

State of Arkansas

76th General Assembly

Regular Session, 1987

SENATE BILL 237

By: Senators Howell, Bell, Moore and Canada

"AN ACT TO TRANSFER THE DIVISION OF REHABILITATION SERVICES
OF THE DEPARTMENT OF HUMAN SERVICES TO THE GENERAL EDUCATION
DIVISION OF THE DEPARTMENT OF EDUCATION; AND FOR OTHER
PURPOSES."

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

SECTION 1. Effective July 1, 1987, the Division of Rehabilitation Services of the Department of Human Services is transferred to the General Education Division of the Department of Education by a Type 2 transfer, as defined by Section 2 of Act 38 of 1971, as amended, and shall be known as the Office of Rehabilitation Services.

SECTION 2. The policy and scope of the Office of Rehabilitation Services shall be to provide rehabilitation services to the extent needed and feasible, to eligible disabled and handicapped individuals throughout the State, to the end that they may engage in useful and remunerative occupations to the extent of the capabilities, and in rehabilitating handicapped individuals who, as a result of such rehabilitation, may be expected to achieve such ability of independent living as to dispense with, or largely dispense with, the need for institutional care or, if not institutionalized, to dispense with, or largely dispense with, the need for an attendant, thereby increasing the social and economic well being of themselves and their families and the productive capacity of the state and reducing the burden of dependency on families and taxpayers.

Pursuant to such policy, rehabilitation services shall be provided to citizens throughout the State and the rehabilitation plan adopted pursuant to this Act shall be in effect in all political subdivisions of the State.

SECTION 3. All authorities and responsibilities defined in Act 43 of 1955 as amended are hereby in force and shall be administered by the Office of Rehabilitation Services, except those transferred to the Rehabilitation Services for the Blind by Act 481 of 1983.

SECTION 4. Any and all appropriations for the Division of Rehabilitation Services of the Department of Human Services for fiscal year 1987, plus any additional legislative appropriation for the 1987-89 biennium for the Division of Rehabilitation Services shall be deemed to be an appropriation to and shall be made available for the operation and maintenance of the Office of Rehabilitation Services of the General Education Division of the Department of Education.

SECTION 5. Any and all statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the funds of purchasing or budgeting transferred to the Department of Social and Rehabilitative Services by Act 38 of 1971 or the Department of Human Services by Act 348 of 1985 are hereby transferred to the Office of Rehabilitation Services of the General Education Division of the Department of Education.

SECTION 6. The State Board of Education, through the Office of Rehabilitation Services, shall provide the rehabilitation services authorized by this Act to eligible physically or mentally disabled individuals and those who can benefit from independent living services, determined by the agency to be eligible therefor, and, in carrying out the purposes of this Act, the Office of Rehabilitation Services is authorized, among other things:

(a) to be the sole State agency to supervise and administer the rehabilitation services authorized by this Act except such part or parts as may be administered by a local agency in a political subdivision of the State, in which case the Service shall be the sole agency to supervise such local agency in the administration of such part or parts.

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

SECTION 7. All employees of the Office of Rehabilitation Services shall

be eligible for membership in the Public Employees Retirement System as provided by Act 793 of 1977, as amended, and by Section 2 of Act 667 of 1973, as amended.

SECTION 8. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 9. 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 General Education Division of the Department of Education will promote the improvement of rehabilitation services to the citizens of this State, and 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 effective from and after July 1, 1987.

