

# SENATE BILL No. 1308

May 9, 2002, Introduced by Senator STEIL and referred to the Committee on Human Resources and Labor.

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 853 (MCL 418.853), as amended by 1994 PA 271.

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

1       Sec. 853. Process and procedure under this act shall be as  
2 summary as reasonably may be. The director, worker's compensa-  
3 tion magistrates, AND arbitrators ~~, and the board~~ shall have  
4 the power to administer oaths, subpoena witnesses, and to examine  
5 such parts of the books and records of the parties to a proceed-  
6 ing as relate to questions in dispute. A SUBPOENA MAY BE SIGNED  
7 BY AN ATTORNEY OF RECORD FOR EITHER PARTY TO A CONTESTED CLAIM  
8 WHO IS LICENSED BY THE STATE BAR OF MICHIGAN AND IF SIGNED BY  
9 THAT ATTORNEY HAS THE SAME FORCE AND EFFECT AS AN ORDER SIGNED BY  
10 THE DIRECTOR OR A WORKER'S COMPENSATION MAGISTRATE. FOR PURPOSES

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1 OF THIS SECTION, AN AUTHORIZED SIGNATURE INCLUDES, BUT IS NOT  
2 LIMITED TO, SIGNATURES WRITTEN BY HAND, PRINTED, STAMPED, TYPE-  
3 WRITTEN, ENGRAVED, PHOTOGRAPHED, OR LITHOGRAPHED. THE SUBPOENA  
4 MUST COMPLY WITH THE BUREAU FORMAT. RECORDS SUBPOENAED MAY BE  
5 SENT TO THE ATTORNEY OF RECORD ISSUING THE SUBPOENA UNLESS  
6 DIRECTED OTHERWISE BY THE DIRECTOR OR THE WORKER'S COMPENSATION  
7 MAGISTRATE ASSIGNED TO THE CONTESTED CLAIM. Any witness who  
8 refuses to obey a subpoena, who refuses to be sworn or testify,  
9 or who fails to produce any papers, books, or documents touching  
10 any matter under investigation or any witness, party, or attorney  
11 who is guilty of any contempt while in attendance at any hearing  
12 held under this act may be punished as for contempt of court. An  
13 application for this purpose may be made to any circuit court  
14 within whose jurisdiction the offense is committed and for which  
15 purpose the court is given jurisdiction.