



House Bill 6160 (as passed by the House)
Sponsor: Representative William Byl
House Committee: Human Resources and Labor
Senate Committee: Human Resources, Labor and Veterans Affairs

Date Completed: 12-3-96

CONTENT

The bill would amend the Michigan Employment Security Act to revise requirements concerning the mailing or publication of certain notices by the Michigan Employment Security Commission (MESC).

The Act authorizes the MESC to promulgate rules and regulations, and provides that no rule or regulation may be made or changed until after a public hearing. Notice of the hearing must be given at least 20 days before the hearing by publication in a daily newspaper published in each congressional district of the State; in a county with a population of 300,000 or more, notice must be published in a daily newspaper published in the county. The bill would require publication, instead, in at least three newspapers of general circulation in different parts of the State, including one in the Upper Peninsula.

The Act permits the MESC to make assessments against an employer, claimant, Commission employee, or third party who fails to pay contributions, reimbursements, penalties, forfeitures, or interest as required. The MESC immediately must notify the employer, claimant, employee, or third party of the assessment by certified or registered mail, return receipt demanded. The bill would require notice by first-class mail, instead.

Currently, if an employer, claimant, Commission employee, or third party is delinquent in making a payment, the MESC may give notice of the amount of the delinquency either by personal service or by registered mail. The bill would allow notice by personal service or mail.

The Act permits the MESC to issue a determination terminating the coverage of an employing unit, under certain circumstances, and requires the Commission to mail notice of the determination by certified or registered mail. The bill would require notice by first-class mail.

MCL 421.4 et al.

Legislative Analyst: S. Margules

FISCAL IMPACT

This bill would eliminate the requirement that a determination letter be sent by certified mail, and allow it to be sent by first-class mail. The Michigan Employment Security Commission estimates that this change could save the Commission \$80,000 in Federal funds annually for postage costs. Additionally, the bill would reduce the requirement of notification of a public hearing regarding rule

changes. The current language mandates notification in a newspaper in every congressional district. The bill would reduce the number to three newspapers statewide. The Commission estimates that this change could save approximately \$10,000 in Federal funds annually.

Fiscal Analyst: M. Tyszkiewicz

S9596\S6160SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.