

HOUSE BILL No. 4298

February 12, 1997, Introduced by Reps. Oxender, Gernaat, Hammerstrom, Fitzgerald and Birkholz and referred to the Committee on Labor and Occupational Safety.

A bill to amend 1969 PA 317, entitled
"Worker's disability compensation act of 1969,"
(MCL 418.101 to 418.941) by adding section 162.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 162. (1) AN EMPLOYER WHO HAS RECEIVED AN EXEMPTION
2 UNDER SECTION 3127 OF THE FEDERAL INSURANCE CONTRIBUTIONS ACT, 26
3 U.S.C. 3127, MAY FILE AN APPLICATION WITH THE DIRECTOR TO BE
4 EXCLUDED FROM THE PAYMENT OF COMPENSATION AND OTHER BENEFITS
5 UNDER THIS ACT WITH RESPECT TO ANY EMPLOYEE WHO HAS ALSO RECEIVED
6 AN EXEMPTION UNDER SECTION 3127 OF THE FEDERAL INSURANCE CONTRI-
7 BUTIONS ACT. THE APPLICATION SHALL INCLUDE A WRITTEN WAIVER BY
8 THE EMPLOYEE OF ALL COMPENSATION AND OTHER BENEFITS UNDER THIS
9 ACT.
10 (2) THE APPLICATION REQUIRED BY SUBSECTION (1) SHALL BE MADE
11 UPON A FORM PRESCRIBED BY THE DIRECTOR.

1 (3) THE APPLICATION SHALL BE APPROVED IF THE DIRECTOR
2 DETERMINES THAT BOTH THE EMPLOYER AND THE EMPLOYEE QUALIFY FOR
3 THE EXEMPTIONS IN SECTION 3127 OF THE FEDERAL INSURANCE CONTRIBU-
4 TIONS ACT AS DESCRIBED IN SUBSECTION (1).

5 (4) IF THE EMPLOYEE UNDER SUBSECTION (1) IS A MINOR, THE
6 WAIVER AND AFFIDAVIT REQUIRED BY SUBSECTION (1) MAY BE MADE BY A
7 PARENT OR GUARDIAN OF THE MINOR.

8 (5) AN EXCLUSION APPROVED UNDER THIS SECTION WITH REGARD TO
9 A SPECIFIC EMPLOYER AND EMPLOYEE SHALL BE VALID FOR ALL FUTURE
10 YEARS UNLESS EITHER THE EMPLOYEE OR EMPLOYER CEASES TO MEET THE
11 REQUIREMENTS OF THIS SECTION.