

SENATE BILL No. 419

May 3, 1989, Introduced by Senators DILLINGHAM,
CROPSEY, SCHWARZ and DI NELLO and referred to the
Committee on Human Resources and Senior Citizens.

A bill to amend Act No. 317 of the Public Acts of 1969,
entitled as amended
"Worker's disability compensation act of 1969,"
as amended, being sections 418.101 to 418.941 of the Michigan
Compiled Laws, by adding section 252.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 317 of the Public Acts of 1969, as
2 amended, being sections 418.101 to 418.941 of the Michigan
3 Compiled Laws, is amended by adding section 252 to read as
4 follows:

5 SEC. 252. (1) BEGINNING JULY 1, 1989, A WORKER'S COMPENSA-
6 TION APPEAL BOARD IS CREATED, REFERRED TO IN THIS ACT AS THE
7 BOARD. THE BOARD SHALL CONSIST OF 30 MEMBERS, A MAJORITY OF WHOM
8 SHALL BE ATTORNEYS AT LAW WHO ARE MEMBERS IN GOOD STANDING WITH
9 THE STATE BAR OF MICHIGAN. OF THE BOARD MEMBERS, 5 SHALL BE

1 REPRESENTATIVE OF EMPLOYEE INTERESTS IN THE STATE, 5 MEMBERS
2 SHALL BE REPRESENTATIVE OF EMPLOYER INTERESTS OF THE STATE, AND
3 20 MEMBERS SHALL BE REPRESENTATIVE OF THE GENERAL PUBLIC. A
4 MEMBER OF THE BOARD SHALL DEVOTE HIS OR HER ENTIRE TIME TO AND
5 PERSONALLY PERFORM THE DUTIES OF THE OFFICE AND SHALL NOT ENGAGE
6 IN OTHER BUSINESS OR PROFESSIONAL ACTIVITY. THE GOVERNOR, WITH
7 THE ADVICE AND CONSENT OF THE SENATE, SHALL APPOINT THE MEMBERS
8 FOR A TERM ENDING SEPTEMBER 30, 1991. A VACANCY SHALL BE FILLED
9 FOR AN UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL
10 APPOINTMENT. A PERSON APPOINTED TO FILL A VACANCY SHALL NOT BE
11 SUBJECT TO THE PRODUCTIVITY STANDARDS OF THIS SECTION UNTIL THE
12 FIRST FULL PERIOD OF THE STANDARDS OCCURRING AFTER HIS OR HER
13 APPOINTMENT. THE GOVERNOR SHALL DESIGNATE THE CHAIRPERSON OF THE
14 BOARD FROM AMONG THE MEMBERS TO SERVE AT THE PLEASURE OF THE
15 GOVERNOR. A MEMBER OF THE APPEAL BOARD MAY BE REMOVED BY THE
16 GOVERNOR FOR GOOD CAUSE. HOWEVER, EXCEPT AS OTHERWISE PROVIDED
17 IN THIS SUBSECTION, A MEMBER SHALL BE REMOVED FROM OFFICE FOR
18 FAILURE TO MEET THE PRODUCTIVITY STANDARDS SET BY THIS SUBSECTION
19 FOR EACH OF THE TIME PERIODS INDICATED IF THE CHAIRPERSON DOES
20 NOT CERTIFY THAT THE MEMBER HAS MET THE STANDARDS. BEGINNING
21 JULY 1, 1989, EACH MEMBER OF THE BOARD, WITH THE EXCEPTION OF THE
22 CHAIR, SHALL BE REQUIRED TO PRODUCE 54 WRITTEN OPINIONS FOR THE
23 PERIOD FROM JULY 1, 1989 THROUGH MARCH 31, 1990, AND 36 OPINIONS
24 EACH 6-MONTH PERIOD THEREAFTER, AND SHALL BE REQUIRED TO PARTICI-
25 PATE AS A SECOND OR THIRD PANEL MEMBER ON ADDITIONAL CASES DURING
26 EACH RESPECTIVE PERIOD AS DIRECTED BY THE CHAIRPERSON. THE ONLY
27 EXCEPTION TO THIS PRODUCTIVITY STANDARD REQUIREMENT IS IF A

1 MEMBER IS ABSENT FROM WORK FOR 1 MONTH OR MORE DUE TO ILLNESS OR
2 DISABILITY RESULTING FROM PREGNANCY, CHILDBIRTH, OR ANY OTHER
3 MEDICAL CONDITIONS. EACH MEMBER WHO EXCEEDS THE PRODUCTIVITY
4 STANDARD OF 54 WRITTEN OPINIONS BY 18 WRITTEN OPINIONS OR MORE
5 AND EACH MEMBER WHO EXCEEDS THE PRODUCTIVITY STANDARD OF 36 WRIT-
6 TEN OPINIONS BY 12 WRITTEN OPINIONS OR MORE SHALL RECEIVE NOT
7 LATER THAN 1 MONTH AFTER THAT PERIOD AN ADDITIONAL BONUS PAYMENT
8 OF \$2,000.00.

9 (2) THIS SECTION IS REPEALED AS PROVIDED FOR IN SECTION 266.

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

13 (a) Senate Bill No. 421.

14 (b) Senate Bill No. 420.

15 (c) Senate Bill No. 422.