

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# **A Bill**

**ACT 574 OF 1993**  
**SENATE BILL 16**

4 **By: Senator Canada, Moore, Bearden, and Walters**

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## **For An Act To Be Entitled**

8 *"AN ACT TO TRANSFER THE DIVISION OF REHABILITATIVE*  
9 *SERVICES OF THE DEPARTMENT OF HUMAN SERVICES TO THE*  
10 *DIVISION OF VOCATIONAL AND TECHNICAL EDUCATION OF THE*  
11 *DEPARTMENT OF EDUCATION; AND FOR OTHER PURPOSES."*

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## **Subtitle**

14 *"TO TRANSFER THE DIVISION OF REHABILITATION*  
15 *SERVICES OF DHS TO THE VOCATIONAL AND TECHNICAL EDUCATION*  
16 *DIVISION OF THE DEPARTMENT OF EDUCATION."*

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 *SECTION 1. Effective July 1, 1993, the Division of Rehabilitation*  
21 *Services of the Department of Human Services is transferred to the Division of*  
22 *Vocational and Technical Education of the Department of Education, and shall*  
23 *be known as the Arkansas Rehabilitation Services. The State Board of*  
24 *Vocational Education shall have the same authority and responsibility with*  
25 *respect to the administration and operation of the Arkansas Rehabilitation*  
26 *Services as it has with respect to the Division of Vocational and Technical*  
27 *Education.*

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29 *SECTION 2. The policy and scope of the Arkansas Rehabilitation Services*  
30 *shall be to provide increased employment of individuals with disabilities*  
31 *through the provision of individualized training, independent living services,*  
32 *educational and support services, and meaningful opportunities for employment*  
33 *in integrated work settings to maximize employment, economic self-sufficiency,*  
34 *independence, and inclusion and integration into society.*

35 *Pursuant to such policy, rehabilitation services shall be provided to*  
36 *citizens throughout the state and the rehabilitation plan adopted pursuant to*

1 this act shall be in effect in all political subdivisions of the state.

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3       SECTION 3. All authorities and responsibilities defined in Act 43 of  
4 1955 as amended shall be administered by the Arkansas Rehabilitation Services,  
5 under the direction of the State Board of Vocational Education except those  
6 transferred to the Division of State Services for the Blind by Act 481 of  
7 1983.

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9       SECTION 4. Any and all appropriations for the Division of  
10 Rehabilitation Services of the Department of Human Services for fiscal year  
11 1993, plus any additional legislative appropriation for the 1993-95 biennium  
12 for the Division of Rehabilitation Services, shall be deemed to be  
13 appropriated to and shall be made available for the operation and maintenance  
14 of the Arkansas Rehabilitation Services of the Division of Vocational and  
15 Technical Education of the Department of Education. The Director of the  
16 Department of Finance and Administration shall transfer to the Arkansas  
17 Rehabilitation Services all appropriations and funds from any other sources in  
18 the custody or control of the Department of Human Services which are  
19 designated for the Division of Rehabilitation Services.

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21       SECTION 5. The State Board of Vocational Education, through the  
22 Arkansas Rehabilitation Services, shall provide the rehabilitation services  
23 authorized by this act to eligible physically or mentally disabled individuals  
24 and those who can benefit from independent living services, determined by the  
25 agency to be eligible therefor, and, in carrying out the purposes of this act,  
26 the Arkansas Rehabilitation Services is authorized, among other things:

27       (a) to be the sole state agency to supervise and administer the  
28 rehabilitation services authorized by this act except such part or parts as  
29 may be administered by a local agency in a political subdivision of the state,  
30 in which case the service shall be the sole agency to supervise such local  
31 agency in the administration of such part or parts; and

32       (b) to conduct research and compile statistics relative to the  
33 provision of services or the need of services of disabled individuals.

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35       SECTION 6. Any and all statutory authority, powers, duties, functions,

1 records, authorized positions, property, unexpended balances of  
2 appropriations, allocations or other funds, transferred from the Division of  
3 Rehabilitative Services to the Department of Human Services by Act 348 of 1985  
4 are hereby transferred to the Arkansas Rehabilitation Services of the Division  
5 of Vocational and Technical Education of the Department of Education.

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7       SECTION 7. All employees of the Arkansas Rehabilitation Services as of  
8 effective date of this act shall be eligible for membership in the Public  
9 Employees Retirement System or Teacher Retirement System or alternate  
10 retirement systems. Any such employee who desires to change retirement  
11 systems must do so within ninety (90) calendar days after the effective date  
12 of this act.

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14       SECTION 8. The Division of Rehabilitation Services of the Department of  
15 Human Services as now constituted shall continue in existence for all  
16 purposes, intact, until July 1, 1993, at which time said Division shall be  
17 transferred to the Division of Vocational and Technical Education of the  
18 Department of Education. The transfer shall include all employees, powers,  
19 duties, licenses, privileges, equipment, vehicles, furniture, fixtures,  
20 supplies, books, records, stock, goods, funds, unexpended appropriations and  
21 facilities relating to rehabilitation services and training. The Department  
22 of Human Services will transfer appropriate positions, as identified by the  
23 Arkansas Rehabilitation Services, necessary to meet Arkansas Rehabilitation  
24 Services administration and program support needs in numbers not to exceed  
25 those transferred from the Division of Rehabilitation Services to the  
26 Department of Human Services by Acts 348 and 752 of 1985.

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28       SECTION 9. State Building Services shall insure that all offices of the  
29 Arkansas Rehabilitation Services of the Division of Vocational and Technical  
30 Education of the Department of Education are exemplary models of accessibility  
31 and conform to Americans with Disabilities Act Accessibility Guidelines.

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33       SECTION 10. All provisions of this act of a general and permanent  
34 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
35 Code Revision Commission shall incorporate the same in the Code.

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SECTION 11. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 12. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 13. EMERGENCY. It is hereby found and determined by the General Assembly that the transfer of the Division of Rehabilitation Services of the Department of Human Services to the Arkansas Rehabilitation Services of the State Board of the Vocational Education, Division of Vocational and Technical Education will promote the improvement of rehabilitation services to the citizens of this state, that the efficient operation of state government will be promoted by providing the transfer and shall be effective at the beginning of the next fiscal year. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

/s/ Senator Canada, et al.

APPROVED: 03/18/93

***.As Engrossed: 1/12/93 2/1/93 2/17/93 2/26/93***

**SB 16**

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