



# HOUSE BILL No. 4212

January 30, 1995, Introduced by Rep. Bryant and referred to the Committee on Appropriations.

A bill to establish a program of voluntary state service; to establish the nonprofit VISION corporation to administer portions of that program; and to prescribe the powers and duties of certain state and local agencies and officers.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "citizenship and state service act".

3       Sec. 2. For purposes of this act, the words and phrases  
4 defined in sections 3 to 5 have the meanings ascribed to them in  
5 those sections.

6       Sec. 3. (1) "Area" means a volunteer service area desig-  
7 nated under section 40.

8       (2) "Board" means the board of directors of the VISION  
9 corporation as established under section 21.

1 (3) "Citizens corps" means the Michigan state citizens corps  
2 established in section 10.

3 (4) "Community service" means service of the type described  
4 in section 13 and other services essential and necessary to the  
5 community as the VISION corporation prescribes by rule.

6 (5) "Council" means a council for a volunteer service area  
7 established under section 41.

8 Sec. 4. (1) "Educational institution" means a vocational  
9 school, including a technical school, or institution of higher  
10 learning.

11 (2) "Institution of higher learning" means a 2- or 4-year  
12 institution that offers an organized course of academic study  
13 primarily oriented toward the awarding of associate, baccalaure-  
14 ate, master's, doctoral, or other academic degrees.

15 (3) "Local government" means a general purpose political  
16 subdivision of the state that has the power to levy taxes and  
17 spend funds, as well as general corporate and police powers, and  
18 that participates in the citizens corps program.

19 (4) "National guard" means the army national guard and the  
20 air national guard of this state.

21 (5) "Nonprofit organization" means an organization that is  
22 described in section 501(c) of the internal revenue code and is  
23 exempt from taxation under section 501(a) of the internal revenue  
24 code.

25 Sec. 5. (1) "Program of education or training" means a cur-  
26 riculum or combination of unit courses or subjects pursued at an  
27 educational institution or training establishment that is

1 generally accepted as necessary to fulfill requirements for the  
2 attainment of a predetermined and identified educational, profes-  
3 sional, or vocational objective. Program of education or train-  
4 ing includes a curriculum of unit courses or subjects pursued at  
5 an educational institution or training establishment that ful-  
6 fills requirements for the attainment of more than 1 predeter-  
7 mined and identified educational, professional, or vocational  
8 objective if the objectives pursued are generally recognized as  
9 being reasonably related to a single career field.

10 (2) "Resident of this state" means the individual has  
11 resided in the state for the majority of the 1-year period imme-  
12 diately preceding the date of his or her application for citizens  
13 corps service.

14 (3) "Senior" means an individual who is age 65 or over.

15 (4) "Training establishment" means that term as defined in  
16 38 U.S.C. 3452.

17 (5) "Vocational school" means an institution that provides  
18 vocational education as that term is defined in section 7 of the  
19 school code of 1976, Act No. 451 of the Public Acts of 1976,  
20 being section 380.7 of the Michigan Compiled Laws.

21 (6) "VISION corporation" means the corporation established  
22 under section 20.

23 Sec. 10. The Michigan state citizens corps is established  
24 and shall provide the following state service options:

25 (a) Civilian service.

26 (b) Service in the national guard.

1 (c) Senior service.

2 Sec. 11. (1) An individual may serve in the civilian  
3 service of the citizens corps if the individual is age 17 or  
4 over; has received a high school diploma or its equivalent; and  
5 is a resident of this state.

6 (2) Subject to the then existing personnel requirements of  
7 the national guard, an individual is eligible to enlist for serv-  
8 ice in the national guard as a member of the citizens corps if  
9 the individual has received a high school diploma or its equiva-  
10 lent, satisfies the applicable requirements for enlistment in the  
11 national guard, and satisfies other eligibility criteria estab-  
12 lished by the director of the department of military affairs by  
13 rule.

14 (3) An individual may serve in the senior service of the  
15 citizens corps if the individual is a senior, meets the eligibil-  
16 ity criteria for service in the senior service established by the  
17 VISION corporation, and is a resident of this state.

18 (4) The VISION corporation on an individual basis may waive  
19 the residency requirement.

20 Sec. 12. (1) An individual serving in the corps' civilian  
21 service shall agree to perform full-time state service in the  
22 service for a 1-year term. A member of the corps' civilian serv-  
23 ice serving a 1-year term of service may request an extension for  
24 an additional year. The VISION corporation shall issue rules  
25 specifying the procedure for making and considering such a  
26 request.

1       (2) An individual enlisting for service in the Michigan  
2 national guard as a member of the citizens corps shall serve  
3 8 years.

4       (3) An individual may serve in the senior service of the  
5 citizens corps for such period of time as allowed by the VISION  
6 corporation and for either full- or part-time service.

7       Sec. 13. (1) An individual serving in the corps' civilian  
8 service or senior service may perform state service to meet the  
9 unmet service needs of the state, a local government, or another  
10 community. State service may include any of the following types  
11 of service:

12       (a) Educational service, such as a literacy and numeracy  
13 program, head start, tutorial assistance, or service in a school,  
14 library, or adult education center.

15       (b) Human service, such as any of the following:

16       (i) Service in a hospital, hospice, clinic, community health  
17 center, home for the elderly, or child-care center.

18       (ii) Service in a program to assist the elderly, poor, and  
19 homeless, including a program to build, restore, or maintain  
20 housing for the poor and homeless.

21       (c) Conservation service, such as service in a program to  
22 conserve, maintain, or restore natural resources in the urban or  
23 rural environment, provide recreational opportunities, or encour-  
24 age community betterment or beautification.

25       (d) Public safety service in support of the criminal justice  
26 system, including police, courts, prisons, and border patrol.

1 (e) Service in an existing national program, such as  
2 referral and placement in the peace corps or volunteers in  
3 service to America.

4 (2) The director of the department of military affairs shall  
5 designate by rule appropriate state service positions for a  
6 member of the citizens corps serving in the national guard.

7 Sec. 14. (1) To serve in the civilian or senior service of  
8 the citizens corps, an individual shall submit an application, in  
9 a form and containing the information the VISION corporation  
10 requires by rule, to a council. Upon the receipt of an applica-  
11 tion, the council may place the applicant in a state service  
12 position in the area taking into consideration the preference and  
13 skills of the applicant and the needs of the area. If the area  
14 does not have a state service position available for the appli-  
15 cant or the council determines, after consultation with the  
16 applicant, that the applicant is better qualified for a position  
17 outside of the area, the council may refer the applicant for  
18 placement to another council or to a state or local government  
19 agency accepting members of the citizens corps.

20 (2) For purposes of state laws authorizing a state agency to  
21 accept the services of a volunteer, an applicant placed with an  
22 agency described in subsection (1) is a volunteer.

23 Sec. 15. The director of the department of military affairs  
24 shall establish a system to enlist individuals for service in the  
25 Michigan national guard as members of the citizens corps.

26 Sec. 20. The legislature finds that the people of the state  
27 need the services that are provided by volunteers under this act

1 and that the people of this state need, as good citizens of this  
2 state, to serve as volunteers to provide those services.  
3 Therefore, there is established a nonprofit corporation named the  
4 "volunteers in service is our need corporation" that shall be  
5 known as the "VISION corporation". The VISION corporation is not  
6 an agency of the state. The VISION corporation is responsible  
7 for administering the civilian service and senior service of the  
8 citizens corps. The VISION corporation is subject to this act  
9 and, to the extent consistent with this act, to the nonprofit  
10 corporation act, Act No. 162 of the Public Acts of 1982, being  
11 sections 450.2101 to 450.3192 of the Michigan Compiled Laws.

12       Sec. 21. (1) The VISION corporation shall be governed by a  
13 board of directors consisting of 11 members appointed by the gov-  
14 ernor, with the advice and consent of the senate. No more than  
15 6 members of the board may be members of the same political  
16 party. Three of the members shall be appointed from individuals  
17 nominated by the speaker of the house of representatives and 3 of  
18 the members shall be appointed from individuals nominated by the  
19 majority leader of the senate.

20       (2) The members of the board shall be selected from among  
21 citizens of the United States and residents of this state who are  
22 eminent in such fields as community service, education, civic  
23 affairs, business, labor, or military service and shall be  
24 selected so as to provide as nearly as practicable a broad repre-  
25 sentation of various regions of the state, various professions  
26 and occupations, and a variety of talent and experience

1 appropriate for the performance of the functions and  
2 responsibilities of the VISION corporation.

3       (3) The term of office of each member of the board is  
4 7 years, except that a member appointed to fill a vacancy occur-  
5 ring before the expiration of the term for which the predecessor  
6 of the member was appointed shall be appointed for the remainder  
7 of the term. A member of the board is not eligible to serve more  
8 than 2 consecutive terms.

9       (4) A vacancy on the board does not affect its power and  
10 shall be filled in the same manner as the original appointment.

11       Sec. 22. (1) The members of the initial board shall serve  
12 as incorporators and shall take whatever actions are necessary to  
13 incorporate the VISION corporation under the nonprofit corpora-  
14 tion act, Act No. 162 of the Public Acts of 1982, being sections  
15 450.2101 to 450.3192 of the Michigan Compiled Laws.

16       (2) A member of the board shall attend not less than 50% of  
17 all duly convened meetings of the board in a calendar year. A  
18 member who fails to meet the requirement of this subsection for-  
19 feits membership, and the governor shall appoint a new member to  
20 fill the vacancy not later than 30 days after the vacancy is  
21 determined by the board chairperson. Board members shall annu-  
22 ally elect 1 of their members to be chairperson and elect 1 or  
23 more of their members as vice-chairperson.

24       Sec. 23. (1) A member of the board is not, by reason of  
25 that membership, an officer or employee of the state.

26       (2) Except as provided in subsection (3), while attending a  
27 meeting of the board or while engaged in duties related to a



1 meeting or other activity of the board, a member of the board  
2 shall receive compensation at the rate of \$150.00 per day,  
3 including travel time, and, while away from home or a regular  
4 place of business, is allowed travel and actual, reasonable, and  
5 necessary expenses.

6 (3) A member of the board shall not receive compensation  
7 under subsection (2) of more than \$10,000.00 in a fiscal year. A  
8 member of the board who is a full-time officer or employee of the  
9 state shall receive no compensation, allowances, or benefits by  
10 reason of board membership.

11 Sec. 24. (1) The VISION corporation shall have a president,  
12 and other officers and employees as named and appointed by the  
13 board for terms and at rates of compensation fixed by the board.  
14 An officer or employee of the VISION corporation shall not  
15 receive a salary or other compensation from a source other than  
16 the VISION corporation for services performed for the VISION  
17 corporation.

18 (2) Only a citizen of the United States may serve as an  
19 officer of the VISION corporation. All officers and employees  
20 serve at the pleasure of the board. In selecting employees, the  
21 board is encouraged to include members of the senior service of  
22 the citizens corps.

23 Sec. 25. The VISION corporation shall not issue shares of  
24 stock and shall not declare or pay dividends. Income or assets  
25 of the VISION corporation shall not inure to the benefit of a  
26 director, officer, employee, or other individual except as salary  
27 or reasonable compensation for services. The VISION corporation

1 shall not contribute to or otherwise support a political party or  
2 candidate for elective public office.

3       Sec. 26. (1) The VISION corporation shall keep accurate and  
4 complete records of its activities and transactions. A writing  
5 prepared, owned, used, in the possession of, or retained by the  
6 VISION corporation in the performance of an official function  
7 shall be made available to the public in compliance with the  
8 freedom of information act, Act No. 442 of the Public Acts of  
9 1976, being sections 15.231 to 15.246 of the Michigan Compiled  
10 Laws. The records shall be made available for audit and examina-  
11 tion by the state.

12       (2) The business that the VISION corporation performs shall  
13 be conducted at a public meeting of the VISION corporation held  
14 in compliance with the open meetings act, Act No. 267 of the  
15 Public Acts of 1976, being sections 15.261 to 15.275 of the  
16 Michigan Compiled Laws.

17       (3) In carrying out its duties under this act, the VISION  
18 corporation is subject to the administrative procedures act of  
19 1969, Act No. 306 of the Public Acts of 1969, being sections  
20 24.201 to 24.328 of the Michigan Compiled Laws.

21       Sec. 27. (1) The VISION corporation shall do all of the  
22 following by rule:

23       (a) Establish the types and amounts of allowances and sup-  
24 port authorized for members of the civilian and senior services  
25 under sections 70 and 71.

26       (b) Specify the types of state service activities  
27 appropriate for members of the civilian and senior services.

1 (c) Establish a procedure to monitor the provision of  
2 financial assistance under sections 73 and 74 to assure that a  
3 graduate of the citizens corps faithfully completes his or her  
4 term of service before receiving that assistance and that a  
5 member of the citizens corps receiving that assistance during his  
6 or her term of service faithfully performs state service.

7 (d) Establish a procedure for examining the effect that  
8 state service under this act has on the availability and terms of  
9 employment of employees in the volunteer service area where the  
10 service is performed.

11 (e) Establish the rates of pay, eligibility criteria, and  
12 terms of service for members of the senior service.

13 (f) Establish a system for administering and monitoring the  
14 performance of state service and the provision of state service  
15 opportunities under this act.

16 (2) The VISION corporation shall do all of the following:

17 (a) Serve as a clearing house for information on state serv-  
18 ice opportunities.

19 (b) Assist a local government in placing applicants outside  
20 of the local government if the local government is unable to  
21 place the applicant in a position in the local government.

22 (c) Assist state agencies in acquiring participants for  
23 state service positions in state government.

24 (d) Receive and investigate claims of abuses in the place-  
25 ment of participants or the administration of state service  
26 opportunities by a local government, council, or service  
27 provider.

1       Sec. 28. (1) Pursuant to the allocation formulas specified  
2 in section 31, the VISION corporation shall make grants to local  
3 governments to assist those local governments in all of the  
4 following:

5       (a) Paying stipends and wages under sections 70 and 71.

6       (b) Providing and administering state service opportunities  
7 in each area for members of the civilian and senior services.

8       (c) Making grants to councils to carry out their duties  
9 under this act.

10       (2) The VISION corporation may make grants during a fiscal  
11 year to either of the following:

12       (a) A local government that the VISION corporation deter-  
13 mines has an unusual increase in the number of members of the  
14 civilian and senior services, excluding members serving with  
15 state agencies.

16       (b) A state agency to assist the agency in accepting or  
17 placing members of the civilian and senior services for the  
18 fiscal year.

19       (3) To be eligible for a grant under subsection (2), a local  
20 government or state agency shall submit to the VISION corporation  
21 an application in a form and at the time the VISION corporation  
22 requires by rule.

23       Sec. 29. (1) To be eligible for a grant under section 28, a  
24 local government shall submit to the VISION corporation an appli-  
25 cation in the form and at the time the VISION corporation  
26 requires by rule. The application shall describe at least all of  
27 the following:

1 (a) Each volunteer service area in the local government  
2 unless the entire area of the local government is a single volun-  
3 teer service area.

4 (b) The method by which members of the civilian and senior  
5 services will be placed in state service positions by the local  
6 government.

7 (c) The anticipated number of those members during a term  
8 the VISION corporation may require.

9 (d) The training and support services that will be provided  
10 the members.

11 (e) The method by which service sponsors will be selected  
12 and the requirements imposed on those sponsors.

13 (2) The application shall provide copies of all volunteer  
14 recruitment and placement plans prepared for the local government  
15 for the period covered by the application. The application shall  
16 include assurances of all of the following by that local govern-  
17 ment for the period covered by the application:

18 (a) The local government will use nonstate funds to pay not  
19 less than 25% of the cost, including the cost of stipends, wages,  
20 and allowances provided by the local government under sections 70  
21 and 71, of providing and administering state service positions in  
22 the local government for members of the civilian and senior serv-  
23 ices, other than members placed with state agencies.

24 (b) The local government will maintain local government  
25 expenditures for community service programs operated by the local  
26 government on the effective date of this act at a level equal to  
27 not less than the average level of those expenditures maintained

1 by the local government for the 2-fiscal year period immediately  
2 preceding the effective date of this act.

3 (3) The application shall contain other information the  
4 VISION corporation requires by rule.

5 Sec. 30. (1) A local government may offset against the  
6 matching funds requirement specified in section 29 not more than  
7 50% of the administrative costs incurred by the local government  
8 in administering community service programs for young people  
9 operated by the local government on the effective date of this  
10 act.

11 (2) Upon the request of a local government, the VISION cor-  
12 poration may waive the requirement specified in section 29 that  
13 the local government maintain expenditures for community service  
14 programs if the VISION corporation determines that extraordinary  
15 economic conditions in the local government justify the waiver.

16 Sec. 31. (1) For each fiscal year during the 5-year period  
17 beginning on the effective date of this act, the VISION corpora-  
18 tion shall make a grant to an eligible local government in an  
19 amount that bears the same ratio to the sums appropriated for  
20 grants under section 28 for the fiscal year as the anticipated  
21 average number of members in the civilian and senior services, as  
22 determined by the VISION corporation and excluding anticipated  
23 members serving with state agencies, in the local government for  
24 the fiscal year bears to the anticipated average number of the  
25 members in all the local governments for the fiscal year.

26 (2) For each fiscal year beginning after the end of the  
27 5-year period referred to in subsection (1), the VISION

1 corporation shall make a grant to an eligible local government in  
2 an amount that bears the same ratio to the sums appropriated for  
3 grants under section 28 for the fiscal year as the average number  
4 of members in the civilian and senior services, excluding members  
5 serving with state agencies, in the local government for the pre-  
6 ceding fiscal year bears to the average number of the members in  
7 all local governments for the preceding fiscal year.

8       Sec. 32. On or before May 15 of each calendar year, the  
9 VISION corporation shall submit to the governor a report on the  
10 operation of the civilian service and the senior service of the  
11 citizens corps and the activities of the VISION corporation  
12 during the fiscal year ending September 30 of the preceding cal-  
13 endar year. The governor shall transmit the report to the  
14 legislature. Each report shall include all of the following:

15       (a) A comprehensive and detailed description of the opera-  
16 tions, activities, financial condition, and accomplishments of  
17 the VISION corporation during the fiscal year covered by the  
18 report.

19       (b) The recommendations the VISION corporation considers  
20 appropriate.

21       (c) The anticipated number of state service positions that  
22 will be available for members of the civilian service and senior  
23 service of the citizens corps in the fiscal year beginning in the  
24 calendar year in which the report is submitted.

25       (d) The anticipated cost of operating the civilian service  
26 and senior service for the fiscal year.

1       Sec. 40. (1) The governor shall do the following:

2       (a) Prepare a state service plan for the state that  
3 specifies priorities in the state for providing state service  
4 opportunities for members of the civilian and senior services of  
5 the citizens corps.

6       (b) Pursuant to that plan, designate volunteer service areas  
7 for the state, each of which is comprised of 1 or more local gov-  
8 ernments, promotes effective provision of state services, and is  
9 consistent with other designated areas in which related services  
10 are provided under other state or local programs.

11       (2) Before preparing the state service plan or designating a  
12 volunteer service area under subsection (1), the governor shall  
13 consult with all of the following:

14       (a) Appropriate state and local government officials.

15       (b) Representatives of community service organizations, edu-  
16 cational institutions, business organizations, and organized  
17 labor.

18       (c) Other affected persons or organizations in the area.

19       (3) Effective after the 2-year period beginning on the date  
20 the governor first designates volunteer service areas under sub-  
21 section (1), the governor may redesignate those areas in accord-  
22 ance with subsection (1).

23       Sec. 41. (1) There shall be a council for each volunteer  
24 service area designated under section 40. A council is not oper-  
25 ational until certified by the governor as provided in  
26 section 43. A council shall consist of all of the following:



1 (a) Representatives of nonprofit community service  
2 organizations in the area who have substantial management or  
3 policy responsibility with those organizations.

4 (b) Representatives of the local government.

5 (c) Representatives of educational agencies and institu-  
6 tions, business concerns, rehabilitation agencies,  
7 community-based organizations, and economic development agencies  
8 in the area.

9 (d) Representatives of organized labor.

10 (2) The members of a council shall select 1 of the members  
11 to serve as chairperson of the council.

12 Sec. 42. (1) The chief executive officer of the local gov-  
13 ernment unit shall appoint members to the council from individu-  
14 als recommended as follows:

15 (a) Education representatives shall be selected from indi-  
16 viduals recommended by local educational agencies, vocational  
17 education institutions, institutions of higher learning, or gen-  
18 eral organizations of those agencies or institutions, and by pri-  
19 vate and proprietary schools or general organizations of those  
20 schools within the local government.

21 (b) Labor representatives shall be selected from individuals  
22 recommended by recognized state and local labor organizations or  
23 appropriate building trades councils.

24 (c) The remaining members of a council shall be selected  
25 from individuals recommended by interested organizations.

26 (2) Except as otherwise provided in this subsection, the  
27 number of members of a council shall be determined by the

1 council. The initial number of members of a council shall be  
2 determined by the chief executive officer.

3 (3) Council members shall be appointed for fixed and stag-  
4 gered terms and may serve until their successors are appointed.  
5 A vacancy in the membership of the council shall be filled in the  
6 same manner as the original appointment. A member of the council  
7 may be removed by the council for cause in accordance with proce-  
8 dures established by the council.

9 Sec. 43. (1) The governor shall certify a council if the  
10 governor determines that its composition and appointments are  
11 consistent with the provisions of this act. The certification  
12 shall be made or denied within 30 days after the date on which  
13 the governor receives a list of council members and any support-  
14 ing documentation the governor considers necessary. If the gov-  
15 ernor denies certification, the governor shall inform the chief  
16 executive officer submitting the list and documentation of the  
17 reasons for denial and shall provide for the review of a revised  
18 list and documentation.

19 (2) Within 30 days after certification, the officer who made  
20 the appointments to the council shall convene the council. Once  
21 convened, a council may receive funds to carry out the duties of  
22 the council under this act. Money appropriated for a fiscal year  
23 shall not be provided under this act to a council unless the  
24 council is certified pursuant to this section.

25 Sec. 44. (1) A council shall accept applications from indi-  
26 viduals seeking to serve in the civilian service and senior  
27 service of the citizens corps and shall place those individuals

1 in state service positions consistent with the volunteer  
2 recruitment and placement plan of the council and section 13.

3 (2) The council shall prepare and implement the volunteer  
4 recruitment and placement plan required under section 45. The  
5 council shall provide policy guidance for, and exercise over-  
6 sight, including review, monitoring, auditing, and evaluation,  
7 with respect to, activities under the volunteer recruitment and  
8 placement plan for the volunteer service area of the council.

9 (3) In order to carry out its duties under this act, a coun-  
10 cil shall prepare and approve a budget for the council. A coun-  
11 cil may hire staff or contract for services from nonprofit organ-  
12 izations, and may solicit and accept contributions and grants  
13 from public or private sources.

14 (4) In hiring staff under subsection (3), a council is  
15 encouraged to include members of the senior service of the citi-  
16 zens corps.

17 Sec. 45. (1) Money shall only be provided to a council pur-  
18 suant to an approved volunteer recruitment and placement plan  
19 prepared by the council for a period of 2 fiscal years including  
20 the fiscal year for which the money is provided.

21 (2) When preparing a volunteer recruitment and placement  
22 plan, a council shall consult the state service plan for the  
23 state prepared by the governor under section 40. A volunteer  
24 recruitment and placement plan shall do all of the following:

25 (a) Identify the council that will administer the plan and  
26 is to be the grant recipient of money from the state.

1 (b) Describe the state services to be provided, including  
2 the extent those services reflect the priorities contained in the  
3 state service plan.

4 (c) Contain procedures for recruiting and placing members of  
5 the citizens corps.

6 (d) Contain procedures, consistent with sections 48 to 50,  
7 for selecting service sponsors, including procedures for council  
8 consideration of the past performance of each service sponsor in  
9 state services or related activities, fiscal accountability, and  
10 ability to meet performance standards.

11 (e) Contain the budget for the council for the 2-fiscal year  
12 period covered by the plan.

13 (f) Contain fiscal control, accounting, audit, and debt col-  
14 lection procedures that assure the proper disbursal of, and  
15 accounting for, money received under this act.

16 (g) Provide for the council to submit to the governor an  
17 annual report that includes all of the following:

18 (i) Activities conducted during the fiscal year covered by  
19 the report.

20 (ii) Service sponsors in the volunteer service area.

21 (iii) Members of the citizens corps placed by the council.

22 (iv) The extent to which the activities exceeded or failed  
23 to meet relevant performance standards established by the VISION  
24 corporation.

25 (3) If changes in the state service needs of the volunteer  
26 service area, funding, or other factors require substantial  
27 deviation from an approved plan, the council may submit a

1 modification of the plan, which shall be subject to review in  
2 accordance with section 46.

3       Sec. 46. (1) Not later than 120 days before the beginning  
4 of the 2-fiscal year period covered by a proposed volunteer  
5 recruitment and placement plan, the council shall publish the  
6 proposed plan or a summary of the plan and make the plan avail-  
7 able for public review and comment. Not later than 80 days  
8 before the beginning of the 2-fiscal year period covered by a  
9 proposed volunteer recruitment and placement plan, the council  
10 shall submit the plan to the governor.

11       (2) A modification of a plan shall be published and submit-  
12 ted to the governor not later than 80 days before it is to be  
13 effective.

14       Sec. 47. (1) The governor shall approve a volunteer  
15 recruitment and placement plan or a modification of the plan  
16 unless the governor finds any of the following:

17       (a) Corrective measures for deficiencies found in audits or  
18 in meeting performance standards from previous years have not  
19 been taken or are not being acceptably implemented.

20       (b) The council does not have the capacity to administer the  
21 money.

22       (c) There are inadequate safeguards for the protection of  
23 money received.

24       (d) The plan or modification does not comply with this act  
25 or a rule of the VISION corporation.

26       (2) The governor shall approve or disapprove a volunteer  
27 recruitment and placement plan or modification within 30 days

1 after the date that the plan or modification is submitted. If  
2 the governor disapproves a plan, the governor shall do all of the  
3 following:

4 (a) Inform the council of the reasons for the disapproval.

5 (b) Provide for the review of a revised plan.

6 (c) Take the steps the governor considers necessary to pro-  
7 vide for the recruitment and placement of members of the civilian  
8 and senior services in the volunteer service area affected by the  
9 disapproval.

10 Sec. 48. Subject to section 49, in placing a member of the  
11 civilian service or senior service of the citizens corps with a  
12 public agency or public or nonprofit organization, the council  
13 shall give primary consideration to the effectiveness of the  
14 agency or organization in delivering community services and shall  
15 give appropriate consideration to the extent to which the agency  
16 or organization is a community-based service sponsor. The coun-  
17 cil shall determine the effectiveness of an agency or organiza-  
18 tion on the basis of the agency's or organization's demonstrated  
19 performance with regard to attaining performance goals, reducing  
20 costs, and retaining members of the citizens corps placed with  
21 the agency or organization.

22 Sec. 49. (1) In placing a member of the civilian service or  
23 senior service of the citizens corps with a public agency or  
24 public or nonprofit organization, the council shall take appro-  
25 priate measures to assure that the placement does not result in  
26 any of the following:

1 (a) The displacement of a currently employed worker or  
2 position, including partial displacement such as a reduction in  
3 the hours of nonovertime work, wages, or employment benefits.

4 (b) The impairment of existing contracts for services or  
5 collective bargaining agreements.

6 (c) The member filling a position with an agency or organi-  
7 zation if either of the following:

8 (i) Another individual is on layoff from the same or an  
9 equivalent position with the agency or organization.

10 (ii) The employer has terminated the employment of a regular  
11 employee or otherwise reduced the workforce of the employer with  
12 the effect of filling the vacancy so created with the member.

13 (d) The infringement of the opportunities of a currently  
14 employed individual for promotion.

15 (2) The state shall establish and maintain a grievance pro-  
16 cedure for resolving complaints by regular employees or their  
17 representatives that the placement of a member of the civilian  
18 service or senior service violates a prohibition described in  
19 subsection (1). A decision of the state under such a procedure  
20 may be appealed to the VISION corporation for investigation and  
21 the action the VISION corporation may find necessary.

22 Sec. 50. (1) The VISION corporation may require a private  
23 nonprofit organization to pay to the VISION corporation an amount  
24 not to exceed \$1,000.00 per year for each member of the civilian  
25 service or senior service placed in a state service position with  
26 that organization. The VISION corporation may reduce the payment  
27 required under this subsection to reflect state service provided

1 for a period of less than a full year or, in the case of a member  
2 of the senior service, as part-time service.

3 (2) The VISION corporation shall share a payment received  
4 under subsection (1) with the state if the state provides a sti-  
5 pend to the VISION corporation for that volunteer under section  
6 70. The share paid to the state shall correspond to the matching  
7 funds requirement for the state as specified in section 29 and  
8 adjusted to reflect any offset under section 30.

9 Sec. 60. The military affairs director is responsible for  
10 administering the citizens corps with regard to service by mem-  
11 bers of the citizens corps in the Michigan national guard. Not  
12 later than 60 days after the effective date of this act, the mil-  
13 itary affairs director shall promulgate rules to carry out this  
14 act.

15 Sec. 61. (1) On or before May 15 of each calendar year, the  
16 military affairs director shall submit to the governor a report  
17 describing the operation of the citizens corps with regard to  
18 service in the national guard and the activities of the military  
19 affairs director in administering that service during the fiscal  
20 year ending September 30 of the preceding calendar year. The  
21 governor shall transmit the report to the legislature.

22 (2) The report shall include a comprehensive and detailed  
23 description of the operations, activities, financial condition,  
24 and accomplishments of the citizens corps with regard to service  
25 in the national guard during the fiscal year covered by the  
26 report and the recommendations the military affairs director  
27 considers appropriate. In the first 5 reports submitted under



1 this section, the military affairs director shall specify all of  
2 the following:

3 (a) The anticipated number of state service positions that  
4 will be available in the national guard for members of the citi-  
5 zens corps in the fiscal year beginning in the calendar year in  
6 which the report is submitted.

7 (b) The anticipated cost of operating the citizens corps  
8 with regard to service in the national guard for the fiscal  
9 year.

10 Sec. 70. (1) The state shall provide a stipend of \$100.00  
11 per week to the VISION corporation for each member of the civil-  
12 ian service of the citizens corps performing service in the state  
13 while the member is in training and providing full-time service  
14 during the term of service of the member. The VISION corporation  
15 shall pay each member of the civilian service for whom it  
16 receives a stipend under this section \$100.00 per week for each  
17 week the VISION corporation receives a stipend.

18 (2) The VISION corporation shall provide each member of the  
19 civilian service with health insurance and may provide other  
20 assistance the VISION corporation considers necessary and appro-  
21 priate for a member of the civilian service to carry out the  
22 service obligation of the member.

23 Sec. 71. (1) The VISION corporation shall pay to each  
24 member of the senior service performing service in the state an  
25 hourly wage as determined by rule by the VISION corporation.

26 (2) The VISION corporation may provide other assistance as  
27 the VISION corporation considers necessary and appropriate for a

1 member of the senior service to carry out the service obligation  
2 of the member.

3       Sec. 72. Notwithstanding any other provision of law, a  
4 member of the citizens corps serving in the national guard shall  
5 receive basic pay, basic allowance for subsistence, basic allow-  
6 ance for quarters at 66% of the rate applicable to members of the  
7 national guard with the same pay grade and years of service.

8       Sec. 73. (1) An individual who successfully completes a  
9 term of service as a member of the civilian service of the citi-  
10 zens corps is eligible to receive financial assistance pursuant  
11 to section 75 or 76 in an amount not to exceed \$10,000.00 for  
12 each year of that term to assist the individual in pursuing a  
13 program of education or training at an educational institution or  
14 training establishment, or in purchasing or constructing a dwell-  
15 ing to be owned and occupied by that individual as the primary  
16 residence of the individual.

17       (2) If the VISION corporation releases an individual from  
18 completing a term of service in the civilian service for compel-  
19 ling personal circumstances for just cause shown by the member,  
20 the VISION corporation may provide the individual with a portion  
21 of the financial assistance specified in subsection (1) corre-  
22 sponding to the amount of the service obligation completed by the  
23 individual.

24       Sec. 74. (1) A member of the citizens corps serving in the  
25 national guard pursuant to section 12(2) is eligible for the  
26 financial assistance specified in subsection (2) after the member  
27 serves not less than 1 year in the national guard during which

1 the member participates satisfactorily in training as prescribed  
2 by the military affairs director and on the condition that the  
3 member agrees to complete the service obligation selected by the  
4 member and the service is characterized by the military affairs  
5 director as honorable service.

6       (2) The financial assistance referred to in subsection (1)  
7 shall be provided pursuant to section 75 or 76 in an amount not  
8 to exceed \$12,000.00 to assist the member in pursuing a program  
9 of education or training at an educational institution or train-  
10 ing establishment, or in purchasing or constructing a dwelling to  
11 be owned and occupied by the individual as the primary residence  
12 of the individual.

13       (3) If the military affairs director releases a member of  
14 the citizens corps from completing a service obligation in the  
15 national guard with an honorable discharge, the VISION corpora-  
16 tion may provide the member with a portion of the financial  
17 assistance the individual would have otherwise been entitled to  
18 corresponding to the amount of the service obligation completed  
19 by the individual.

20       Sec. 75. (1) The VISION corporation shall administer the  
21 provision of financial assistance under sections 73 and 74 for  
22 individuals pursuing a program of education or training at an  
23 educational institution or training establishment. In the admin-  
24 istration of educational financial assistance, the VISION corpo-  
25 ration shall consult and cooperate with the Michigan higher edu-  
26 cation assistance authority created under Act No. 77 of the  
27 Public Acts of 1960, being sections 390.951 to 390.961 of the

1 Michigan Compiled Laws. The VISION corporation may transfer  
2 administration of the educational financial assistance to the  
3 Michigan higher education assistance authority.

4 (2) Assistance provided under section 73 or 74 as educa-  
5 tional benefits may be used to pay tuition, fees, books, sup-  
6 plies, equipment, room and board, and other costs determined by  
7 the VISION corporation by rule to be necessary to accomplish a  
8 program of education or training at an educational institution or  
9 training establishment. The VISION corporation shall establish  
10 by rule a system to recoup financial assistance provided under  
11 section 74 in cases in which an individual fails to honorably  
12 complete a service obligation after receiving the assistance.

13 Sec. 76. The VISION corporation shall establish a program  
14 by which an individual eligible for financial assistance under  
15 section 73 or 74 may use all or part of the assistance to pur-  
16 chase or construct a dwelling to be owned and occupied by the  
17 individual as the primary residence of the individual, and shall  
18 monitor the implementation of the program.

19 Sec. 77. The VISION corporation shall not provide assist-  
20 ance under section 73 or 74 to an individual after the end of the  
21 10-year period beginning on the date the term of service of that  
22 individual is completed. This section does not apply if the  
23 VISION corporation determines on an individual basis that an  
24 individual was unavoidably prevented from using the assistance  
25 during that time period.

26 Sec. 78. (1) The VISION corporation shall submit to the  
27 legislature at least once every 2 years a joint report on the

1 provision of financial assistance under this act. The first  
2 report shall be submitted not later than January 1, 1995.

3 (2) A report submitted under subsection (1) shall include  
4 all of the following:

5 (a) An assessment of the extent to which the financial  
6 assistance provided under this act is adequate to induce individ-  
7 uals to serve in the citizens corps and complete their terms of  
8 service.

9 (b) The amount of financial assistance utilized during the  
10 period covered by the report.

11 (c) Recommendations for legislative changes regarding the  
12 provision of financial assistance to members of the citizens  
13 corps and individuals who have successfully completed their terms  
14 of service in the citizens corps that the VISION corporation con-  
15 siders appropriate.

16 Sec. 80. (1) Subject to subsection (2), an individual who  
17 is not a member of the civilian service of the citizens corps but  
18 who successfully completes a term of service in the peace corps  
19 or the volunteers in service to America program after the effec-  
20 tive date of this act is entitled to financial assistance under  
21 section 73 in the same manner as a member of the civilian  
22 service.

23 (2) The VISION corporation shall reduce the amount of finan-  
24 cial assistance available to a former peace corps or volunteers  
25 in service to America volunteer under subsection (1) to reflect  
26 the amount of compensation received by that volunteer above wages  
27 or a stipend provided to members of the civilian service.

1       Sec. 81. (1) After the end of the 5-year period beginning  
2 on the effective date of this act, an individual is not eligible  
3 for postsecondary educational assistance from the state under a  
4 program providing grants, loans, or loan guarantees unless the  
5 individual is a member of the citizens corps or has successfully  
6 completed a term of service in the citizens corps under  
7 section 12.

8       (2) Notwithstanding subsection (1), the following individu-  
9 als are eligible for postsecondary educational assistance from  
10 the state under a program providing grants, loans, or loan guar-  
11 antees if the individuals are otherwise eligible for that  
12 assistance:

13       (a) An individual enrolled in an educational institution  
14 before the end of the period specified in subsection (1).

15       (b) An individual who is age 26 or over.

16       (c) An individual who served in the armed forces of the  
17 United States if the service is characterized by the secretary of  
18 defense as honorable.

19       (d) An individual who is determined by the VISION corpora-  
20 tion to be ineligible for state service under this act because of  
21 1 of the following:

22       (i) A physical or mental handicap that the VISION corpora-  
23 tion determines makes the individual unable to perform state  
24 service.

25       (ii) Compelling personal circumstances for just cause shown  
26 by the individual.

1       (iii) The unavailability of a state service position for the  
2 individual after a reasonable period as determined by the VISION  
3 corporation.

4       (e) An individual receiving assistance provided by the  
5 department of defense, or the department of transportation with  
6 respect to the coast guard, to members of the United States armed  
7 forces if further military service is a condition of the  
8 assistance.

9       (f) An individual receiving assistance provided by a federal  
10 agency or a state to an individual if either of the following:

11       (i) Service as a member of the peace corps is a condition of  
12 the assistance.

13       (ii) Some other national or community service is a condition  
14 of the assistance and the VISION corporation determines that the  
15 service is comparable to service in the citizens corps.

16       (g) An individual who served as a member of the peace corps  
17 or in some other federal or state program of national or commu-  
18 nity service determined by the VISION corporation to be com-  
19 parable to service in the citizens corps.

20       (3) For purposes of applying the exception specified in sub-  
21 section (2)(d)(ii), the VISION corporation shall identify by rule  
22 the factors, such as age, family status or size, and income, that  
23 the VISION corporation may consider as compelling personal cir-  
24 cumstances to render an individual ineligible for state service  
25 under this act.