

HOUSE BILL No. 4740

May 1, 1989, Introduced by Reps. DeLange, Watkins, Muxlow, Krause, Hillegonds, Crandall, Middaugh, Van Regenmorter, Dolan, Sparks, London, Bankes, Bender, Gnodtke, Bandstra, Fitzgerald, Allen, Mathieu, Jaye, Emmons, Runco and Barns and referred to the Committee on Labor.

A bill to amend section 261 of Act No. 317 of the Public Acts of 1969, entitled as amended
"Worker's disability compensation act of 1969,"
as amended by Act No. 103 of the Public Acts of 1985, being section 418.261 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 261 of Act No. 317 of the Public Acts of
2 1969, as amended by Act No. 103 of the Public Acts of 1985, being
3 section 418.261 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 261. (1) The chairperson of the board shall employ a
6 chief administrative officer for the board. The chairperson
7 shall have general supervisory control of and be in charge of the
8 assignment and reassignment of the work of the board and the
9 board's employees, including the scheduling of the docket;

1 establishing office hours and procedures; setting productivity
2 standards; and encouraging the use of arbitration, if
3 appropriate. The board may promulgate rules on administrative
4 appellate procedure.

5 (2) Except as otherwise provided for in this act, a matter
6 pending review before the appeal board shall be assigned to a
7 panel of 2 members of the board for disposition, with each panel
8 comprised of 1 member each from the employee and employer repre-
9 sentatives, the employee and general public representatives, the
10 employer and general public representatives, or 2 members repre-
11 sentative of the general public. The decision reached by the
12 assigned members of a panel shall be the final decision of the
13 board. If the members of a panel cannot reach a decision, the
14 chairperson of the board shall assign a third panel member to
15 review the matter. The third member shall be from a designated
16 representative group that is not already represented on the
17 panel, except for a panel of 2 members representative of the gen-
18 eral public in which case the third member shall be a representa-
19 tive of the general public. The decision of the third member
20 shall be controlling and shall be considered to be the final
21 decision of the board.

22 (3) In addition to other duties of the chairperson pre-
23 scribed in this section, he or she shall preliminarily review
24 matters before the appeal board to determine if those matters may
25 be disposed of by arbitration or in some expeditious manner by
26 the appeal board.

1 (4) The chairperson shall exercise his or her powers and
2 duties under this section for the purpose of disposing of the
3 cases to be heard by the appeal board not later than July 1,
4 ~~1989~~ 1991 and shall annually report to the governor and the
5 legislature regarding the disposition or lack thereof of these
6 cases.

7 (5) This section is repealed as provided for in section
8 266.

9 Section 2. This amendatory act shall not take effect unless
10 all of the following bills of the 85th Legislature are enacted
11 into law:

12 (a) House Bill No. 4094.

13 (b) Senate Bill No. _____ or House Bill No. 4741 (request
14 no. 02798'89 *).