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BILL ANALYSIS



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Senate Bill 316 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Elections and Government Reform

CONTENT

The bill would amend the Open Meetings Act to provide exemptions from the Act for the Employment Relations Commission and the Michigan Compensation Appellate Commission.

The Act requires all meetings of a public body to be open to the public. Subject to certain exceptions, all deliberations of a public body constituting a quorum of its members must take place at a meeting open to the public. In addition, all decisions of a public body must be made at a meeting open to the public.

The Act does not apply to various public bodies or individuals when they are deliberating the merits of a case. These include an arbitrator or arbitration panel appointed by the Employment Relations Commission. The bill also would exempt the Commission itself.

The current exemptions also include the Worker's Compensation Appeal Board created under the Worker's Disability Compensation Act and the Michigan Employment Security Board of Review created under the Michigan Employment Security Act.

The bill, instead, would exempt the Michigan Compensation Appellate Commission operating as described in either Section 274 of the Worker's Disability Compensation Act or Section 34 of the Michigan Employment Security Act.

(Section 274 of the Worker's Disability Compensation Act authorizes the Commission to decide appeals from orders of the Director of the Worker's Compensation Agency and workers' compensation magistrates. Section 34 of the Michigan Employment Security Act authorizes the Commission to hear appeals of decisions of administrative law judges within the Unemployment Insurance Agency. A series of Executive Orders abolished the Worker's Compensation Appeal Board and the Employment Security Board of Review, which the Open Meetings Act refers to, and transferred their functions to the existing Commission.)

MCL 15.263

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

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