

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1777

By: Representative Mahony

For An Act To Be Entitled

"AN ACT TO ESTABLISH AN EDUCATIONAL SCREENING AND ASSESSMENT PROCESS TO IDENTIFY RECIPIENTS OF UNEMPLOYMENT COMPENSATION AND PUBLIC ASSISTANCE IN NEED OF LITERACY ENHANCEMENT; TO REQUIRE PARTICIPATION AS A CONDITION OF ELIGIBILITY FOR BENEFITS; AND FOR OTHER PURPOSES."

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

SECTION 1. Beginning July 1, 1989, or as soon thereafter as possible, the State Vocational-Technical Education Department, Adult Education Division, shall develop a literacy screening and assessment program to identify adults in need of literacy enhancement to be utilized by persons having initial contact with applicants and recipients of unemployment compensation under Ark. Code §§11-10-101 et seq. through the Employment Security Division of the Arkansas Department of Labor and public assistance under Ark. Code §§20-76-401 et seq. through the appropriate division of the Department of Human Services.

SECTION 2. Persons employed by the Employment Security Division and the appropriate division of DHS having initial contact with applicants and recipients of unemployment compensation and public assistance shall be trained to administer the literacy screening and assessment program to applicants and recipients by personnel of the State Vocational-Technical Education Department, Adult Education Division.

SECTION 3. (a) Beginning no later than September 1, 1989, no individual who has refused to participate in the literacy screening and assessment program shall receive any unemployment compensation through the Employment Security Division of the Arkansas Department of Labor or any welfare benefits administered by the appropriate divisions of DHS.

(b) In the event that federal statutes, rules, or regulations conflict with the requirements of this act or rules and regulations promulgated hereunder, the Employment Security Division and the appropriate division of the Department of Human Services are authorized to promulgate rules and regulations bringing the state's unemployment compensation and welfare programs into compliance with federal law after first obtaining the advice of the Legislative Council thereon, while pursuing, insofar as possible, the legitimate objectives of this act.

SECTION 4. (a) Beginning no later than July 1, 1991, no able-bodied individual who has been identified through screening and assessment of being in need for literacy enhancement who has refused to enroll and actively participate in literacy enhancement offered at no cost to the participant shall receive any unemployment compensation through the Employment Security Division of the Arkansas Department of Labor or any welfare benefits administered by the appropriate divisions of DHS.

(b) In the event that federal statutes, rules, or regulations conflict with the requirements of this act or rules and regulations promulgated hereunder, the Employment Security Division and the appropriate division of the Department of Human Services are authorized to promulgate rules and regulations bringing the state's unemployment compensation and welfare programs into compliance with federal law after first obtaining the advice of the Legislative Council thereon, while pursuing, insofar as possible, the legitimate objectives of this act.

(c) As used in this section, "able-bodied individual" shall be defined as all individuals between eighteen (18) years of age and sixty (60) years of age, except for those individuals:

- (1) Who are medically certified by a licensed physician as incapacitated; or
- (2) Whose presence in the home is required because of the medically certified illness or incapacity of another member of the household; or
- (3) Who are mothers or other relatives of a minor under three (3) years of age who are caring for the child and child care is not provided by the state for participants in the literacy program.

SECTION 5. (a) The Vocational-Technical Education Department, Adult

Education Division is hereby authorized to promulgate rules and regulations to implement the provisions of this act.

(b) The Employment Security Division of the Arkansas Department of Labor is hereby authorized to promulgate, with the assistance of the Vocational-Technical Education Department, Adult Education Division, rules and regulations to implement the provisions of this act.

(c) The appropriate division of the Department of Human Services is hereby authorized to promulgate, with the assistance of the Vocational-Technical Education Department, Adult Education Division, rules and regulations to implement the provisions of this act.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. EMERGENCY. It is hereby found and determined by the General Assembly that the effectiveness of this program created herein in the Vocational-Technical Education Department, Adult Education Division, requires immediate implementation of this act; that the literacy screening and assessment program will assist the state in developing a greatly needed adult literacy program statewide; that any delay in the effective date of this act could work irreparable harm upon the proper administration and provision of this essential governmental program. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect on and after its approval.