

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Thicksten**

A Bill

HOUSE BILL 1435

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-17-1403 TO
9 REQUIRE SCHOOL DISTRICTS TO REIMBURSE THE PUBLIC SCHOOL
10 FUND THE COST OF WORKERS_ COMPENSATION AWARDS PAID TO THE
11 WORKERS_ COMPENSATION REVOLVING FUND FROM THE PUBLIC
12 SCHOOL FUND; TO ADD A NEW SECTION TO TITLE 6, CHAPTER 17,
13 SUBCHAPTER 14 TO REQUIRE THAT SCHOOL DISTRICTS SHALL
14 PROVIDE MANDATORY SAFETY TRAINING FOR ALL EMPLOYEES; AND
15 FOR OTHER PURPOSES."

Subtitle

17 "TO REQUIRE SCHOOL DISTRICTS TO REIMBURSE THE PUBLIC
18 SCHOOL FUND FOR AWARDS PAID TO THE WORKERS_ COMPENSATION
19 FUND."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code § 6-17-1403 is hereby amended to read as
25 follows:

26 "6-17-1403. Financing coverage.

27 (a) The General Assembly shall biennially appropriate funds as it shall
28 deem necessary to cover awards made to school district employees under the
29 provisions of this subchapter.

30 (b) All funds so appropriated by the General Assembly shall be
31 deposited in the Workers_ Compensation Revolving Fund, and all awards made
32 under the provisions of this subchapter shall be paid from the fund on
33 vouchers drawn by the *Public Employee Claims Division of the State Insurance*
34 *Department*.

35 (c) Annually on July 1, the *Public Employee Claims Division of the*

1 State Insurance Department shall certify to the Chief Fiscal Officer of the
2 State the amounts of all awards made and paid during the preceding year to or
3 in behalf of public school employees, and the Chief Fiscal Officer of the
4 State shall cause to be transferred to the Workers_ Compensation Revolving
5 Fund from the Public School Fund the amount as was certified to him as having
6 been paid hereunder in behalf of public school employees.

7 (d) Beginning with fiscal year 1994, the Arkansas Department of
8 Education shall withhold from each local school district's Minimum Foundation
9 Program Aid (MFPA) thirty-five hundredths percent (.35%) times the gross
10 contracted salaries for each district for the previous fiscal year.

11 (e) Beginning with fiscal year 1995, the Public Employees Claims
12 Division of the State Insurance Department shall establish experience ratings
13 for each local school district by dividing each district's previous year's
14 workers' compensation contribution requirement by the gross contracted
15 salaries for the district for the previous fiscal year. The Department of
16 Education shall withhold from each local school district the greater amount of
17 the product of the assigned experience rating times the gross contracted
18 salaries for each district for the previous fiscal year or thirty-five
19 hundredths percent (.35%) times the gross contract salaries of the district
20 for the previous fiscal year. However, the Department of Education shall not
21 withhold from any school district an amount greater than two percent (2%) of
22 the gross contracted salaries of the district for the previous fiscal year.

23 (f) The State Board of Education is hereby authorized to adopt rules
24 and regulations to implement subsection (d) and (e).

25 (g) The director shall also cause to be transferred to the Workers_
26 Compensation Commission Revolving Fund from the Public School Fund such
27 amounts as may be certified to him by the Public Employee Claims Division of
28 the State Insurance Department as the cost of administering the provisions of
29 this subchapter for public school employees."
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31 SECTION 2. Title 6, Chapter 17, Subchapter 14 is hereby amended by
32 adding a new section to read as follows:

33 "6-17-1406.

34 (a) A school district shall provide mandatory safety training designed
35 and approved by the State Department of Labor for all employees of the

1 district.

2 (b) The State Board of Education is hereby authorized to adopt rules
3 and regulations necessary to implement this section."

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5 SECTION 3. All provisions of this act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.

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9 SECTION 4. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

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15 SECTION 5. All laws and parts of laws in conflict with this act are
16 hereby repealed.

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23 /s/Edward F. Thicksten

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As Engrossed: 2/12/93 2/17/93

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