

HOUSE BILL No. 5016

June 27, 1991, Introduced by Reps. Oxender, Saunders, Bartnik, DeLange, Nye, Middleton, McNutt, Munsell, Bandstra, Middaugh, Brackenridge, Alley, Gnodtke, Hillegonds, Owen, Bender, Ostling, Clack, Perry Bullard, Bennett, Fitzgerald, McBryde, Randall, Walberg, Jaye, Allen, Bryant, Stopczynski, Bodem, London, Dalman, Dobb, Martin, Hoekman, Hoffman, Shugars, Dolan, Dresch, Horton, Bobier, Sparks, Sikkema. Knight, Niederstadt, Strand, Van Singel, Muxlow, O'Connor and Trim and referred to the Committee on Labor.

A bill to amend section 16 of Act No. 1 of the Public Acts of the Extra Session of 1936, entitled as amended "Michigan employment security act," being section 421.16 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 16 of Act No. 1 of the Public Acts of
2 the Extra Session of 1936, being section 421.16 of the Michigan
3 Compiled Laws, is amended to read as follows:
4 Sec. 16. ~~If not~~ NOT later than 3 years after the date of
5 payment of ~~any~~ AN amount as contributions or interest ~~thereon~~
6 ON AN AMOUNT, an employing unit ~~which has paid such amount shall~~
7 ~~make application~~ MAY APPLY for an adjustment or refund,
8 ~~thereof~~ AND the commission shall determine whether ~~such~~ THE
9 contributions or interest or any portion ~~thereof~~ OF THE
10 CONTRIBUTIONS OR INTEREST was erroneously collected. ~~, and the~~

1 THE employing unit shall be promptly notified of ~~such~~ THE
2 COMMISSION'S determination, which ~~shall become~~ BECOMES final
3 unless the employing unit files with the commission an applica-
4 tion for redetermination ~~thereof~~ in accordance with ~~the provi-~~
5 ~~sions of~~ section 32a. If it is finally determined,
6 redetermined, or otherwise decided that any amount ~~thus~~ at
7 issue was erroneously collected, the commission shall allow
8 ~~such~~ THE employing unit to make an adjustment ~~thereof,~~
9 ~~without~~ OF THE AMOUNT, WITH interest, in connection with subse-
10 quent contribution payments by ~~him~~ THE EMPLOYING UNIT. If the
11 adjustment cannot be made within the ~~ensuing~~ NEXT 3 months, the
12 commission shall refund the amount, ~~without~~ WITH interest, from
13 the appropriate fund or funds. For like cause, in the same
14 manner, and within the same period, AN adjustment or refund may
15 be made by the commission on its own initiative. When the indi-
16 vidual owner of an employing unit who is entitled to a refund
17 dies or is legally declared insane or mentally incompetent, the
18 refund ~~shall become~~ BECOMES due and payable to the person who
19 appears to the commission, upon investigation, to be the legal
20 heir or guardian of the individual owner, or to any other person
21 found by the commission to be equitably entitled to the refund by
22 reason of having incurred expenses in behalf of the individual
23 owner for his OR HER burial or other necessary expenses.