

CHAPTER 248

BLIND; EDUCATION, REHABILITATION

248.07 Commissioner of economic security, duties.

248.10 Rehabilitation Council for the Blind.

248.07 COMMISSIONER OF ECONOMIC SECURITY, DUTIES.*[For text of subds 1 and 2, see M.S.2002]*

Subd. 3. **Special attention.** The commissioner shall give special attention to the cases of disabled youth who are eligible to attend the Minnesota State Academy for the Blind, the Minnesota State Academy for the Deaf, or the public school classes for disabled children, but are not in attendance there, or are not receiving adequate instruction elsewhere. The commissioner shall report all such cases to the school district of the individual's residence and to the commissioner of education.

[For text of subds 4 to 7, see M.S.2002]

Subd. 8. **Use of revolving fund, licenses for operation of vending machines.** The revolving fund created by Laws 1947, chapter 535, section 5, is continued as provided in this subdivision and shall be known as the revolving fund for vocational rehabilitation of the blind. It shall be used for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into the fund. All interest earned on money accrued in the fund must be credited to the fund by the commissioner of finance. All equipment, supplies, and expenses for setting up these stands shall be paid for from the fund. Authority is hereby given to the commissioner to use the money available in the revolving fund that originated as operational charges to individuals licensed under this subdivision for the establishment, operation, and supervision of vending stands by blind persons for the following purposes: (1) purchase, upkeep and replacement of equipment; (2) expenses incidental to the setting up of new stands and improvement of old stands; (3) reimbursement under section 15.059 to individual blind vending operators for reasonable expenses incurred in attending supervisory meetings as called by the commissioner and other expenditures for management services consistent with federal law; and (4) purchase of fringe benefits for blind vending operators and their employees such as group health insurance, retirement program, vacation or sick leave assistance provided that the purchase of any fringe benefit is approved by a majority vote of blind vending operators licensed pursuant to this subdivision after the commissioner provides to each blind vending operator information on all matters relevant to the fringe benefits. Fringe benefits shall be paid only from assessments of operators for specific benefits, gifts to the fund for fringe benefit purposes, and vending income which is not assignable to an individual stand.

Money originally deposited as merchandise and supplies repayments by individuals licensed under this subdivision may be expended for initial and replacement stocks of supplies and merchandise. Money originally deposited from vending income on federal property must be spent consistent with federal law.

All other deposits may be used for the purchase of general liability insurance or any other expense related to the operation and supervision of vending stands.

The commissioner shall issue each license for the operation of a vending stand or vending machine for an indefinite period but may terminate any license in the manner provided. In granting licenses for new or vacated stands preference on the basis of seniority of experience in operating stands under the control of the commissioner shall be given to capable operators who are deemed competent to handle the enterprise under consideration. Application of this preference shall not prohibit the commissioner from selecting an operator from the community in which the stand is located.

[For text of subds 9 to 11, see M.S.2002]

Subd. 12. Reimbursement out of state distribution of Braille and special materials. The commissioner shall obtain reimbursement from other states for the estimated cost of providing radio signals, programming, and radio receivers for the blind and for production and handling of Braille books, audio tapes, and related services for the blind distributed by the Department of Economic Security to users in such other states and may contract with the appropriate authorities of such states to effect such reimbursement. All money received hereunder shall be paid to the commissioner of finance and placed in the special revenue fund and is appropriated to the commissioner of economic security for the purposes of this subdivision.

[For text of subds 13 to 16, see M.S.2002]

History: 2003 c 112 art 2 s 50; 2003 c 130 s 12

248.10 REHABILITATION COUNCIL FOR THE BLIND.

(a) The commissioner shall establish a Rehabilitation Council for the Blind consistent with the federal Rehabilitation Act of 1973, Public Law 93-112, as amended. Council members shall be compensated as provided in section 15.059, subdivision 3. The council shall advise the commissioner about programs of the Division of State Services for the Blind.

(b) Notwithstanding section 13D.01, the Rehabilitation Council for the Blind may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the council participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the council can hear all discussion and testimony and all votes of members of the council;

(3) at least one member of the council is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(c) Each member of the council participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(d) If telephone or another electronic means is used to conduct a meeting, the council to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The council may require the person making such a connection to pay for documented marginal costs that the council incurs as a result of the additional connection.

(e) If telephone or another electronic means is used to conduct a regular, special, or emergency meeting, the council shall provide notice of the regular meeting location, of the fact that some members may participate by electronic means, and of the provisions of paragraph (d). The timing and method of providing notice is governed by section 13D.04.

History: 2003 c 128 art 12 s 1