

# HOUSE BILL No. 6199

June 13, 2002, Introduced by Rep. Ehardt and referred to the Committee on Insurance and Financial Services.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 2030 (MCL 500.2030).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2030. (1) At the time and place fixed for the hearing  
2 referred to in section 2029, the person shall have an opportunity  
3 to be heard, to be represented by counsel, and to show cause why  
4 an order should not be made by the commissioner requiring the  
5 person to cease and desist from the acts, methods, or practices  
6 complained of. Upon A showing by any person that he OR SHE has  
7 an interest likely to be affected adversely, the commissioner  
8 shall permit that person to intervene, appear, and be heard at  
9 the hearing by counsel or in person.

1           (2) The burden of proof at the hearing shall be upon the  
2 agency or upon an intervenor who intervened in opposition to the  
3 person who is the subject of the proceeding.

4           (3) The commissioner or his OR HER designate shall preside  
5 over the hearing. ~~, except that an independent hearing officer~~  
6 ~~shall be designated by the commissioner if requested by the~~  
7 ~~person who is the subject of the proceedings. The independent~~  
8 ~~hearing officer shall be selected by the commissioner from a list~~  
9 ~~of individuals submitted by the American arbitration association~~  
10 ~~qualified to conduct hearings on behalf of the commissioner. A~~  
11 ~~list of the individuals shall be maintained by the commissioner~~  
12 ~~and shall be compiled pursuant to rules promulgated by the~~  
13 ~~commissioner. The rules shall set forth the qualifications, cri-~~  
14 ~~teria, and procedures to be utilized in the compilation of the~~  
15 ~~list of independent hearing officers. The person subject to the~~  
16 ~~proceedings may exercise 1 peremptory dismissal of the hearing~~  
17 ~~officer selected, if exercised within 20 days after~~  
18 ~~notification.~~