
8 SEMIANNUAL MEETINGS AND FROM TIME TO TIME TO PROVIDE SIMILAR
9 TRAVEL AND MAINTENANCE COSTS FOR SELECTED MEMBERS OF THAT
10 COMMITTEE ENABLING THEIR PARTICIPATION IN SPECIAL PROJECT
11 ACTIVITIES DEEMED APPROPRIATE BY THE COMMISSIONER OF THE OFFICE
12 FOR THE VISUALLY HANDICAPPED. PUBLIC LAW 93-516, TITLE II,
13 BETTER KNOWN AS THE RANDOLPH-SHEPPARD ACT, REQUIRES THE
14 ESTABLISHMENT OF A COMMITTEE OF VENDING STAND OPERATORS TO
15 PARTICIPATE WITH THE ADMINISTERING AGENCY IN POLICY AND PROGRAM
16 DECISIONS. THIS COMMITTEE WILL BE COMPRISED OF TEN MEMBERS
17 ELECTED BY THEIR PEERS TO SERVE FOR A PERIOD OF TWO YEARS.
18 REPRESENTATION ON THE COMMITTEE REQUIRES ONE OPERATOR FROM EACH
19 OF THE DISTRICT OFFICE AREAS OF THE OFFICE FOR THE VISUALLY
20 HANDICAPPED AND TWO OPERATORS EACH FROM THE PENNSYLVANIA BLIND
21 MERCHANTS GUILD AND THE PENNSYLVANIA BLIND CONCESSIONAIRES.
22 Pennsylvania blind veterans of the world wars shall be given
23 first preference for locations established, in accordance with
24 the provisions of the Federal Randolph-Sheppard Act (20 U. S. C.
25 A. Sec. 107, et seq.), and the rules and regulations pursuant
26 thereto.

27 Such business enterprises shall be approved by the department
28 and supervised periodically by the department.

29 The leases or permits for the installation and operation of
30 any such stands or other suitable business enterprises shall be

1 secured by the department in its own name.

2 Any moneys advanced to a blind person under the authority of
3 this act shall be repaid by such person in monthly installments,
4 which shall in no case be less than two percent of the gross
5 monthly sales made at the stand or business in question.

6 Equipment and accessories purchased, owned, installed and
7 maintained by the department may be leased to deserving blind
8 persons for an amount not to exceed four percent of the gross
9 monthly sales, except in those locations in which the gross
10 monthly sales do not exceed one thousand dollars (\$1,000). Such
11 rental in these locations shall not exceed one percent of the
12 gross monthly sales. The department shall periodically regulate
13 the rental fees charged to such blind persons in accordance with
14 the regulations to be adopted by it, in such a manner as to
15 achieve approximate equality of opportunity to such blind
16 persons[, and to assure that the fund shall at no time exceed
17 one hundred fifty thousand dollars (\$150,000)]. The department
18 shall transmit all such repayments and rental fees into the
19 State Treasury, where they shall be credited to the Employment
20 Fund for the Blind. ~~except that the fund shall at no time exceed~~ <—
21 ~~five hundred thousand dollars (\$500,000) and any amount in~~
22 ~~excess of this limit shall be credited to the General Fund.~~

23 The department is authorized to receive and transmit to the
24 State Treasury for credit to the Employment Fund for the Blind,
25 all moneys heretofore or hereafter received by the Commonwealth
26 on account of contracts between the Commonwealth, acting through
27 the Department of [Property and Supplies] General Services and
28 vending machine owners, whereby the Commonwealth is to receive a
29 percentage of the profits from vending machines operated in
30 State buildings, except for those vending machines in State

1 buildings wherein a restaurant or cafeteria is operated by the
2 Department of [Property and Supplies] General Services.
3 Section 2. This act shall take effect immediately.