

# SENATE BILL No. 421

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

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 sec-  
tion 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 AS CONSTITUTED PURSUANT TO  
4 SECTION 251A not later than ~~July 1, 1989~~ SEPTEMBER 30, 1991 and  
5 shall annually report to the governor and the legislature regard-  
6 ing the disposition or lack thereof of these 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) Senate Bill No. 419.

13       (b) Senate Bill No. 420.

14       (c) Senate Bill No. 422.