

H.832

Introduced by Representatives Ram of Burlington, Gonzalez of Winooski,
Parent of St. Albans Town, Tate of Mendon, Briglin of
Thetford, Eastman of Orwell, Keenan of St. Albans City,
Lefebvre of Newark, Morris of Bennington, Townsend of South
Burlington, Willhoit of St. Johnsbury, and Zagar of Barnard

Referred to Committee on

Date:

Subject: Higher education; omnibus

Statement of purpose of bill as introduced: This bill proposes to create a
National Guard Educational Assistance Program, expand awareness of the
Reach Up postsecondary education program and to enhance the training of
Reach Up caseworkers, create a Higher Education Cost and Opportunities
Study Committee, create a Path to Reentry Study Committee, minimize the
cost of textbooks, exempt textbooks from the Vermont sales tax, create an
income tax deduction for tuition payments and student loans, and create a tax
credit for apprenticeship training.

An act relating to attracting and retaining Vermont's next generation

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 * * * Vermont National Guard Education Assistance Act * * *

3 Sec. 1. 16 V.S.A. § 2542 is added to read:

4 § 2542. VERMONT NATIONAL GUARD EDUCATIONAL ASSISTANCE
5 PROGRAM

6 (a) A member of the Vermont National Guard who meets the eligibility
7 requirements in subsection (b) of this section may take courses tuition free at
8 the University of Vermont and State Agricultural College or a Vermont State
9 College.

10 (b) To be eligible for the Vermont National Guard Educational Assistance
11 Program, an individual shall satisfy all of the following requirements:

12 (1) be an active member of the Vermont National Guard;

13 (2) have successfully completed basic training; and

14 (3) be enrolled in a program at the University of Vermont and State
15 Agricultural College or a Vermont State College that leads to an undergraduate
16 certificate or degree.

17 (4) Have exhausted any post-September 11, 2001 tuition benefits and
18 other federally funded military tuition assistance. This subdivision shall not
19 apply to Montgomery GI Bill benefits, post-September 11, 2001 educational
20 program housing allowances, federal educational entitlements, National Guard
21 scholarship grants, and other nontuition benefits.

1 (5) Submit a statement of good standing signed by the member's
2 commanding officer within 30 days after the beginning of each semester if the
3 individual is enrolled as a full-time student, or within 30 days after the
4 beginning of each individual class if the individual is not enrolled as a full-time
5 student.

6 (c)(1) The Adjutant and Inspector General shall administer the Program,
7 and determine the eligibility of members of the Vermont National Guard to
8 receive the Program's benefits.

9 (2) The Adjutant and Inspector General shall adopt rules and procedures
10 necessary to implement the Program.

11 (3) The President of the University of Vermont and State Agricultural
12 College and the Chancellor of the Vermont State Colleges shall adopt policies
13 and procedures for the enrollment of Vermont National Guard members in
14 their institutions.

15 (d)(1) The Adjutant and Inspector General may terminate the educational
16 assistance provided to a member of the Vermont National Guard pursuant to
17 this section if:

18 (A) the member's commanding officer revokes the statement of good
19 standing submitted pursuant to subdivision (b)(5) of this section as a result of
20 an investigation or disciplinary action that occurred after the statement of good
21 standing was issued; or

1 (B) the member's service in the Vermont National Guard terminates.

2 (2) If an individual's educational assistance is terminated pursuant to
3 subdivision (1) of this subsection, the individual shall be responsible on a pro
4 rata basis for the remaining tuition cost for the current semester or any courses
5 in which the individual is currently enrolled.

6 (3) An individual whose educational assistance has been terminated
7 pursuant to subdivision (1) of this subsection shall be ineligible to receive
8 future educational assistance pursuant to this section.

9 (e) If a Vermont National Guard member is dismissed from any school or
10 educational institution for academic or disciplinary reasons, the Adjutant and
11 Inspector General may make a determination regarding the member's
12 eligibility to receive future educational assistance pursuant to this section.

13 (f) On or before November 1 of each year, the President of the University
14 of Vermont and State Agricultural College and the Chancellor of the Vermont
15 State Colleges shall report to the Governor and the House and Senate
16 Committees on Education regarding the number of Vermont National Guard
17 members enrolled at their institutions during the prior fiscal year who are
18 receiving educational assistance pursuant to this section and the courses or
19 program in which the members are enrolled. The provisions of 2 V.S.A.
20 § 20(d) (expiration of reports) shall not apply to the reports to be made under
21 this subsection.

* * * Reach Up Postsecondary Education Expansion * * *

Sec. 2. 33 V.S.A. § 1106 is amended to read:

§ 1106. REQUIRED SERVICES TO PARTICIPATING FAMILIES

(a) The Commissioner shall provide participating families case management services, periodic reassessment of service needs and the family development plan, and referral to any agencies or programs that provide the services needed by participating families to improve the family's prospects for job placement and job retention, including the following:

* * *

(3) Career counseling, education, and training, and job search assistance consistent with the purposes of this chapter, including detailed information on the postsecondary education program pursuant to section 1122 of this chapter.

* * *

Sec. 3. 33 V.S.A. § 1107 is amended to read:

§ 1107. CASE MANAGEMENT; FAMILY DEVELOPMENT PLANS;

COORDINATED SERVICES

* * *

(g) On or before January 15 of each year, the Commissioner shall submit a report to the House Committee on Human Services and the Senate Committee on Health and Welfare with the following information:

1 (1) the number of Reach Up caseworkers who are also trained to provide
2 college access and advisory services;

3 (2) the number of participants in the postsecondary education program
4 pursuant to section 1122 of this chapter; and

5 (3) the barriers to further participation to participants in the
6 postsecondary education program pursuant to section 1122 of this chapter.

7 Sec. 4. 33 V.S.A. § 1115(f) is added to read:

8 (f) The Commissioner shall allocate 25 percent of any realized savings in
9 Reach Up caseload expenditures from each prior fiscal year to expand the
10 postsecondary education program pursuant to section 1122 of this chapter for
11 the following fiscal year.

12 * * * Higher Education Study Committee * * *

13 Sec. 5. HIGHER EDUCATION COST AND OPPORTUNITY STUDY
14 COMMITTEE

15 (a) Creation. There is created a Higher Education Cost and Opportunity
16 Study Committee.

17 (b) Membership. The Committee shall be composed of the following nine
18 members:

19 (1) Three current members of the House of Representatives, not all from
20 the same political party, who shall be appointed by the Speaker of the House;

1 (2) Three current members of the Senate, not all from the same political
2 party, who shall be appointed by the Committee on Committees;

3 (3) The Secretary of Education or designee;

4 (4) The Chancellor of the Vermont State Colleges or designee; and

5 (5) The President of the University of Vermont or designee.

6 (c) Powers and duties. The Committee shall study:

7 (1) the cost of providing every eligible Vermont high school student
8 with the resources necessary for the completion of two years of education at
9 the Vermont State Colleges or the University of Vermont;

10 (2) sources of funding, including federal and State grants and
11 scholarships, existing funding programs such as early college programs and
12 dual enrollment programs, and other sources of aid; and

13 (3) how to improve the knowledge of high school students and their
14 parents concerning how to access affordable postsecondary education and
15 sources of funding.

16 (d) Assistance. The Committee shall have the administrative, technical,
17 and legal assistance of the Agency of Education.

18 (e) Report. On or before January 15, 2017, the Committee shall submit a
19 report to the General Assembly with its findings and any recommendations.

1 (f) Meetings.

2 (1) The Secretary of Education shall call the first meeting of the
3 Committee to occur on or before August 1, 2016.

4 (2) The Committee shall select a chair from among its members at the
5 first meeting.

6 (3) A majority of the membership shall constitute a quorum.

7 (4) The Committee shall cease to exist on January 15, 2017.

8 (g) Reimbursement.

9 (1) For attendance at meetings during adjournment of the General
10 Assembly, legislative members of the Committee shall be entitled to per diem
11 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
12 no more than six meetings.

13 (2) Other members of the Committee who are not employees of the State
14 of Vermont and who are not otherwise compensated or reimbursed for their
15 attendance shall be entitled to reimbursement of expenses pursuant to
16 32 V.S.A. § 1010 for no more than six meetings.

17 (h) Appropriation. The sum of \$10,000.00 is appropriated from the
18 General Fund in fiscal year 2017 for per diem compensation and
19 reimbursement of expenses for members of the Committee.

* * * Path To Reentry Study Committee * * *

Sec. 6. PATH TO REENTRY STUDY COMMITTEE

(a) Creation. There is created the Path to Reentry Study Committee.

(b) Membership. The Committee shall be composed of the following eight members:

(1) one current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) one current member of the Senate, who shall be appointed by the Pro-Tempore of the Senate;

(3) the Secretary of Education or designee;

(4) the Chancellor of the Vermont State Colleges or designee;

(5) the Commissioner of Corrections or designee;

(6) a representative from the Vermont Works for Women;

(7) the Commissioner of Health or designee; and

(8) the Secretary of Human Services or designee.

(c) Powers and duties. The Committee shall study:

(1) the design of a reentry program that would create the opportunity for incarcerated men and women to earn a college degree while serving their sentence;

(2) the cost of, and funding for, the reentry program;

1 (3) the eligibility criteria for participation in the reentry program, taking
2 into account such factors as the inmate's likelihood of success in earning a
3 degree and the nature of the inmate's offence and whether the inmate has
4 demonstrated a tendency for violence;

5 (4) the constitution and mandate of an admissions board which would
6 determine the eligibility of inmates to participate in the reentry program;

7 (5) the education curriculum for the reentry program; and

8 (6) the design of a pilot program for the reentry program.

9 (d) Assistance. The Committee shall have the administrative, technical,
10 and legal assistance of the Agency of Education.

11 (e) Report. On or before January 15, 2017, the Committee shall submit a
12 report to the General Assembly with its findings and any recommendations.

13 (f) Meetings.

14 (1) The Secretary of Education or designee shall call the first meeting of
15 the Committee to occur on or before August 1, 2016.

16 (2) The Committee shall select a chair from among its members at the
17 first meeting.

18 (3) A majority of the membership shall constitute a quorum.

19 (4) The Committee shall cease to exist on January 15, 2017.

1 (g) Reimbursement.

2 (1) For attendance at meetings during adjournment of the General
3 Assembly, legislative members of the Committee shall be entitled to per diem
4 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
5 no more than six meetings.

6 (2) Other members of the Committee who are not employees of the State
7 of Vermont and who are not otherwise compensated or reimbursed for their
8 attendance shall be entitled to reimbursement of expenses pursuant to
9 32 V.S.A. § 1010 for no more than six meetings.

10 (h) Appropriation. The sum of \$6,500.00 is appropriated from the General
11 Fund in fiscal year 2017 for per diem compensation and reimbursement of
12 expenses for members of the Committee.

13 * * * Textbooks—Minimize Cost * * *

14 Sec. 7. 16 V.S.A. § 2551 is added to read:

15 § 2551. TEXTBOOKS

16 (a) The Vermont State Colleges and the University of Vermont, jointly or
17 individually, shall develop, publish, and update materials designed to educate
18 and assist faculty to make textbook-related decisions that minimize the cost to
19 students by encouraging use of pre-owned and previous editions of textbooks
20 and supplemental materials. The materials shall include best practices
21 processes for consideration of:

1 (1) the difference in content between current and previous editions of a
2 textbook and supplemental materials;

3 (2) the difference in price between current and previous editions;

4 (3) the availability of new and pre-owned copies of current editions and
5 of new and pre-owned copies of previous editions;

6 (4) ways in which faculty and campus bookstores can work together to
7 find alternatives to high cost editions; and

8 (5) whether the differences in content or availability justify use of a high
9 cost edition.

10 (b) When announcing course requirements, a faculty member of the
11 Vermont State Colleges or the University of Vermont shall inform students:

12 (1) whether a previous edition of a textbook or supplemental materials
13 will suffice;

14 (2) whether supplemental material is a required or suggested part of the
15 syllabus; and

16 (3) of resources on and off campus for obtaining the identified textbooks
17 and supplemental materials.

* * * Textbooks—Sales Tax Exemption * * *

Sec. 8. 32 V.S.A. § 9741 is amended to read:

§ 9741. SALES NOT COVERED

Retail sales and use of the following shall be exempt from the tax on retail sales imposed under section 9771 of this title and the use tax imposed under section 9773 of this title.

* * *

(50) Compost, animal manure, manipulated animal manure, and planting mix when any of these items are sold in bulk. As used in this section, the term “sold in bulk” shall mean sold in a form that is not prepackaged, or sold in a packaged form in volumes greater than one cubic yard;

(51) School instructional material, which means textbooks and workbooks.

* * * Tuition and Student Loans—Income Tax Deduction * * *

Sec. 9. 32 V.S.A. § 5811 is amended to read:

§ 5811. DEFINITIONS

The following definitions shall apply throughout this chapter unless the context requires otherwise:

* * *

(21) “Taxable income” means federal taxable income determined without regard to 26 U.S.C. § 168(k) and:

* * *

(B) Decreased by the following items of income (to the extent such income is included in federal adjusted gross income):

* * *

(iii) recapture of State and local income tax deductions not taken against Vermont income tax;

(iv) the amount of qualified tuition and related expenses paid by the taxpayer during the taxable year for education furnished to an eligible student during any academic period beginning in such taxable year; and

(v) the amount of qualified education loan payments paid by the taxpayer during the taxable year.

(C) As used in subdivisions (B)(iv) and (v) of this subdivision (21):

(i) The term “eligible student” means, with respect to any academic period, a student who meets the requirements of the Higher Education Act of 1965, 20 U.S.C. § 1091(a)(1), and is carrying at least one-half the normal full-time workload for the course of study the student is pursuing;

(ii) The term “qualified education loan” means any indebtedness incurred by the taxpayer on behalf of the taxpayer, the taxpayer’s spouse, or any dependent of the taxpayer to pay for qualified tuition and related expenses which are attributable to education furnished in a period during which the

1 recipient was an eligible student. Such term includes indebtedness used to
2 refinance indebtedness which qualifies as an qualified education loan, and
3 interest that is incurred during repayment of the loan; and

4 (iii) The term “qualified tuition and related expenses” means
5 tuition, fees, room and board, and books required for the enrollment or
6 attendance of the taxpayer, the taxpayer’s spouse, or any dependent of the
7 taxpayer at an eligible educational institution for courses of instruction of such
8 individual at such institution, minus the principal amount from a qualified
9 education loan the proceeds from which are used to pay for the qualified
10 tuition and related expenses.

11 * * *

12 * * * Apprenticeship Tax Credit * * *

13 Sec. 10. 32 V.S.A. chapter 151, subchapter 11O is added to read:

14 Subchapter 11O. Apprenticeship Training In Manufacturing,

15 Construction, and Plastics-Related Trades Tax Credit

16 § 5930oo. APPRENTICESHIP TRAINING IN MANUFACTURING,

17 CONSTRUCTION, AND PLASTICS-RELATED TRADES TAX

18 CREDIT

19 (a) The Vermont Commissioner of Labor shall form and appoint seven
20 members to the Vermont State Apprenticeship Council, each of whom shall
21 have some association with apprentice training. Three shall be representatives

1 of Vermont industry, with one representative each from the manufacturing,
2 plastics and plastics-related, and construction trades; one shall be a Vermont
3 member of a national labor organization with apprentice training programs;
4 one shall represent the public; one shall be associated with a Vermont technical
5 school; and one shall be the Commissioner of Labor or designee. Any vacancy
6 in the membership of the Council shall be filled by the Commissioner of
7 Labor. It shall meet on the call of the Chair, who shall be the Commissioner of
8 Labor or designee. The members of the Council shall not be compensated for
9 their services, but the members, except the Commissioner of Labor or designee
10 and any State employee, shall be reimbursed for necessary expenses incurred
11 in the performance of their duties.

12 (b) The Council will design a tax credit program for apprenticeship training
13 in the manufacturing, plastics and plastics-related, and construction trades.
14 This program will include the definition of the terms “manufacturing trades,”
15 “plastics and plastics-related trades” and “construction trades” as used in this
16 section, the qualifications for receiving the tax credit, and the terms and
17 conditions of the tax credit.

18 (c) The Commissioner of Labor shall convene the first meeting of the
19 Council by October 1, 2016. The Council shall provide an interim report
20 describing its activities by March 15, 2017, and a final report detailing the
21 proposed tax credit program by July 1, 2017, to the House Committee on

1 Commerce and Economic Development and the Senate Committee on
2 Economic Development, Housing and General Affairs.

3 * * * Effective Date * * *

4 Sec. 11. EFFECTIVE DATE

5 This act shall take effect on July 1, 2016, and Secs. 9 and 10 shall apply to
6 the 2017 taxable year and after.