

March 24, 1955  
Opinion No. 55-61

REQUESTED BY: The Honorable C. L. Harkins, Division of  
Vocational Rehabilitation.

OPINION BY: ROBERT MORRISON, The Attorney General  
Gordon Aldrich, Assistant to  
The Attorney General

QUESTIONS: 1. Does the Division of Vocational Rehabili-  
tation have authority under Arizona law to  
enter into an agreement to make disability  
determinations called for by the Federal Act?

2. Does the Division of Vocational Rehabili-  
tation have authority to provide the Secre-  
tary of the Federal Department of Health,  
Education and Welfare with assistance in  
gathering information necessary to enable  
her to make determinations of disability  
under the Federal laws?

CONCLUSION: The answers to both questions are in the  
affirmative.

The question posed by Mr. Arthur C. Miller in his letter to  
Roland Bibolet consists of two parts, which, for the purpose of  
this opinion, are stated above.

In general, the federal statutes have an avowed purpose of  
the Federal Government to aid permanently and totally disabled  
persons in vocational rehabilitation. The purpose of the Federal  
enactments are accomplished by grants-in-aid to the individual  
states participating.

A requirement of participation on the part of the states is  
enabling legislation permitting the state to negotiate and other-  
wise deal with the Federal Government to accomplish the primary  
purpose expressed above.

Arizona, in order to participate in these grants-in-aid has  
enacted Sections 56-503 through 56-510, inclusive. The pertinent  
section concerned with the inquiry is Section 56-505, which is  
set out as follows:

"56-505. Duties of division.--The division of vocational rehabilitation, under the general supervision of the state board of vocational education, shall cooperate in carrying out the purposes of federal statutes pertaining to vocational rehabilitation. The division may adopt such methods of administration as are found by the federal government to be necessary for the proper and efficient operation of agreements relating to vocational rehabilitation, and shall comply with such conditions as may be deemed necessary to secure the full benefits of such federal statutes. The division is authorized to: 1. Cooperate with other departments, agencies and institutions in providing for the vocational rehabilitation of disabled persons and studying the problems involved therein, and in establishing, developing and providing such programs, facilities and services as may be deemed necessary or desirable; 2. enter into reciprocal agreements with other states to provide for vocational rehabilitation of residents of the states concerned, and 3. conduct research and compile statistics relating to the vocational rehabilitation of disabled persons."

The scope or purview of the Section is generally expressed in the words:

". . . shall cooperate in carrying out the purposes of the federal statutes pertaining to vocational rehabilitation . . ."

The scope or purview of a statute is frequently considered by the Courts in its interpretation. RUTLEDGE vs. CRAWFORD, 27 Pac 779. A statute should be interpreted so as to render it consistent and in conformity with its general scope and purview. HILL vs. GILA COUNTY, 56 Ariz. 317.

Under this rule, it has been held that the words of a statute, even though they are of narrow signification, may be enlarged to conform to the scope of the statute. LEITZSEY vs. COLUMBIA WATER POWER COMPANY, 25 SE 744.

The scope of the Arizona section concerned with vocational rehabilitation is also expressed in Section 56-504, A.C.A. 1939, as follows:

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"56-504. Division of vocational rehabilitation.  
--The state board of vocational education shall maintain a division of vocational rehabilitation, which shall provide vocational rehabilitation service to disabled persons deemed eligible therefor as provided in this act."

and this is in general accord with the federal legislation on the subject. Section 56-505, cited above, also contains the words:

". . . efficient operation of agreement relating to vocational rehabilitation . . ."

We consider the language of the Arizona legislation broad enough to answer the two questions posed in the affirmative. This office would, however, advocate passage of the suggested legislation submitted by the Regional Attorney, which expressly provides for the purposes of the federal statutes.

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