

# SENATE BILL No. 113

March 10, 1987, Introduced by Senators NICHOLS, CROPSEY, WELBORN,  
GEAKE, BINSFELD and GAST and referred to the Committee on  
Human Resources and Senior Citizens.

A bill to amend section 55 of Act No. 154 of the Public Acts  
of 1974, entitled as amended

"Michigan occupational safety and health act,"

as amended by Act No. 24 of the Public Acts of 1986, being sec-  
tion 408.1055 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 55 of Act No. 154 of the Public Acts of  
2 1974, as amended by Act No. 24 of the Public Acts of 1986, being  
3 section 408.1055 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5       Sec. 55. (1) To accomplish the objectives outlined in sec-  
6 tion 54, a safety education and training fund is created. The  
7 state treasurer shall be custodian of the fund and may invest the  
8 surplus of the fund in investments as in the state treasurer's  
9 judgment are in the best interest of the state. Earnings from

1 those investments shall be credited to the fund. The state  
2 treasurer shall notify the director of the department of labor  
3 and the legislature of interest credited and the balance of the  
4 safety education and training fund as of December 31 of each  
5 year.

6 (2) The director of the department of labor shall supervise  
7 and administer the fund. The director shall annually assess a  
8 ~~levy~~ SUM based on the total annual worker's disability compen-  
9 sation losses, excluding medical payments, paid in the previous  
10 calendar year by employers under the worker's disability compen-  
11 sation act of 1969, Act No. 317 of the Public Acts of 1969, as  
12 amended, being sections 418.101 to 418.941 of the Michigan  
13 Compiled Laws. As soon as practicable after January 1, 1986, and  
14 each year thereafter, the director, except as provided in this  
15 subsection and subsection (3), shall assess upon and collect from  
16 each carrier, self-insured employer, and the ~~state~~ accident  
17 fund a sum equal to that proportion of 50% of the current fiscal  
18 year appropriation of safety education and training funds which  
19 the total worker's disability compensation benefits, exclusive of  
20 medical payments, paid by each carrier, the ~~state~~ accident  
21 fund, or each self-insured employer bears to the total of the  
22 compensation benefits paid by all carriers, self-insured employ-  
23 ers, and the ~~state~~ accident fund during the previous calendar  
24 year, except the total amount ~~levied~~ ASSESSED annually shall  
25 not exceed 3/4 of 1% of the total of the compensation benefits  
26 paid by all carriers, self-insured employers, and the ~~state~~  
27 accident fund during the previous calendar year. Funds which are

1 unexpended at the end of each fiscal year shall be returned to  
2 the safety education and training fund.

3 (3) If at any time during the fiscal year in which the  
4 assessment required by subsection (2) is made the balance of  
5 money in the safety education and training fund would be less  
6 than \$1,500,000.00, the assessment shall equal the total fiscal  
7 year appropriation of safety education and training funds.

8 (4) Notice of the assessments shall be sent by the director  
9 of the department of labor by mail to each carrier. Payment of  
10 assessments shall be received in the principal office of the  
11 department of labor before a date specified uniformly in the  
12 notice, but not less than 90 days after the date of mailing.

13 (5) The ~~levy~~ assessments shall constitute an element of  
14 loss for the purpose of establishing rates for worker's disabil-  
15 ity compensation insurance. Funds derived from ~~this levy~~ THESE  
16 ASSESSMENTS shall be deposited in the safety education and train-  
17 ing fund and shall be appropriated by the legislature for the  
18 operation of this program.

19 (6) To enable full and complete legislative review of the  
20 assessment process, the department of labor, not later than  
21 September 30, 1991, shall submit to the legislature and the house  
22 OF REPRESENTATIVES and senate committees that consider labor mat-  
23 ters a written report on the status of the safety education and  
24 training assessment required by this section. The report shall  
25 include, but not be limited to, information on the TOTAL amount  
26 of the assessment, the percentage of the assessment as compared

