

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred House Bill No. 184
3 entitled “An act relating to Executive Branch Fees” respectfully reports that it
4 has considered the same and recommends that the Senate propose to the House
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 * * * Secretary of State * * *

8 * * * Office of Professional Regulation * * *

9 * * * Osteopathy * * *

10 Sec. 1. 26 V.S.A. § 1794 is amended to read:

11 § 1794. FEES

12 Applicants and persons regulated under this chapter shall pay the following
13 fees:

14 (1) Application

15 (A) Licensure \$500.00

16 (B) Limited temporary license \$50.00

17 (2) Biennial license renewal ~~\$500.00~~ \$350.00

18 (3) Annual limited temporary license renewal \$100.00

- 1 \$50.00 per application
- 2 (2) Issuance of ~~initial~~ Level I license ~~\$40.00~~ \$50.00 per year
- 3 for the term of the license
- 4 (3) ~~Renewal~~ Issuance of Level II license ~~\$40.00~~ \$50.00 per year
- 5 for the term of the renewal
- 6 (4) ~~Replacement of license~~ Official copy of licenses \$10.00
- 7 (5) [Repealed.]
- 8 (6) Issuance of provisional, emergency, or apprenticeship license
- 9 \$50.00 per year for term of license
- 10 ~~(6)~~(7) Peer review process \$1,200.00 one-time fee
- 11 * * *
- 12 * * * Speech–Language Pathologists and Audiologists * * *
- 13 Sec. 7. 26 V.S.A. § 4459 is amended to read:
- 14 § 4459. FEES
- 15 (a) Each applicant and licensee shall be subject to the following fees:
- 16 (1) ~~Initial processing~~ Processing of application ~~\$35.00~~ \$50.00
- 17 (2) Issuance of ~~initial~~ license ~~\$35.00~~ \$50.00 per year for the term of the
- 18 license
- 19 (3) ~~Renewal~~ Issuance of license ~~\$35.00~~ \$50.00 per year for the term of
- 20 the renewal
- 21 (4) ~~Replacement~~ Official copy of license \$10.00

1 ~~(5) Duplicate license \$3.00~~

2 (b) Fees collected under this section shall be credited to special funds
3 established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and
4 shall be available to the ~~department~~ Department to offset the costs of providing
5 those services.

6 * * * Department of Health * * *

7 * * * X-ray Equipment Fees * * *

8 Sec. 8. 18 V.S.A. § 1652(e) is amended to read:

9 (e) Applicants for registration of X-ray equipment shall pay an annual
10 registration fee of ~~\$45.00~~ \$85.00 per piece of equipment.

11 * * * Food and Lodging Establishment Fees * * *

12 Sec. 9. 18 V.S.A. § 4353 is amended to read:

13 § 4353. FEES

14 (a) The following fees shall be paid annually to the ~~board~~ Board at the time
15 of making the application according to the following schedules:

16 (1) Restaurant I – Seating capacity of 0 to 25; ~~\$85.00~~ \$110.00

17 II — Seating capacity of 26 to 50; ~~\$145.00~~ \$200.00

18 III — Seating capacity of 51 to 100; ~~\$245.00~~ \$300.00

19 IV — Seating capacity of 101 to 200; ~~\$305.00~~ \$500.00

20 V — Seating capacity of over 200; ~~\$390.00~~ \$600.00

21 VI — Home Caterer; ~~\$95.00~~ \$150.00

- 1 VII — Commercial Caterer; ~~\$200.00~~ \$225.00
- 2 VIII — Limited Operations; ~~\$95.00~~ \$125.00
- 3 IX — Fair Stand; ~~\$70.00~~ \$125.00; if operating for four or
- 4 more days per year; ~~\$160.00~~ \$250.00
- 5 (2) Lodging I — Lodging capacity of 1 to 10; ~~\$80.00~~ \$135.00
- 6 II — Lodging capacity of 11 to 20; ~~\$135.00~~ \$230.00
- 7 III — Lodging capacity of 21 to 50; ~~\$200.00~~ \$340.00
- 8 IV — Lodging capacity of over 50; ~~\$340.00~~ \$530.00
- 9 (3) Food processor - a fee for any person or persons that process food
- 10 for resale to restaurants, stores, or individuals according to the following
- 11 schedule:
- 12 (A) - Gross receipts of \$10,001.00 to \$50,000.00; ~~\$115.00~~ \$175.00
- 13 (B) - Gross receipts of over \$50,000.00; ~~\$155.00~~ \$275.00
- 14 (4) Seafood vending facility – ~~\$125.00~~ \$175.00, unless operating
- 15 pursuant to another license issued by the ~~department of health~~ Department of
- 16 Health and generating less than \$40,000.00 in seafood gross receipts annually.
- 17 If generating more than \$40,000.00 in seafood gross receipts annually, the fee
- 18 is to be paid regardless of whether the facility is operating pursuant to another
- 19 license issued by the ~~department of health~~ Department of Health.
- 20 (5) Shellfish reshippers and repackers – ~~\$285.00~~ \$375.00.

1 (b) The ~~commissioner of the department of health~~ Commissioner of Health
2 will be the final authority on definition of categories contained herein.

3 * * *

4 Sec. 10. 18 V.S.A. § 4446 is amended to read:

5 § 4446. FEE

6 (a) A person owning or conducting a bakery as specified in sections 4441
7 and 4444 of this title shall pay to the ~~board~~ Board a fee for each certificate and
8 renewal thereof in accordance with the following schedule:

9 Bakery I – Home Bakery; ~~\$55.00~~ \$100.00

10 II – Small Commercial; ~~\$125.00~~ \$175.00

11 III – Large Commercial; ~~\$250.00~~ \$325.00

12 IV – Camps; ~~\$90.00~~ \$150.00

13 (b) The ~~commissioner of the department of health~~ Commissioner of Health
14 will be the final authority on definition of categories contained herein.

15 * * *

16 Sec. 11. REPORT TO GENERAL ASSEMBLY; COMBINATION

17 LICENSES FOR FOOD AND LODGING ESTABLISHMENTS

18 (a) On or before January 15, 2016, the Commissioner of Health shall
19 submit to the House Committee on Human Services, the House Committee on
20 Ways and Means, and the Senate Committee on Finance a report with
21 recommendations designed to achieve licensing efficiencies, including

1 risk-based inspections and combination licenses for food retailers and food and
2 lodging establishments. The report shall include:

3 (1) a summary of how other New England states license such
4 establishments and identify any other state that has a valuable model;

5 (2) a description of available models that include risk-based inspections
6 and combination licenses;

7 (3) any recommendation of revenue-neutral fee structure changes that
8 would improve efficiency for both the Department and licensees.

9 (b) For fiscal year 2017, the Commissioner of Health shall submit a new
10 fee schedule for combination licenses for food and lodging establishments to
11 the Senate Committee on Finance and the House Committee on Ways and
12 Means.

13 * * * Board of Medical Practice Fees * * *

14 * * * Podiatry * * *

15 Sec. 12. 26 V.S.A. § 374 is amended to read:

16 § 374. FEES; LICENSES

17 Applicants and persons regulated under this chapter shall pay the following
18 fees:

19 (1) Application for licensure, ~~\$625.00~~ \$650.00; the ~~board~~ Board shall
20 use at least \$25.00 of this fee to support the cost of maintaining the Vermont

1 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
2 recovering chemically dependent licensees for the protection of the public.

3 (2) Biennial renewal, ~~\$500.00~~ \$525.00; the ~~board~~ Board shall use at
4 least \$25.00 of this fee to support the cost of maintaining the Vermont
5 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
6 recovering chemically dependent licensees for the protection of the public.

7 * * * Medicine * * *

8 Sec. 13. 26 V.S.A. § 1401a is amended to read:

9 § 1401a. FEES

10 (a) The ~~department of health~~ Department of Health shall collect the
11 following fees:

12 (1) Application for licensure, ~~\$625.00~~ \$650.00; the ~~board~~ Board shall
13 use at least \$25.00 of this fee to support the cost of maintaining the Vermont
14 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
15 recovering chemically dependent licensees for the protection of the public.

16 (2) Biennial renewal, ~~\$500.00~~ \$525.00; the ~~board~~ Board shall use at
17 least \$25.00 of this fee to support the cost of maintaining the Vermont
18 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
19 recovering chemically dependent licensees for the protection of the public.

20 (3) Initial limited temporary license; annual renewal ~~\$70.00~~ \$75.00.

21 * * *

1 or a facility to be undertaken and owned by an agency of the State or a political
2 subdivision of the State.

3 (D) Nothing in this subdivision (5) shall affect the authority of the
4 Agency of Natural Resources to retain personnel and allocate costs under
5 sections 20 and 21 of this title, except that, if the costs of regular employees
6 are allocated under section 21 of this title to an applicant paying a fee under
7 this subdivision, the allocated amount shall be offset by the portion of the fee
8 available to the allocating agency.

9 * * *

10 Sec. 18. 10 V.S.A. § 6083a is amended to read:

11 § 6083a. ACT 250 FEES

12 (a) All applicants for a land use permit under section 6086 of this title shall
13 be directly responsible for the costs involved in the publication of notice in a
14 newspaper of general circulation in the area of the proposed development or
15 subdivision and the costs incurred in recording any permit or permit
16 amendment in the land records. In addition, applicants shall be subject to the
17 following fees for the purpose of compensating the State of Vermont for the
18 direct and indirect costs incurred with respect to the administration of the Act
19 250 program:

20 (1) For projects involving construction, ~~\$5.40~~ \$6.65 for each \$1,000.00
21 of the first \$15,000,000.00 of construction costs, and ~~\$2.50~~ \$3.12 for each

1 \$1,000.00 of construction costs above \$15,000,000.00. An additional \$0.75
2 for each \$1,000.00 of the first \$15,000,000.00 of construction costs shall be
3 paid to the Agency of National Resources to account for the Agency of Natural
4 Resources' review of Act 250 applications.

5 (2) For projects involving the creation of lots, ~~\$100.00~~ \$125.00 for
6 each lot.

7 (3) For projects involving exploration for or removal of oil, gas, and
8 fissionable source materials, a fee as determined under subdivision (1) of this
9 subsection or \$1,000.00 for each day of Commission hearings required for
10 such projects, whichever is greater.

11 (4) For projects involving the extraction of earth resources, including
12 ~~but not limited to~~ sand, gravel, peat, topsoil, crushed stone, or quarried
13 material, the greater of: a fee as determined under subdivision (1) of this
14 subsection; or a fee equivalent to the rate of \$0.02 per cubic yard of the first
15 million cubic yards of the total volume of earth resources to be extracted over
16 the life of the permit, and \$0.01 per cubic yard of any such earth resource
17 extraction above one million cubic yards. Extracted material that is not sold or
18 does not otherwise enter the commercial marketplace shall not be subject to the
19 fee. The fee assessed under this subdivision for an amendment to a permit
20 shall be based solely upon any additional volume of earth resources to be
21 extracted under the amendment.

1 (5) For projects involving the review of a master plan, a fee equivalent
2 to \$0.10 per ~~\$1,000~~ \$1,000.00 of total estimated construction costs in current
3 dollars in addition to the fee established in ~~subdivisions~~ subdivision (1) of this
4 subsection for any portion of the project seeing construction approval

5 (6) In no event shall a permit application fee exceed ~~\$150,000.00~~
6 \$165,000.00.

7 (b) Notwithstanding the provisions of subsection (a) of this section, there
8 shall be a minimum fee of ~~\$150.00~~ \$187.50 for original applications and
9 ~~\$50.00~~ \$62.50 for amendment applications, in addition to publication and
10 recording costs. These costs shall be in addition to any other fee established by
11 statute, unless otherwise expressly stated.

12 * * *

13 Sec. 19. 3 V.S.A. § 2809(d)(4) is amended to read:

14 (4) All funds collected from applicants under the provisions of this
15 section shall be paid into the ~~State Treasury~~ Environmental Permit Fund
16 established pursuant to 10 V.S.A. § 2805, except that funds collected under
17 provisions of subdivision (a)(2) of this section shall be paid into the Natural
18 Resources Management Fund established pursuant to 23 V.S.A. § 3106(d).

19 * * * Department for Environmental Conservation * * *

20 Sec. 20. 3 V.S.A. § 2822 is amended to read:

21 § 2822. BUDGET AND REPORT; POWERS

* * *

1
2 (i) The Secretary shall not process an application for which the applicable
3 fee has not been paid unless the Secretary specifies that the fee may be paid at
4 a different time or unless the person applying for the permit is exempt from the
5 permit fee requirements pursuant to 32 V.S.A. § 710. ~~In addition, the persons
6 who are exempt under 32 V.S.A. § 710 are also exempt from the application
7 fees for stormwater operating permits specified in subdivisions (j)(2)(A)(iii)(I)
8 and (II) of this section if they otherwise meet the requirements of 32 V.S.A.
9 § 710. Municipalities shall be exempt from the payment of fees under this
10 section except for those fees prescribed in subdivisions (j)(1), (2), (7), (8), (14),
11 and (15) of this section for which a municipality may recover its costs by
12 charging a user fee to those who use the permitted services. Municipalities
13 shall be subject to the payment of fees prescribed in subdivisions (j)(2), (10),
14 (11), (12) and (26), except that a municipality shall also be exempt from those
15 fees for ~~orphan~~ stormwater systems ~~prescribed in subdivisions (j)(2)(A)(iii)
16 and (2)(B)(iv)(I) or (II) of this section when the municipality agrees to become
17 an applicant or co-applicant for an orphan stormwater system under 10 V.S.A.
18 § 1264e~~ for which a municipality has assumed full legal responsibility for the
19 permit pursuant to 10 V.S.A. § 1264.~~

1 (j) In accordance with subsection (i) of this section, the following fees are
2 established for permits, licenses, certifications, approvals, registrations, orders,
3 and other actions taken by the Agency of Natural Resources.

4 (1) For air pollution control permits or registrations issued under
5 10 V.S.A. chapter 23:

6 * * *

7 ~~(B) Any person required to register an air contaminant source under~~
8 ~~10 V.S.A. § 555(c) shall submit an annual registration fee in accordance with~~
9 ~~the following registration fee schedule, where the sum of a source's emissions~~
10 ~~of the following air contaminants is greater than five tons per year: sulfur~~
11 ~~dioxide, particulate matter, carbon monoxide, nitrogen oxides, and~~
12 ~~hydrocarbons:~~

13 ~~Registration: \$0.0335 per pound of emissions of any of these~~
14 ~~contaminants. Where the sum of a source's emission of these contaminants is~~
15 ~~greater than ten tons per year, provided that a plant producing renewable~~
16 ~~energy as defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding~~
17 ~~\$64,000.00:~~

18 ~~Base registration fee \$1,500.00; and \$0.0335 per pound of emissions~~
19 ~~of any of these contaminants.~~

20 (B) Annual registration. Any person required to register an air
21 contaminant source under 10 V.S.A. § 555(c) shall annually pay the following:

1 (i) base fee where the sum of a source's emissions of sulfur
2 dioxide, particulate matter, carbon monoxide, nitrogen oxides, and
3 hydrocarbons is:

4 (I) ten tons or greater: \$1,500.00;

5 (II) less than ten tons but greater than or equal to five tons:
6 \$1,000.00; and

7 (III) less than five tons: \$500.00.

8 (ii) Where the sum of a source's emissions of sulfur dioxide,
9 particulate matter, carbon monoxide, nitrogen oxides, and hydrocarbons is
10 greater than or equal to five tons: an annual registration fee that is 0.0335 per
11 pound of such emissions except that a plant producing renewable energy as
12 defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding \$64,000.00.

13 (2) For discharge permits issued under 10 V.S.A. chapter 47 and orders
14 issued under 10 V.S.A. § 1272, an administrative processing fee of \$120.00
15 shall be paid at the time of application for a discharge permit in addition to any
16 application review fee and any annual operating fee, except for permit
17 applications under subdivisions (2)(A)(iii)(III) and (V) of this subsection:

18 (A) Application review fee.

19 * * *

20 (iv) Indirect discharge or underground injection control, excluding
21 stormwater discharges.

- 1 (I) Sewage Indirect discharge.
- 2 (aa) Individual permit: \$1,755.00 plus \$0.08
- 3 original application; per gallon of design
- 4 amendment for increased flows; capacity above
- 5 amendment for modification or 6,500 gpd.
- 6 replacement of system.;
- 7 ~~(bb) Renewal, transfer, or minor \$0.00~~
- 8 ~~amendment of individual permit.~~
- 9 ~~(cc) General permit. \$0.00~~
- 10 (II) Nonsewage Underground
- 11 injection; original permit.
- 12 (aa) ~~Individual permit: \$0.06 per gallon~~
- 13 ~~original application; capacity design; minimum~~
- 14 ~~amendment for increased \$400.00 per application.~~
- 15 ~~flows; amendment for~~
- 16 ~~modification or replacement~~
- 17 ~~of system. For applications \$500.00 and \$0.10 for~~
- 18 ~~where the discharge meets each gallon per day~~
- 19 ~~groundwater enforcement over 2,000 gallons~~
- 20 ~~standards at the point of per day.~~
- 21 ~~discharge:~~

1 system, including a sewerage connection; and a potable water supply,
2 including a connection to a public water supply:

3 (A) Original applications, or major amendments for a project with the
4 following proposed design flows. In calculating the fee, the highest proposed
5 design flow whether wastewater or water shall be used:

6 (i) design flows 560 gpd or less: ~~\$245.00~~ \$306.25 per application.

7 (ii) design flows greater than 560 and less than or equal to 2,000
8 gpd: ~~\$580.00~~ \$870.00 per application.

9 (iii) design flows greater than 2,000 and less than or equal to
10 6,500 gpd: ~~\$2,000.00~~ \$3,000.00 per application.

11 (iv) design flows greater than 6,500 and less than or equal to
12 10,000 gpd: ~~\$5,000.00~~ \$7,500.00 per application.

13 (v) design flows greater than 10,000 gpd: ~~\$9,500.00~~ \$13,500.00
14 per application.

15 (B) Minor amendments: ~~\$100.00.~~ \$150.00.

16 ~~(C) Special fees~~

17 ~~(i) Original application or~~ ~~\$135.00~~

18 ~~amendment solely for con-~~

19 ~~struction of grease trap,~~

20 ~~due to change in use,~~

21 ~~no increase in design flow.~~

1 ~~(ii) Original application or~~ ~~\$135.00.~~
2 ~~amendment solely for con-~~
3 ~~struction of holding tank~~
4 ~~for nondomestic wastewater~~
5 ~~when nondomestic wastewater~~
6 ~~will be transported off site.~~
7 ~~(iii) Original application or~~ ~~\$50.00~~
8 ~~amendment for initial~~
9 ~~connection by an existing~~
10 ~~building or structure~~
11 ~~to a municipal water~~
12 ~~or wastewater system at~~
13 ~~the time is first con-~~
14 ~~structed where there is~~
15 ~~no increase in design~~
16 ~~flow and where the con-~~
17 ~~nection and system has~~
18 ~~been reviewed and ap-~~
19 ~~proved by the facilities~~
20 ~~engineering division of~~
21 ~~the agency or has been~~

1 (A) For public water supply construction permit and permit
2 amendment applications:

3 ~~\$375.00 per application plus \$0.0055 per gallon of design capacity.~~
4 ~~Amendments \$150.00 per application.~~

5 (i) For public community and nontransient noncommunity water
6 supplies: \$900.00.

7 (ii) For transient noncommunity: \$500.00.

8 (B) For water treatment plant applications, except those applications
9 submitted by a municipality as defined in 1 V.S.A. § 126 or a consolidated
10 water district established under 24 V.S.A. § 3342: \$0.003 per gallon of design
11 capacity. Amendments \$150.00 per application.

12 * * *

13 (D) For public water supplies and bottled water facilities, annually:

14 (i) Transient noncommunity: ~~\$50.00~~ \$100.00.

15 (ii) Nontransient, noncommunity: \$0.0355 per 1,000 gallons
16 of water produced
17 annually or \$70.00,
18 whichever is greater.

19 (iii) Community: ~~\$0.0439~~ \$0.05 per 1,000
20 gallons of water produced
21 annually.

1 (iv) Bottled water: \$1,390.00 per permitted facility.

2 (E) Amendment to bottled water facility permit, \$150.00 per
3 application.

4 (F) For facilities permitted to withdraw groundwater pursuant to
5 10 V.S.A. § 1418: \$2,300.00 annually per facility.

6 (G) In calculating flow-based fees under this subsection, the
7 Secretary will use metered production flows where available. When metered
8 production flows are not available, the Secretary shall estimate flows based on
9 the standard design flows for new construction.

10 (H) The Secretary shall bill public water supplies and bottled water
11 companies for the required fee. Annual fees may be divided into semiannual
12 or quarterly billings.

13 (8) For public water system operator certifications issued under
14 10 V.S.A. § 1674:

15 (A) For class IA and IB operators: \$45.00 per initial
16 certificate or renewal.
17 ~~Operators who are also~~
18 ~~permittees under the~~
19 ~~transient noncommunity~~
20 ~~water system general~~
21 ~~permit are not subject to~~

1 ~~this fee.~~

2 (B) For all other classes: \$80.00 per initial
3 certificate or renewal.

4 (9)(A) For a solid waste hauler: ~~an annual operating fee of \$50.00 per~~
5 ~~vehicle.~~

6 (i) \$50.00 per vehicle for small vehicles with two axels, including
7 pickup trucks, utility trailers, and stakebody trucks.

8 (ii) \$75.00 per vehicle for vehicles with three or four axels,
9 including packer trucks, dump trucks, and roll offs.

10 (iii) \$100.00 per vehicle for tractors and any number axel tandem
11 trailers.

12 (B) For a hazardous waste hauler: an annual operating fee of
13 \$125.00 per vehicle.

14 (10) For management of lakes and ponds permits issued under
15 29 V.S.A. chapter 11:

16 (A) Nonstructural erosion control: \$155.00 per application.

17 (B) Structural erosion control: \$250.00 per application

18 (C) All other encroachments: \$300.00 per application

19 plus one percent of

20 construction costs, not to

21 exceed \$20,000.00 per

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application.

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(12)(A) For dam permits issued under 10 V.S.A. chapter 43: ~~0.525~~ 1.00
percent of construction costs, minimum fee of ~~\$200.00~~ \$1,000.00.

(B) For all dams capable of impounding 500,000 or more cubic feet
of water or other liquid, an annual fee:

(i) For dams classified as low risk: \$200.00 per year.

(ii) For dams classified as significant risk: \$350.00 per year.

(iii) For dams classified as high risk: \$1,000.00 per year.

(iv) For dams that have not been classified by the Department:
\$0.00 per year.

* * *

~~(k) Commencing with registration year 1993 and for each year thereafter,
any person required to pay a fee to register an air contaminant source under
10 V.S.A. § 555(c) in addition shall pay fees for any emissions of the
following types of hazardous air contaminants. The following fees shall not be
assessed for emissions resulting from the combustion of any fuels, except solid
waste, in fuel burning or manufacturing process equipment. Any person
required to pay a fee to register an air contaminant source under 10 V.S.A.
§ 555(c) and who emits five or more tons per year shall pay fees as follows:~~

1 (1) ~~Contaminants which cause short-term irritant effects – \$0.012 per~~
2 ~~pound of emissions; Where the emissions are resulting from the combustion of~~
3 ~~any of the following fuels in fuel burning or manufacturing process equipment:~~

4 (A)(i) Wood - \$0.1915 per ton burned; or

5 (ii) Wood burned in electric utility units with advanced particulate
6 matter and nitrogen oxide reduction technologies - \$0.0607 per ton burned;

7 (B) No. 4, 5, 6 grade fuel oil and used oil - \$0.0015 per gallon
8 burned;

9 (C) No. 2 grade fuel oil - \$0.0005 per gallon burned;

10 (D) Propane - \$0.0003 per gallon burned;

11 (E) Natural gas - \$2.745 per million cubic feet burned;

12 (F) Diesel generator - \$0.0055 per gallon burned;

13 (G) Gas turbine using No. 2 grade fuel oil - \$0.0022 per gallon
14 burned.

15 (2) ~~Contaminants which cause chronic systemic toxicity (low potency)-~~
16 ~~\$0.0225 per pound of emissions; For the emission of any hazardous air~~
17 ~~contaminant not subject to subdivision (1) of this subsection:~~

18 (A) Contaminants which cause short-term irritant effects - \$0.02 per
19 pound of emissions;

20 (B) Contaminants which cause chronic systemic toxicity - \$0.04 per
21 pound of emissions;

1 (C) Contaminants known or suspected to cause cancer - \$0.95 per
2 pound of emissions.

3 ~~(3) Contaminants which cause chronic systemic toxicity (high~~
4 ~~potency) — \$0.03 per pound of emissions;~~

5 ~~(4) Contaminants known or suspected to cause cancer (low~~
6 ~~potency) — \$0.825 per pound of emissions;~~

7 ~~(5) Contaminants known or suspected to cause cancer (high~~
8 ~~potency) — \$15.00 per pound of emissions.~~

9 ~~(1) Commencing with registration year 1993 and for each year thereafter,~~
10 ~~any person required to pay a fee to register an air contaminant source under~~
11 ~~10 V.S.A. § 555(c) in addition shall pay the following fees for emissions of~~
12 ~~hazardous air contaminants resulting from the combustion of any of the~~
13 ~~following fuels in fuel burning or manufacturing process equipment.~~

14 ~~(1) Coal — \$0.645 per ton burned;~~

15 ~~(2)(A) Wood — \$0.155 per ton burned; or~~

16 ~~(B) Wood burned with an operational electrostatic precipitator and~~
17 ~~NOx reduction technologies — \$0.0375 per ton burned;~~

18 ~~(3) No. 6 grade fuel oil — \$0.00075 per gallon burned;~~

19 ~~(4) No. 4 grade fuel oil — \$0.0006 per gallon burned;~~

20 ~~(5) No. 2 grade fuel oil — \$0.0003 per gallon burned;~~

21 ~~(6) Liquid propane gas — \$0.0003 per gallon burned;~~

1 Sec. 22. 10 V.S.A. § 6607a is amended to read:

2 § 6607a. WASTE TRANSPORTATION

3 (a) A commercial hauler desiring to transport waste within the State shall
4 apply to the Secretary for a permit to do so, by submitting an application on a
5 form prepared for this purpose by the Secretary and by submitting the
6 disclosure statement described in section 6605f of this title. These permits
7 shall have a duration of five years and shall be renewed annually. The
8 application shall indicate the nature of the waste to be hauled. The Secretary
9 may specify conditions that the Secretary deems necessary to assure
10 compliance with State law.

11 (b) As used in this section:

12 (1) “Commercial hauler” means:

13 (A) any person that transports regulated quantities of hazardous
14 waste; and

15 (B) any person that transports solid waste for compensation in a
16 vehicle.

17 (2) The commercial hauler required to obtain a permit under this section
18 is the legal or commercial entity that is transporting the waste, rather than the
19 individual employees and subcontractors of the legal or commercial entity. In
20 the case of a sole proprietorship, the sole proprietor is the commercial entity.

1	(7) Trapping license for persons aged <u>17 years</u>	
2	<u>of age</u> or under	\$10.00
3	(8) Fishing license for persons aged 15 through 17	
4	<u>years of age</u>	\$8.00
5	(9) Super sport license	\$150.00
6	(10) Three-day fishing license	\$10.00 <u>\$11.00</u>
7	(11) Combination hunting and fishing license for	
8	persons aged <u>17 years of age</u> or under	\$12.00
9	(12) Mentored hunting license	\$10.00
10	(b) Nonresidents may apply for licenses on forms provided by the	
11	Commissioner. Fees for each license shall be:	
12	(1) Fishing license	\$50.00 <u>\$51.00</u>
13	(2) One-day fishing license	\$20.00 <u>\$21.00</u>
14	(3) [Repealed.]	
15	(4) Hunting license	\$100.00
16	(5) Combination hunting and fishing license	\$135.00
17	(6) Big game licenses (all require a hunting license)	
18	(A) archery license	\$38.00
19	(B) muzzle loader license	\$40.00
20	(C) turkey license	\$38.00
21	(D) [Repealed.]	

1	(E) [Repealed.]	
2	(F) moose license	\$350.00
3	(G) early season bear tag	\$15.00
4	(H) additional deer archery tag	\$38.00
5	(7) Small game licenses	
6	(A) all season	\$50.00
7	(B) [Repealed.]	
8	(8) Trapping license	\$300.00 <u>\$305.00</u>
9	(9) Hunting licenses for persons aged 17 <u>years of age</u>	
10	or under	\$25.00
11	(10) Three-day fishing license	\$22.00 <u>\$23.00</u>
12	(11) Seven-day fishing license	\$30.00 <u>\$31.00</u>

13 * * *

14 * * * Labor * * *

15 * * * Workers' Compensation Fund * * *

16 Sec. 24. WORKERS' COMPENSATION RATE OF CONTRIBUTION

17 For fiscal year 2016, after consideration of the formula in 21 V.S.A.
18 § 711(b) and historical rate trends, the General Assembly has established that
19 the rate of contribution for the direct calendar year premium for workers'
20 compensation insurance shall be set at the rate of 1.45 percent established in
21 2014 Acts and Resolves No. 191, Sec. 7, notwithstanding 21 V.S.A. § 711(a).

1 The contribution rate for self-insured workers' compensation losses and
2 workers' compensation losses of corporations approved under 21 V.S.A.
3 chapter 9 shall remain at one percent.

4 * * * Agency of Agriculture, Food and Markets * * *

5 Sec. 25. 6 V.S.A. § 3022(b) is amended to read:

6 (b) Any person who is the owner of any bees, apiary, colony, or hive shall
7 pay a \$10.00 annual registration fee for each location of hives. The fee
8 revenue, ~~together with any other funds appropriated to the Agency for this~~
9 ~~purpose,~~ shall be collected by the Secretary and credited to the Weights and
10 Measures Testing Fund to be used to offset the costs of inspection services and
11 to provide educational services and technical assistance to beekeepers in the
12 State.

13 Sec. 26. 9 V.S.A. § 2632(b) is amended to read:

14 (b) Fees and reimbursements of costs collected by the Agency of
15 Agriculture, Food and Markets under the provisions of this chapter and
16 6 V.S.A. § 3022 shall be credited to a weights and measures special fund and
17 shall be available to the Agency to offset the costs of implementing this
18 chapter and 6 V.S.A. chapter 172.

1 * * * Agency of Commerce and Community Development * * *

2 Sec. 27. 10 V.S.A. § 128 is added to read:

3 § 128. VERMONT CENTER FOR GEOGRAPHIC INFORMATION

4 SPECIAL FUND

5 (a) A Special Fund is created for the operation of the Vermont Center for
6 Geographic Information in the Agency of Commerce and Community
7 Development. The Fund shall consist of revenues derived from the charges by
8 the Agency of Commerce and Community Development pursuant to
9 subsection (c) of this section for the provision of Geographic Information
10 products and services, interest earned by the Fund, and sums which from time
11 to time may be made available for the support of the Center and its operations.
12 The Fund shall be established and managed pursuant to 32 V.S.A. chapter 7,
13 subchapter 5 and shall be available to the Agency to support activities of the
14 Center.

15 (b) The receipt and expenditure of monies from the Special Fund shall be
16 under the supervision of the Secretary of Commerce and Community
17 Development.

18 (c) Notwithstanding 32 V.S.A. § 603, the Secretary of Commerce and
19 Community Development is authorized to impose charges reasonably related
20 to the costs of the products and services of the Vermont Center for Geographic

1 Information, including the cost of personnel, equipment, supplies, and
2 intellectual property.

3 * * * Consumer Protection * * *

4 * * * Charitable Solicitations * * *

5 Sec. 28. 9 V.S.A. § 2473 is amended to read:

6 § 2473. NOTICE OF SOLICITATION

7 * * *

8 (f)(1) ~~In~~ For each calendar year in which a paid fundraiser solicits in this
9 State on behalf of a charitable organization, the paid fundraiser shall pay ~~an~~
10 ~~annual~~ a registration fee of \$500.00 to the Attorney General ~~with its first notice~~
11 ~~of~~ no later than ten days prior to its first solicitation in this State.

12 (2) Each notice of solicitation filed in accordance with this section shall
13 be accompanied by a fee of \$200.00. In the case of a campaign lasting more
14 than 12 months, an additional \$200.00 fee shall be paid annually on or before
15 the date of the anniversary of the commencement of the campaign.

16 (3) Fees paid under this subsection shall be deposited in a special fund
17 managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available
18 to the Attorney General for the costs of administering sections 2471-2479 of
19 this title.

20 * * *

1 implement the program ~~through an agreement with a qualified organization~~
2 consistent with the applicable administrative rules.

3 * * * Judiciary * * *

4 **Sec. 32. 32 V.S.A. § 1434 is amended to read:**

5 § 1434. PROBATE CASES

6 (a) The following entry fees shall be paid to the Probate Division of the
7 Superior Court for the benefit of the State, except for subdivisions (18) and
8 (19) of this subsection which shall be for the benefit of the county in which the
9 fee was collected:

10	(1) Estates of \$10,000.00 or less	\$30.00 <u>\$50.00</u>
11	(2) Estates of more than \$10,000.00	\$80.00 <u>\$100.00</u>
12	to not more than \$50,000.00	
13	(3) Estates of more than \$50,000.00	\$210.00 <u>\$265.00</u>
14	to not more than \$150,000.00	
15	(4) Estates of more than \$150,000.00	\$395.00 <u>\$500.00</u>
16	to not more than \$500,000.00	
17	(5) Estates of more than \$500,000.000	\$660.00 <u>\$1,000.00</u>
18	to not more than \$1,000,000.00	
19	(6) Estates of more than \$1,000,000.00	\$1,050.00 <u>\$1,500.00</u>
20	to not more than \$5,000,000.00	
21	(7) Estates of more than \$5,000,000.00	\$1,575.00 <u>\$2,000.00</u>

1	to not more than \$10,000,000.00	
2	(8) Estates of more than \$10,000,000.00	\$1,840.00 <u>\$2,500.00</u>
3	(9) For all petitions, other	<u>\$160.00</u>
4	than those described in	
5	subdivision (11) of this	
6	subsection, where the corpus of	
7	the trust at the time the	
8	petition is filed is \$100,000.00	
9	or less, including petitions to	
10	modify or terminate a trust, to	
11	remove or substitute a trustee	
12	or trustees, or seeking remedies	
13	for breach of trust:	
14	<u>(A) Trusts of \$10,000.00 or less</u>	<u>\$50.00</u>
15	<u>(B) Trusts of \$10,001.00 to not more</u>	<u>\$110.00</u>
16	<u>than \$150,000.00</u>	
17	<u>(C) Trusts of \$150,001.00 to not more</u>	<u>\$500.00</u>
18	<u>than \$500,000.00</u>	
19	<u>(D) Trusts of \$500,001.00 to not more</u>	<u>\$1,000.00</u>
20	<u>than \$1,000,000.00</u>	

1	<u>(E) Trusts of \$1,000,001.00 to not more</u>	<u>\$1,500.00</u>
2	<u>than \$5,000,000.00</u>	
3	<u>(F) Trusts of \$5,000,001.00 to not more</u>	<u>\$2,000.00</u>
4	<u>than \$10,000,000.00</u>	
5	<u>(G) Trust of more than \$10,000,000.00</u>	<u>\$2,500.00</u>
6	(10) For all trust petitions, other	\$265.00
7	than those described in	
8	subdivision (11) of this	
9	subsection, where the corpus of	
10	the trust is more than	
11	\$100,000.00, including petitions	
12	to modify or terminate a trust,	
13	to remove or substitute a	
14	trustee or trustees, or seeking	
15	remedies for breach of trust	
16	<u>Petition for trust motion</u>	<u>\$105.00</u>
17	(11) Annual accounts on trusts	\$35.00 <u>\$85.00</u>
18	(12) Annual accounts on decedents'	\$30.00 <u>\$85.00</u>
19	estates filed for any period	
20	ending more than one year	
21	following the opening of the	

1	estate	
2	(13) Adoptions and relinquishments as	\$100.00 <u>\$150.00</u>
3	part of an adoption proceeding	
4	(14) Relinquishments, separate from	\$100.00
5	adoptions	
6	(15) Guardianships for minors	\$90.00 <u>\$150.00</u>
7	(16) Guardianships for adults	\$105.00 <u>\$150.00</u>
8	(17) Petitions for change of name	\$135.00 <u>\$150.00</u>
9	(18) Filing of a will for safekeeping	\$25.00 <u>\$30.00</u>
10	(19) Filing of subsequent will for	\$15.00 <u>\$30.00</u>
11	safekeeping, same probate	
12	division <u>Probate Division</u> or	
13	transfer to another	
14	probate division <u>Probate Division</u>	
15	(20) Corrections for vital records	\$30.00 <u>\$150.00</u>
16	(21) Orders of authorization pursuant	\$30.00 <u>\$50.00</u>
17	to 18 V.S.A. § 5144	
18	(22) Conveyances of title to real	\$55.00 <u>\$100.00</u>
19	estate pursuant to 14 V.S.A.	
20	§ 1801, including petitions to	
21	clear title and release or	

1	discharge of mortgage	
2	(23) Petitions concerning advance	\$80.00 <u>\$100.00</u>
3	directives pursuant to 18 V.S.A.	
4	§ 9718	
5	(24) Civil actions brought pursuant to	\$55.00 <u>\$100.00</u>
6	18 V.S.A. chapter 107, subchapter 3.	
7	(25) Petitions for partial decree	\$105.00
8	(26) Petitions for license to sell	\$55.00 <u>\$100.00</u>
9	real estate	
10	(27) <u>Petition for license to sell personal property</u>	<u>\$100.00</u>
11	(28) <u>Petitions for minor settlement</u>	\$30.00 <u>\$90.00</u>
12	pursuant to 14 V.S.A. § 2643	
13	(b) Pursuant to Rule 3.1 of the Vermont Rules of Civil Procedure, part of	
14	the filing fee may be waived if the Court finds the applicant is unable to pay it.	
15	The Court shall use procedures established in subsection 1431(h) of this title to	
16	determine the fee. No fee shall be charged for necessary documents pertaining	
17	to the opening of estates, trusts, and guardianships, including the issuance of	
18	two certificates of appointment and respective letters. No fee shall be charged	
19	for the issuance of two certified copies of adoption decree and two certified	
20	copies of instrument changing name.	

1 (c) A fee of \$5.00 shall be paid for each additional certification of
2 appointment of a fiduciary.

3 **Sec. 33. 32 V.S.A. § 1431 is amended to read:**

4 § 1431. FEES IN SUPREME AND SUPERIOR COURTS

5 * * *

6 (e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or
7 Environmental Division of the Superior Court, including motions to reopen
8 civil suspensions and motions for sealing or expungement in the Criminal
9 Division pursuant to 13 V.S.A. § 7602, there shall be paid to the clerk of the
10 Court for the benefit of the State a fee of \$80.00 except for small claims
11 actions. **A filing fee of \$90.00 shall be paid to the clerk of the Court for a civil**
12 **petition for minor settlements.**

13 * * *

14 (h) Pursuant to Vermont Rules of Civil Procedure 3.1 or Vermont Rules of
15 Appellate Procedure 24(a), part or all of the filing fee may be waived if the
16 Court finds that the applicant is unable to pay it. The clerk of the Court or the
17 clerk's designee shall establish the in forma pauperis fee in accordance with
18 procedures and guidelines established by administrative order of the Supreme
19 Court. **The applicant shall pay a minimum in forma pauperis co-pay of \$10.00.**
20 If, during the course of the proceeding and prior to a final judgment, the Court
21 determines that the applicant has the ability to pay all or a part of the waived

1 fee, the Court shall require that payment be made prior to issuing a final
2 judgment. If the applicant fails to pay the fee within a reasonable time, the
3 Court may dismiss the proceeding.

4 **Sec. 34. AGENCY OF NATURAL RESOURCES REPORT ON FEE FOR**
5 **MOORINGS**

6 On or before January 15, 2016, the Secretary of Natural Resources shall
7 submit to the House Committee on Ways and Means, the Senate Committee on
8 Finance, the House Committee on Fish, Wildlife and Water Resources, and the
9 Senate Committee on Natural Resources and Energy a report regarding
10 whether the State should charge a fee for moorings located in waters of the
11 State. The report shall:

12 (1) Provide a detailed estimate of the number of moorings located in
13 waters of the State and address whether other entities, public or private, are
14 collecting fees associated with those moorings.

15 (2) Recommend:

16 (A) whether a fee should be charged for moorings or subcategories of
17 moorings, such as private moorings versus commercial moorings;

18 (B) the amount the State should charge;

19 (C) how the fee should be charged, collected, and noncompliance
20 enforced; and

21 (D) what new or existing program the fee revenue would support.

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* * * Effective Dates * * *

Sec. 35. EFFECTIVE DATES

(a) This section and Secs. 25 (apiaries), and 28 (charitable solicitations) shall take effect on passage.

(b) Sec. 23 (Department of Fish and Wildlife) shall take effect on January 1, 2016.

(c) Notwithstanding 1 V.S.A. § 214, Sec. 27 (VCGI Special Fund) shall take effect on passage and apply retroactively as of February 8, 2015.

(d) All remaining sections shall take effect on July 1, 2015.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE