



ADMINISTRATIVE RULES OF MONTANA

37.30.2565 DISTRIBUTION AND USE OF VENDING MACHINE INCOME ON FEDERAL PROPERTY

- (1) Vending machine income from vending machines on federal property and other property which has been disbursed to the department by a property managing department, agency, or instrumentality of the United States under the vending machine income sharing provisions in section 395.8 of the Randolph-Sheppard Act of 1974 (PL 93-516) shall accrue to each blind vendor operating a vending operating facility on such federal property in an amount not to exceed the average net income of the total number of blind vendors within such state, as determined each fiscal year on the basis of each prior year's operation, except that vending machine income shall not accrue to any blind vendor in any amount exceeding the average net income of the total number of blind vendors in the United States.
- (2) No blind vendor shall receive less vending machine income than he was receiving during the calendar year prior to January 1, 1974, as a direct result of any limitation imposed on such income under this ceiling.
- (3) No limitation shall be imposed on income from vending machines, combined to create a vending facility, when such facility is maintained, serviced, or operated by a blind vendor.
- (4) The department will retain vending machine income disbursed by a property managing department, agency or instrumentality of the United States in excess of the amount eligible to accrue to blind vendors.
- (5) That income accrued for blind vendors will be disbursed quarterly to them by the department.
- (6) Vending machine income retained by the department will be used for the establishment and maintenance of retirement or pension plans, for health insurance contributions, and for the provision of paid sick leave and vacation time for blind vendors, if it is so determined by the majority vote of the certified vendors, after each vendor has been furnished information on all matters relevant to such purposes; that any vending machines income not necessary for such purposes shall be used for one or more of the following; maintenance and replacement of equipment; purchase of new equipment; management services; and assuring a fair minimum return to vendors; and that any assessment charged to blind vendors shall be reduced pro rata in an amount equal to the total of such remaining vending machine income.

Authorizing statute(s): Sec. 18-5-414, MCA

Implementing statute(s): Sec. 18-5-406, 18-5-413 and 18-5-416, MCA

History: NEW, 1983 MAR p. 657, Eff. 6/17/83; TRANS, from SRS, 1998 MAR p. 2040.