

SENATE BILL No. 1001

February 10, 2000, Introduced by Senators A. SMITH, GOSCHKA, YOUNG, KOIVISTO, DINGELL, NORTH, MILLER, BENNETT, JOHNSON, MURPHY, DE BEAUSSAERT and STEIL and referred to the Committee on Technology and Energy.

A bill to amend 1971 PA 227, entitled

"An act to prescribe the rights and duties of parties to home solicitation sales,"

(MCL 445.111 to 445.117) by adding section 17.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 17. (1) FOR ALL COMPLAINTS FILED UNDER SECTION 18,
2 BEFORE INITIATING A PROCEEDING WITH THE COMMISSION, THE PARTIES
3 SHALL ATTEMPT ALTERNATIVE MEANS OF RESOLVING THE COMPLAINT.
4 (2) ANY ALTERNATIVE MEANS THAT WILL RESULT IN A RECOMMENDED
5 SETTLEMENT MAY BE USED THAT IS AGREED TO BY THE PRINCIPAL PARTIES
6 OF RECORD, INCLUDING, BUT NOT LIMITED TO, SETTLEMENT CONFERENCES,
7 MEDIATION, AND OTHER INFORMAL DISPUTE RESOLUTION METHODS. IF THE
8 PARTIES CANNOT AGREE ON AN ALTERNATIVE MEANS WITHIN 20 DAYS AFTER
9 THE DATE THE COMPLAINT IS FILED, THE COMMISSION SHALL ORDER
10 MEDIATION. WITHIN THE 45-DAY PERIOD FROM THE DATE MEDIATION IS

1 ORDERED UNDER THIS SUBSECTION, A RECOMMENDED SETTLEMENT SHALL BE
2 MADE TO THE PARTIES.

3 (3) WITHIN 7 DAYS AFTER THE DATE OF THE RECOMMENDED SETTLE-
4 MENT, EACH PARTY SHALL FILE WITH THE COMMISSION A WRITTEN ACCEP-
5 TANCE OR REJECTION OF THE RECOMMENDED SETTLEMENT. IF THE PARTIES
6 ACCEPT THE RECOMMENDATION, THEN THE RECOMMENDATION SHALL BECOME
7 THE FINAL ORDER IN A PROCEEDING UNDER SECTION 18.

8 (4) IF A PARTY REJECTS THE RECOMMENDED SETTLEMENT, THEN THE
9 APPLICATION OR COMPLAINT SHALL PROCEED TO A PROCEEDING UNDER
10 SECTION 18.

11 Enacting section 1. This amendatory act does not take
12 effect unless Senate Bill No. 990
13 of the 90th Legislature is enacted into
14 law.