

**ARKANSAS SENATE**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of Senate Bill No. 556**

"AN ACT TO RENAME THE DEPARTMENT OF WORKFORCE EDUCATION AND TO  
CLARIFY THE DEPARTMENT'S RESPONSIBILITIES WITH REGARD TO  
REHABILITATION SERVICES."

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**Amendment No. 1 to Senate Bill No. 556.**

Amend Senate Bill No. 556 as originally introduced:

Page 1, line 26, delete "Rehabilitation Services." and substitute  
"Rehabilitation Services. The Director of the Department of Workforce  
Education and Rehabilitation Services shall designate an identifiable  
division within the department that shall be known as the Division of  
Rehabilitation Services."

AND

Page 1, line 34, delete "Services." and substitute "Services who may delegate  
the powers, authorities, duties, and functions as necessary and desirable for  
the administration and operation of the state plan for vocational  
rehabilitation services."

AND

Page 2, line 15, delete "Director" and substitute "Director of the Division  
of Rehabilitation Services"

AND

Page 2, delete line 21, and substitute the following:  
"reference is manifest.

(d) Nothing in this act is intended to affect the administration of  
operations and administration of the Division of State Services for the Blind  
of the Department of Human Services or the services that the division  
provides to individuals who are blind or visually handicapped under the state  
plan for vocational rehabilitation services."

AND

Page 2, line 34, delete "~~(b)~~(a)" and substitute "~~(b)~~(a)(1)"



AND

Page 2, line 36, delete "rehabilitation services" and substitute "vocational rehabilitation services"

AND

Page 3, delete line 5, and substitute the following:  
"and integration into society.

(2)(A) The Director of the Department of Workforce Education and Rehabilitation Services shall designate an identifiable division within the department that shall be known as the Division of Rehabilitation Services. The division is responsible for the administration of the state plan for vocational rehabilitation services as it applies to individuals with disabilities who are not blind or visually handicapped. The division shall have the same authority and responsibility with respect to the administration and operation of vocational rehabilitation services for individuals with disabilities as other divisions of the department have with respect to the administration and operation of other programs of the department.

(B) The Division of State Services for the Blind of the Department of Human Services is responsible for the administration of the state plan for vocational rehabilitation services as it applies to individuals who are blind or visually handicapped."

AND

Page 3, line 14, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 3, line 16, delete "State Board" and substitute "Department of Workforce Education and Rehabilitation Services and the State Board"

AND

Page 4, line 20, delete "Services;" and substitute "Services or his or her designee;"

AND

Page 5, line 11, delete "~~the Arkansas Rehabilitation Services of~~" and substitute "~~the Arkansas~~ Division of Rehabilitation Services of"

AND

Page 5, line 20, delete "of the Arkansas Rehabilitation Services" and substitute "~~of the Arkansas Rehabilitation Services~~"

AND

Page 5, line 21, delete "department;" and substitute "~~department~~ division;"

AND

Page 6, line 24, delete "Arkansas Rehabilitation Services;" and substitute "~~Arkansas Rehabilitation Services~~ the Division of Rehabilitation Services of the Department of Workforce Education and Rehabilitation Services;"

AND

Page 6, line 26, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 7, line 9, delete "Department" and substitute "The Division of Rehabilitation Services of the Department"

AND

Page 7, line 12, delete "Department of Workforce Education and Rehabilitation Services" and substitute "the division"

AND

Page 7, line 27, delete "Arkansas Rehabilitation Services" and substitute "~~Arkansas Rehabilitation Services~~ division"

AND

Page 7, line 29, delete "Department of Workforce Education and Rehabilitation Services" and substitute "division"

AND

Page 8, delete lines 29 through 36, and substitute the following:

"(1) ~~"Blind person" means a person who has:~~  
    (A) ~~Not more than 20/200 central visual acuity in the~~  
~~better eye after correction; or~~  
    (B) ~~An equally disabling loss of the visual field;~~  
(2)(1) "Director" means the Director of the Arkansas Division of Rehabilitation Services ~~who may, at the discretion of the appropriate division of the Department of Human Services, be designated Executive Officer for the Arkansas Rehabilitation Services of the Department of Workforce Education and~~"

AND

Page 9, line 2, delete "(3)" and substitute "~~(3)~~(2)"

AND

Page 9, delete line 10, and substitute the following:

"attendant care in the household;

(3) "Division" means the Division of Rehabilitation Services of the Department of Workforce Education and Rehabilitation Services;"

AND

Page 10, lines 12 and 13, delete "blind and severely disabled;" and substitute "~~blind and~~ severely disabled individuals;"

AND

Page 11, delete lines 1 through 3, and substitute the following:

~~"(13) "Service" means the Arkansas Rehabilitation Services established by the subchapter; and"~~

AND

Page 11, line 4, delete "(14)" and substitute "~~(14)~~(13)"

AND

Page 11, delete lines 11 through 18, and substitute the following:

"(a)(1) The Arkansas Division of Rehabilitation Services of the Department of Workforce Education and Rehabilitation Services shall be administered, under the general supervision and direction of the appropriate division of the Department of Human Services, by a deputy director, by a division director, who shall be appointed by the Director of the Department of Workforce Education and Rehabilitation Services in accordance with established personnel standards and on the basis of education, training, experience, and demonstrated ability in the field of rehabilitation and subject to the confirmation of the Senate.

(2) The director of the department shall delegate powers, authorities, duties, and functions to the Director of the Division of Rehabilitation Services as necessary and desirable for the administration and operation of the state plan for vocational rehabilitation services as it applies to individuals with disabilities who are not blind or visually handicapped."

AND

Page 11, delete line 30, and substitute the following:

"vocational rehabilitation services are to be provided in situations where ~~service~~ rehabilitation services cannot"

AND

Page 11, line 31, delete "service" and substitute "~~service~~ rehabilitation services"

AND

Page 11, line 32, delete "~~director board~~" and substitute "director of the department"

AND

Page 11, line 33, delete "service" and substitute "~~service~~ division"

AND

Page 11, line 34, delete "~~director board~~" and substitute "director of the department"

AND

Page 11, line 36, delete "service" and substitute "~~service~~ division"

AND

Page 12, line 1, "~~director board~~" and substitute "director of the department, the board,"

AND

Page 12, line 9, "~~director board~~" and substitute "director of the department,"

AND

Page 12, delete lines 17 through 36, and substitute the following:

~~"The deputy director of the appropriate division of the Department of Human Services~~ Director of the Division of Rehabilitation Services of the Department of Workforce Education and Rehabilitation Services shall provide the rehabilitation services authorized by this subchapter to ~~the physically or mentally disabled, including blind citizens and disabled individuals,~~ including those who can benefit from independent living services, as determined by the director to be eligible ~~therefor~~ for rehabilitation services. In carrying out the purposes of this subchapter, the ~~Arkansas Rehabilitation Services division~~ Arkansas Rehabilitation Services division is authorized, among other things:

(1) To be the ~~sole~~ primary state agency ~~primarily responsible to supervise and administer~~ for the supervision and administration of all functions and programs relating to the rehabilitation services authorized by this subchapter except ~~such~~ for:

(A) Such part as may be administered by a local agency in a political subdivision of the state, in which case the ~~service division~~ shall be the ~~sole~~ primary agency to supervise the local agency in the administration of that part; and

(B) Such part as is administered by the Division of State Services for the Blind of the Department of Human Services under §§ 25-10-201 – 25-10-208, which provides for the administration of rehabilitation services for individuals who are blind or visually handicapped;

(2) To enter into reciprocal agreements with other states to provide for the services authorized by this subchapter to residents of the

state concerned;

(3) To conduct research and compile statistics relating to the provision of services or the need of services of disabled individuals; and

~~(4) To license blind individuals to operate vending stands under its supervision and control and subject to the terms and conditions in regulations issued pursuant to § 20-79-204(b)(1) on:~~

~~(A) State property;~~

~~(B) County or municipal property;~~

~~(C) Federal property, pursuant to delegation of authority under the Randolph Sheppard Act and any amendment thereto or any act of Congress relating to this subject;~~

~~(D) Private property; and~~

~~(E) Subject to Acts 1945, No. 142, § 2 [superseded]; and~~

~~(5)~~(4) To provide for the establishment, supervision, and control of suitable business enterprises to be operated by the severely disabled individual, ~~including the blind~~, where the operation will be improved through the management and supervision of the ~~service~~ division."

AND

Page 13, delete lines 1 through 13 entirely

AND

Page 13, line 17, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 13, line 30, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 13, line 35, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 14, line 2, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 14, line 10, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 15, line 19, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 15, line 25, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 16, line 6, delete "deputy director" and substitute "~~deputy director~~ Director of the Division of Rehabilitation Services"

AND

Page 16, line 12, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 16, line 28, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 16, line 36, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 17, line 16, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 17, line 19, delete "department" and substitute "State Board of Workforce Education and Career Opportunities"

AND

Page 17, line 25, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 17, line 26, delete "currently" and substitute "~~currently~~"

AND

Page 17, line 31, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 18, line 7, delete "Department" and substitute "Division of

Rehabilitation Services of the Department"

AND

Page 18, delete lines 30 through 36, and substitute the following:

~~"of the Department of Workforce Education. The Director of the Department of Workforce Education and Rehabilitation Services shall designate an identifiable division within the department that shall be known as the Division of Rehabilitation Services. The division is responsible for the administration of the state plan for vocational rehabilitation services as it applies to individuals with disabilities who are not blind or visually handicapped. The division shall have the same authority and responsibility with respect to the administration and operation of vocational rehabilitation services for individuals with disabilities as other divisions of the department have with respect to the administration and operation of other programs of the department."~~

AND

Page 19, line 21, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 19, line 23, delete "State Board" and substitute "Department of Workforce Education and Rehabilitation Services and the State Board"

AND

Page 19, delete lines 26 through 31, and substitute the following:

"(b) Any and all statutory authority, powers, duties, functions, records, authorized positions, property, unexpended balances of appropriations, allocations, or other funds transferred from the Division of Rehabilitation Services to the Department of Human Services by Acts 1985, No. 348, ~~are hereby~~ that were transferred to the Arkansas Rehabilitation Services ~~or are transferred to the Department of Workforce Education and~~ Rehabilitation Services."

AND

Page 19, line 36, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 20, line 7, delete "Department" and substitute "Division of Rehabilitation Services of the Department"

AND

Page 20, delete lines 9 through 14, and substitute the following:

"(1) To be the ~~sole~~ state agency primarily responsible to



~~supervise and administer~~ for the supervision and administration of all functions and programs relating to the rehabilitation services authorized by this subchapter except such for:

(A) Such part or parts as may be administered by a local agency in a political subdivision of the state, in which case the Arkansas Rehabilitation Services Division shall be the sole primary agency to supervise such a local agency in the administration of such part or parts; and

(B) Such part as is administered by the Division of State Services for the Blind of the Department of Human Services under §§ 25-10-201 – 25-10-208, which provides for the administration of rehabilitation services for individuals who are blind or visually handicapped;"

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator T. Smith

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Secretary