

HOUSE BILL No. 4887

June 5, 1997, Introduced by Reps. Martinez, Schauer, Hale, Hanley, Gire, Cherry and Bogardus and referred to the Committee on Colleges and Universities.

A bill to amend 1986 PA 288, entitled

"An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies,"

by amending sections 1 and 10 (MCL 390.1371 and 390.1380) and by adding section 5a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Authority" means the Michigan higher education assist-
3 ance authority created by ~~Act No. 77 of the Public Acts of 1960,~~
4 ~~being sections 390.951 to 390.961 of the Michigan Compiled Laws~~
5 1960 PA 77, MCL 390.951 TO 390.961.

6 (b) "MWS" means the Michigan work-study program established
7 in section 2.

1 (C) "PUBLIC SERVICE EMPLOYER" MEANS A PRIVATE NONPROFIT
2 AGENCY THAT IS EXEMPT FROM FEDERAL TAXATION UNDER
3 SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE AND THAT PROVIDES
4 SERVICES DIRECTLY TO THE COMMUNITY OR MEMBERS OF THE COMMUNITY.

5 (D) "PUBLIC SERVICE EMPLOYMENT" MEANS EMPLOYMENT WITH A
6 PUBLIC SERVICE EMPLOYER IN WORK THAT IS PERFORMED FOR THE COMMU-
7 NITY WELFARE AND THAT MAY INCLUDE, BUT IS NOT LIMITED TO, WORK IN
8 1 OR MORE OF THE FOLLOWING ACTIVITIES:

9 (i) RECYCLING OR ENVIRONMENTAL PRESERVATION OR PROTECTION.

10 (ii) A FOOD BANK, HOMELESS SHELTER, OR OTHER POVERTY
11 PROGRAM.

12 (iii) MENTAL HEALTH, SENIOR CITIZEN, HANDICAPPER, OR OTHER
13 HUMAN SERVICES.

14 (iv) AN ARTS EDUCATION OR PERFORMANCE PROGRAM.

15 SEC. 5A. (1) A PUBLIC SERVICE EMPLOYER IS ELIGIBLE TO
16 EMPLOY STUDENTS THROUGH THE MWS PROGRAM IF THE EMPLOYER MEETS ALL
17 OF THE FOLLOWING REQUIREMENTS:

18 (A) ENTERS INTO A SIGNED AGREEMENT WITH AN ELIGIBLE POSTSEC-
19 ONDARY SCHOOL TO PROVIDE PUBLIC SERVICE EMPLOYMENT FOR STUDENTS
20 RECOMMENDED BY THE SCHOOL.

21 (B) EMPLOYS MWS STUDENTS ONLY FOR PUBLIC SERVICE
22 EMPLOYMENT.

23 (C) DOES NOT USE MWS STUDENTS TO DISPLACE EMPLOYED WORKERS.

24 (D) DOES NOT EMPLOY MWS STUDENTS TO CONSTRUCT, OPERATE, OR
25 MAINTAIN A FACILITY USED OR TO BE USED SOLELY FOR SECTARIAN
26 INSTRUCTION OR AS A PLACE FOR RELIGIOUS WORSHIP; OR FOR ACTIVITY
27 ESPOUSING OR PROMOTING ANY POLITICAL POSITION OR CANDIDATE.

1 (E) DOES NOT PAY MWS STUDENTS A WAGE THAT IS LESS THAN THE
2 FULL FEDERAL MINIMUM WAGE.

3 (2) A PUBLIC SERVICE EMPLOYER THAT EMPLOYS MWS STUDENTS IS
4 NOT REQUIRED TO PROVIDE ANY PART OF AN MWS STUDENT'S WAGES.

5 Sec. 10. (1) SUBJECT TO SUBSECTION (2), MWS program funds
6 shall be ~~made~~ ALLOCATED to EACH eligible postsecondary
7 ~~schools~~ SCHOOL for a fiscal year in an amount not less than
8 \$5,000.00 and an amount proportionate to the school's receipt of
9 Pell grant funds under section 411 OF SUBPART 1 OF PART A of
10 title IV of the higher education act of 1965, PUBLIC LAW 89-329,
11 20 U.S.C. 1070a, for the most recent year statistics are
12 available, ADJUSTED BY THE POSITIVE OR NEGATIVE PERCENTAGE DIF-
13 FERENCE BETWEEN THE AVERAGE AMOUNT OF MWS PROGRAM FUNDS ALLOCATED
14 TO THE SCHOOL FOR THE 3 MOST RECENT YEARS FOR WHICH STATISTICS
15 ARE AVAILABLE AND THE AVERAGE AMOUNT OF MWS PROGRAM FUNDS DIS-
16 BURSED BY THE SCHOOL FOR THOSE 3 YEARS.

17 (2) IF THE AUTHORITY DETERMINES THAT AN ELIGIBLE POSTSECOND-
18 ARY SCHOOL'S NEED FOR MWS PROGRAM FUNDS IS GREATER THAN INDICATED
19 BY THE CALCULATION MADE UNDER SUBSECTION (1), THE AUTHORITY MAY
20 ALLOCATE AN ADDITIONAL AMOUNT TO THE SCHOOL. AN ADDITIONAL ALLO-
21 CATION UNDER THIS SECTION SHALL BE MADE NOT LATER THAN MARCH 31
22 FROM THE ALLOCATION ADJUSTMENT FUND CREATED PURSUANT TO
23 SUBSECTION (3).

24 (3) THE AUTHORITY SHALL ESTABLISH AN ALLOCATION ADJUSTMENT
25 FUND AND SHALL DEPOSIT IN THE FUND NOT MORE THAN 5% OF THE TOTAL
26 MWS APPROPRIATION FOR THE FISCAL YEAR. THE AUTHORITY SHALL USE

1 THE FUND ONLY TO MAKE THE ADDITIONAL ALLOCATIONS AUTHORIZED UNDER
2 SUBSECTION (2).