

**No. 134. An act relating to executive branch fees.**

(H.759)

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

\* \* \* Department of Public Safety \* \* \*

\* \* \* Fire prevention and building code fees \* \* \*

Sec. 1. 20 V.S.A. § 2731(c) is amended to read:

(c) The following fire prevention and building code fees are established:

(1) The permit application fee for a construction plan approval shall be:

~~(A) based on \$4.50 per each \$1,000.00 of the total valuation of the construction work proposed to be done for renovation to buildings constructed before 1983, but in no event shall the permit application fee exceed \$135,000.00;~~

~~(B) based on \$5.50 per each \$1,000.00 of the total valuation of the construction work proposed to be done for all other buildings, but in no event shall the permit application fee exceed \$135,000.00~~ \$185,000.00 ~~nor be less than \$50.00.~~

(2) When an inspection is required due to the change in use or ownership of a public building, the fee shall be ~~\$25.00~~ \$125.00.

(3) The proof of inspection fee for fire suppression, alarm, detection, and any other fire protection systems shall be ~~\$10.00~~ \$30.00.

(4) Three-year initial certificate of fitness and renewal fees for individuals performing activities related to fire or life safety established under subsection (a) of this section shall be:

(A) Water-based fire protection system design:

(i) Initial certification: \$150.00.

(ii) Renewal: \$50.00.

(B) Water-based fire protection system installation, maintenance, repair, and testing:

(i) Initial certification: \$115.00.

(ii) Renewal: \$50.00.

(C) Gas appliance installation, inspection, and service, \$60.00.

(D) Oil burning equipment installation, inspection, and service, \$60.00.

(E) Fire alarm system inspection and testing, \$90.00.

(F) Limited oil burning equipment installation, inspection, and service, \$60.00.

(G) Domestic water-based fire protection system installation, maintenance, repair, and testing:

(i) Initial certification: \$60.00.

(ii) Renewal: \$20.00.

(H) Fixed fire extinguishing system design, installation, inspection, servicing, and recharging:

(i) Initial certification: \$60.00.

(ii) Renewal: \$20.00.

(I) Emergency generator installation, maintenance, repair, and testing, \$30.00;

(J) Chimney and solid fuel burning appliance cleaning, maintenance, and evaluation, \$30.00.

Sec. 2. 20 V.S.A. § 2738 is amended to read:

§ 2738. FIRE ~~SAFETY~~ PREVENTION AND BUILDING INSPECTION

SPECIAL FUND

(a) The fire ~~safety~~ prevention and building inspection special fund revenues shall be from the following sources:

(1) fees relating to construction and inspection of public building and fire prevention inspections under section 2731 of this title;

(2) fees relating to boilers and pressure vessels under section 2883 of this title; ~~and~~

(3) fees relating to electrical installations and inspections and the licensing of electricians under ~~sections 26 V.S.A. §§ 891-915 of Title 26;~~

(4) fees relating to cigarette certification under section 2757 of this title;  
and

(5) fees relating to plumbing installations and inspections and the licensing of plumbers under 26 V.S.A. §§ 2171–2199.

(b) Fees collected under subsection (a) of this section shall be available to the department of public safety to offset the costs of the division of fire safety program.

\* \* \*

\* \* \* Cigarette certification fee \* \* \*

Sec. 3. 20 V.S.A. § 2757(c) is amended to read:

(c) Each manufacturer shall submit to the commissioner written certification attesting that each cigarette has been tested in accordance with and has met the performance standard required under subsection (b) of this section. The description of each cigarette listed in the certification shall include the brand; style; length in millimeters; circumference in millimeters; flavor, if applicable; filter or nonfilter; package description, such as a soft pack or box; and the mark approved pursuant to subsection (d) of this section. Upon request, this certification shall be made available to the attorney general and department of liquor control. Each cigarette certified under this subsection shall be recertified every three years. For the certification or recertification of each brand style, the fee shall be \$1,000.00. The fees shall be paid into the fire prevention and building inspection special fund established in 20 V.S.A. § 2738.

\* \* \* Boiler inspection \* \* \*

Sec. 4. 20 V.S.A. §§ 2883 and 2884 are amended to read:

§ 2883. ~~INSPECTIONS BY INSURANCE COMPANIES~~ BOILER

INSPECTIONS

The commissioner has authority to obtain specific information from ~~boiler insurance companies, boiler inspectors~~ on forms ~~furnished by them~~, which shall first be approved by the commissioner. The commissioner may authorize qualified inspectors ~~in the employ of insurance companies~~ to conduct inspections ~~under his or her control and~~ under such rules as the commissioner may prescribe. If a boiler or pressure vessel is insured, the inspection may be conducted by a qualified inspector who is employed, or contractually authorized, by the insurer. If a boiler or pressure vessel is not insured, the inspection may be conducted by any qualified inspector authorized by the commissioner. In case the inspection is made by such an inspector, no fee shall be charged by the division, except a process fee of ~~\$20.00~~ \$30.00 for issuance of an operating certificate. The fee for a person requesting a three-year authorization to conduct inspections shall be \$150.00. A licensed boiler inspector shall carry liability insurance in an amount determined by the department.

## § 2884. QUALIFICATIONS OF INSPECTORS

All boiler inspectors, ~~employed by the state and insurance companies,~~ shall have passed the examination required by the National Board of Boiler and Pressure Vessel Inspectors, and hold annual certification from such board.

\* \* \* Electrical work \* \* \*

Sec. 5. 26 V.S.A. § 893(a) is amended to read:

(a) Electrical work in a complex structure shall not commence until a work notice accompanied by the required fee is submitted to the department and the work notice is validated by the department. There shall be a base fee of ~~\$30.00~~ \$40.00 for each work notice, except for electrical work done in one and two family residential dwellings. In addition to the base fee, the following fees shall be charged:

\* \* \*

(4) Other electrical work

(A) Each panel and feeder after the main disconnect ~~-\$10.00~~ \$35.00.

(B) Outlets for receptacles, switches, fixtures, electric baseboard (per 50 units or portion thereof) ~~-\$20.00~~.

(C) Yard lights signs ~~-\$5.00~~ each.

(D) Fuel oil, kerosene, LP, natural gas, and gasoline pumps ~~-\$15.00~~ each.

(E) Boilers, furnaces and other stationary appliances ~~-\$10.00~~ each.

(F) Elevators—\$75.00 each.

(G) Platform lifts—\$40.00 each.

(H) Fire alarm initiating, signaling, and associated devices (per 50 units or portions thereof)—\$30.00.

(I) Fire alarm main panel and annunciator panels—\$50.00 each.

(J) Fire pumps—\$50.00.

(5) Reinspection fee. For each reinspection for code violations, there will be a fee of ~~\$35.00~~ \$125.00.

\* \* \* Electrician license fees \* \* \*

Sec. 6. 26 V.S.A. § 905 is amended to read:

§ 905. APPLICATION; EXAMINATIONS AND FEES

\* \* \*

(d) Three-year electrical license fees shall be:

For a masters license (initial and renewal) ~~\$120.00~~ \$150.00;

For a journeyman’s license (initial and renewal) ~~\$ 90.00~~ \$115.00;

For a type-S journeyman’s license (initial and renewal) per field ~~\$ 90.00~~ \$115.00;

~~For~~ The fee for a certificate for framing shall be: \$ 10.00.

(e) If a license is allowed to lapse, it may be renewed within one year of its expiration date by the payment of \$25.00 in addition to the renewal fee.

(f) The fee for replacement of a lost or damaged license shall be: \$20.00.

\* \* \* Plumbing work notice fees \* \* \*

Sec. 7. 26 V.S.A. § 2175(a) is amended to read:

(a) Work in installations subject to the rules of the board shall not commence until a work notice has been received and validated by the department of public safety. The following schedule of work notice fees shall be paid to the commissioner or a designated representative prior to the validation of a work notice.

(1) For all plumbing work, identified as a priority for inspection and review under subsection 2173(b) of this title, the fee shall be:

(A) ~~\$7.00~~ \$10.00 for each plumbing fixture described as a washing machine, dishwasher, grease trap, oil interceptor, sand interceptor, sewage ejector pump, water closet, urinal, bidet, disposal, drinking fountain, water cooler, lavatory, bathtub, shower, sink, hose bib, floor drain, or similar device. The total shall not be less than ~~\$20.00~~ \$50.00.

(B) ~~\$10.00~~ \$15.00 for each plumbing fixture described as a water heater, hydronic heating unit, domestic hot water coil, or water treatment device.

(2) For all plumbing work, not identified as a priority for inspection and review under subsection 2173(b) of this title, the fee shall be:

~~(A) \$20.00 for all plumbing work.~~

~~(B) \$10.00 for all plumbing work involving a water heater, hydronic heating unit, domestic hot water coil or water treatment device~~ \$50.00.

\* \* \*

\* \* \* Plumber license fees \* \* \*

Sec. 8. 26 V.S.A. § 2193(c) is amended to read:

(c) License and renewal fees are as follows:

(1) Master plumber license	<del>\$ 100.00</del>	<u>\$120.00</u>
(2) Journeyman plumber license	<del>\$ 70.00</del>	<u>\$90.00</u>
(3) Specialist license	<del>\$ 40.00</del>	<u>\$50.00</u>
(4) Master renewal fee	<del>\$ 100.00</del>	<u>\$120.00</u>
(5) Journeyman renewal fee	<del>\$ 70.00</del>	<u>\$90.00</u>
(6) Specialist renewal fee	<del>\$ 40.00</del>	<u>\$50.00</u>
(7) License certificate	\$ 10.00	

\* \* \* Repeals \* \* \*

Sec. 9. REPEALS

(a) Sec. 9(b) of No. 165 of the Acts of the 2007 Adj. Sess. (2008) (repeal of criminal history record check fees and the criminal history record check fund) is repealed.

(b) 20 V.S.A. § 2739 (inspection and licensing special fund) is repealed.

\* \* \* Criminal conviction records \* \* \*

Sec. 9a. 20 V.S.A. § 2056c is amended to read:

§ 2056c. DISSEMINATION OF CRIMINAL CONVICTION RECORDS TO  
THE PUBLIC

\* \* \*

(c) Criminal conviction records shall be disseminated to the public by the center under the following conditions:

\* \* \*

(10) No person entitled to receive a criminal conviction record pursuant to this section shall require an applicant to obtain, submit personally, or pay for a copy of his or her criminal conviction record, except that this subdivision shall not apply to a local governmental entity with respect to criminal conviction record checks for licenses or vendor permits required by the local governmental entity.

\* \* \* Fingerprinting fees \* \* \*

Sec. 9b. 20 V.S.A. § 2062 is amended to read:

§ 2062. FINGERPRINTING FEES

State, county and municipal law enforcement agencies may charge a fee of not more than ~~\$15.00~~ \$25.00 for providing persons with a set of classifiable fingerprints. No fee shall be charged to retake fingerprints determined by the Vermont criminal information center not to be classifiable. Fees collected by

the state of Vermont under this section shall be credited to the fingerprint fee special fund established and managed pursuant to ~~32 V.S.A. chapter 7,~~ subchapter 5 of chapter 7 of Title 32, and shall be available to the department of public safety to offset the costs of providing these services.

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

\* \* \* Commercial feed registration \* \* \*

Sec. 10. 6 V.S.A. § 324(b) is amended to read:

(b) No person shall distribute in this state a commercial feed that has not been registered pursuant to the provisions of this chapter. Application shall be in a form and manner to be prescribed by rule of the secretary. The application for registration of a commercial feed shall be accompanied by a registration fee of ~~\$70.00~~ \$75.00 per product. The registration fees, along with any surcharges collected under subsection (c) of this section, shall be deposited in the special fund created by subsection 364(e) of this title. Funds deposited in this account shall be restricted to implementing and administering the provisions of this title and any other provisions of the law relating to fertilizer, lime, or seeds. If the secretary so requests, the application for registration shall be accompanied by a label or other printed matter describing the product.

Sec. 11. 6 V.S.A. § 918(b) is amended to read:

(b) The registrant shall pay an annual fee of ~~\$92.00~~ \$100.00 for each product registered, and that amount shall be deposited in the special fund

created in section 929 of this title, of which \$5.00 from each product registration shall be used for an educational program related to the proper purchase, application, and disposal of household pesticides, and \$5.00 from each product registration shall be used to collect and dispose of obsolete and unwanted pesticides. The annual registration year shall be from December 1 to November 30 of the following year.

\* \* \* Pesticide dealer license\* \* \*

Sec. 12. 6 V.S.A. § 1112(a) is amended to read:

(a) The secretary may adopt regulations requiring persons selling Class A and B pesticides to be licensed under this chapter. In addition, the secretary may adopt regulations requiring companies which hire applicators or conduct pesticide applications to be licensed, and applicators who use pesticides to be certified under this chapter. The secretary may establish reasonable requirements for obtaining licenses and certificates. The fees for dealers, licensed companies and applicator certificates under this chapter shall be as follows:

- (1) Class A Dealer License-~~\$25.00~~ \$30.00;
- (2) Class B Dealer License-~~\$25.00~~ \$30.00;
- (3) Pesticide Company License-~~\$50.00~~ \$60.00;
- (4) Commercial and Noncommercial Applicator Certification fee-\$25.00 per category or subcategory with a maximum of \$100.00;

(5) Second and third time examination fee for dealer licenses and applicator certification-\$25.00.

\* \* \* Bison and cervidae meat inspections \* \* \*

Sec. 13. 6 V.S.A. § 3305(15) is amended to read:

(15) establish by rule the method for providing voluntary inspection, and withdrawal of inspection, of exotic animals, wild game, red deer, and cervidae. These rules may also provide for the inspection of meat and meat food products derived from those animals. The secretary shall provide voluntary inspection of bison, and cervidae, and ratite produced in Vermont, including the inspection of meat and meat food products processed in Vermont derived from bison, and cervidae, and ratite, for which wherever produced. For such inspection the secretary shall charge a fee of \$5.00 per hour. ~~The secretary shall charge \$20.00 per hour per inspection of meat and meat food products processed in Vermont but derived from bison, cervidae, and ratite produced outside Vermont~~ equal to the rate for reimbursable inspection services provided under the Vermont meat and poultry inspection program;

\* \* \* Meat cutting vendors \* \* \*

Sec. 14. 6 V.S.A. § 3306(d) is amended to read:

(d) The annual fee for a license for a retail vendor is \$15.00 ~~and~~ for vendors without meat cutting operations, \$30.00 for vendors with meat cutting space of less than 300 square feet or meat display space of less than 20 linear

feet, and \$60.00 for vendors with 300 or more square feet of meat cutting space and 20 or more linear feet of meat display space. Fees collected under this section shall be deposited in a special fund managed pursuant to subchapter 5 of chapter 7 of Title 32, and shall be available to the agency to offset the cost of administering chapter 204 of this title. For all other plants, establishments, and related businesses listed under subsection (a) of this section, the annual license fee shall be \$50.00. All licenses issued under this section shall take effect January 1 and expire on December 31 of the same year.

\* \* \* Dealers of weighing and measuring devices \* \* \*

Sec. 15. 9 V.S.A. § 2721 is amended to read:

§ 2721. LICENSED PUBLIC WEIGHMASTER-LICENSE

Any person, who is 18 years of age or older, wishing to be a licensed public weighmaster shall apply to the secretary upon forms provided by the agency, and remit a fee of ~~\$12.00~~ \$15.00. Upon approval, the secretary shall issue to the applicant a license certificate which shall expire on June 30 unless sooner suspended or revoked under section 2723 of this title. Renewal applications shall be in such form as the secretary shall prescribe.

Sec. 16. 9 V.S.A. § 2725(a) is amended to read:

(a) Any person wishing to be registered as a dealer or service person shall apply to the secretary upon forms provided by the agency and each application

shall be accompanied by a fee of ~~\$25.00~~ \$50.00. Upon approval, the secretary shall issue to the applicant a registration certificate which shall expire on June 30th unless sooner suspended or revoked under section 2726 of this title. Any service person who applies for such a registration certificate must have obtained a hand seal which has a number registered with the secretary. Any service person who has been granted a registration certificate shall, with such hand seal, seal all meters with a lead and wire seal at such time as he or she installs, repairs, or adjusts said meters.

\* \* \* License to operate weighing and measuring devices \* \* \*

Sec. 17. 9 V.S.A. § 2730(f)(1) is amended to read:

(f)(1) The secretary shall charge, per unit, the following annual license fees:

- (A) Retail motor fuel dispenser meter: \$15.00.
- (B) Vehicle tank meter: \$50.00.
- (C) Scales: \$10.00.
- (D) Vehicle and heavy duty scales: \$150.00.
- (E) Taxi meter: \$10.00.
- (F) Meter: \$5.00.
- (G) Bulk plant meter: \$100.00.
- (H) Truck mounted propane meter: \$150.00.
- (I) Hopper scales: ~~\$75.00~~ \$100.00.

(J) Propane fill station: \$50.00.

(K) Medium duty scales:

portable platform scales: \$10.00.

all others: \$30.00.

\* \* \* Point-of-sale laser scanning licenses \* \* \*

Sec. 18. 9 V.S.A. § 2643 is amended to read:

§ 2643. LICENSES; INSPECTIONS; PENALTIES

(a) No person shall operate a retail point-of-sale laser scanning check-out system with more than three point-of-sale scanning points without first obtaining a license from the secretary.

(1) The secretary may issue a license without first testing the accuracy and use of the point-of-sale laser scanning check-out system pursuant to subsection (b) of this section.

(2) The annual license fee shall be \$10.00 per individual point-of-sale scanning point within a store. All single retail units that have three or fewer scanning points shall be exempt from this fee.

(b) The secretary shall, from time to time, test the accuracy and use of laser scanning and other computer assisted check-out systems in stores. The secretary shall compare the programmed computer price with the item price of any consumer commodity offered by a store. The store shall provide access to

the computer as is necessary to allow the secretary to conduct the accuracy test.

(b) If, upon review, the programmed price of a commodity exceeds the price printed on or the advertised price of the commodity, the store may be subject to license denial, revocation, suspension or the following administrative penalties: ~~\$15.00 per violation identified in more than two percent but less than four percent of the commodities reviewed, rounded to the nearest whole number, \$20.00 per violation in the next two percent reviewed, \$50.00 per violation in the next two percent and \$100.00 for each additional violation. In no event, however, shall the total amount of penalty for the review exceed \$1,000.00~~ allowed by 6 V.S.A. § 15 for overcharge errors identified in more than two percent of the commodities reviewed.

(c) ~~If a subsequent review within 12 months reveals further violations, the total amount of penalty due may be multiplied by the number of violations discovered.~~

\* \* \* Department of Banking, Insurance, Securities,  
and Health Care Administration \* \* \*

Sec. 19. 8 V.S.A. § 2208a is added to read:

§ 2208a. MORTGAGE LOAN ORIGINATOR CHANGE OF EMPLOYER  
OR SPONSOR

(a) No mortgage loan originator may be employed, supervised, and sponsored by more than one licensed lender or licensed mortgage broker operating in this state. Alternatively, a mortgage loan originator may be an individual sole proprietor who is also licensed as a lender or mortgage broker in this state.

(b) A mortgage loan originator shall notify the commissioner and update its status on the National Mortgage Licensing System and Registry within 15 days of any change in the employer and sponsor of the mortgage loan originator subsequent to the initial employer and sponsor. A fee of \$50.00 payable to the commissioner shall accompany notice of such change of employer and sponsor.

\* \* \* Money transmission services; licensees \* \* \*

Sec. 20. 8 V.S.A. § 2506 is amended to read:

§ 2506. APPLICATION FOR LICENSE

\* \* \*

(d) A nonrefundable application fee of \$1,000.00 ~~and~~, a license fee of \$500.00 for the applicant, and a license fee of \$25.00 for each authorized delegate location shall accompany an application for a license under this subchapter. The license fee shall be refunded if the application is denied.

\* \* \*

Sec. 21. 8 V.S.A. § 2509 is amended to read:

§ 2509. RENEWAL OF LICENSE ~~AND~~, ANNUAL REPORT, AND  
ANNUAL ASSESSMENT

(a) A licensee under this subchapter shall pay an annual license renewal fee of \$500.00, plus an annual renewal fee of \$25.00 for each authorized delegate location, provided that the total renewal fee for all authorized delegate locations shall not exceed \$3,500.00, no later than December 1 for the next succeeding calendar year.

\* \* \*

(c) On or before April 1 of each year, the licensee shall pay the department an annual assessment equal to \$0.0001 per dollar volume of money services activity performed for or sold or issued to Vermont customers for the most recent year ending December 31, which assessment shall not be less than \$100.00 and shall not be greater than \$15,000.00.

(d) If a licensee does not file an annual report on or before April 1, pay its annual assessment on or before April 1, or pay its renewal fee by December 1,

or within any extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. The licensee's license shall be suspended 10 calendar days after the commissioner sends the notice of suspension. The licensee has 20 days after its license is suspended in which to file an annual report, pay its annual assessment, or pay the renewal fee, plus \$100.00 for each day after suspension that the commissioner does not receive the annual report, the annual assessment, or the renewal fee. The commissioner for good cause may grant an extension of the due date of the annual report or the renewal date.

~~(d)~~(e) The commissioner may require more frequent reports from any licensee for the purpose of determining the adequacy of the licensee's security.

Sec. 22. 8 V.S.A. § 2525(h) is added to read:

(h) A person may not be an authorized delegate of another authorized delegate. An authorized delegate must enter into a contract directly with a licensee.

Sec. 23. 8 V.S.A. § 2532(b) is amended to read:

(b) A licensee shall ~~file with~~ notify the commissioner in writing within ~~60~~ 30 days of any change in the list of ~~authorized delegates, executive officers, managers, directors, individuals in control, or responsible individuals, or~~ locations in this state where the licensee or an authorized delegate of the licensee provides money services, including limited stations and mobile

~~locations. Such notice shall state the name and street address of each authorized delegate or of each location removed or added to the licensee's list. Upon any such change, the licensee shall provide sufficient evidence that it is in compliance with section 2507 of this title.~~

Sec. 24. 8 V.S.A. § 2532a is added to read:

§ 2532a. CHANGE OF AUTHORIZED DELEGATES; CHANGE OF LOCATION

A licensee shall notify the commissioner in writing within 30 days of any change in the list of authorized delegates or locations in this state where the licensee or an authorized delegate of the licensee provides money services, including limited stations and mobile locations. Such notice shall state the name and street address of each authorized delegate or of each location removed or added to the licensee's list. Upon any such change, the licensee shall provide sufficient evidence that it is in compliance with section 2507 of this title. The licensee shall submit with the notice a nonrefundable fee of \$25.00 for each new authorized delegate location and for each change in location. There is no fee to remove authorized delegates or to remove locations.

\* \* \* Simplified licensing process for certain commercial lenders \* \* \*

Sec. 24a. 8 V.S.A. § 2200(1) is amended to read:

(1) “Commercial loan” means any loan or extension of credit that is described in subdivision 46(1), (2), or (4) of Title 9 ~~and that is in excess of \$25,000.00~~. The term does not include a loan or extension of credit ~~for the purpose of farming, as defined in subdivision 6001(22) of Title 10 and does not include a loan or extension of credit for the purpose of financing secured in whole or in part by an owner occupied one- to four-unit dwelling.~~

Sec. 24b. 8 V.S.A. § 2202(d) is added to read:

(d) This section does not apply to a lender making only commercial loans.

Sec. 24c. 8 V.S.A. § 2202a is added to read:

§ 2202a. APPLICATION FOR COMMERCIAL LENDER LICENSE; FEES

(a) Application for a license for a lender making solely commercial loans shall be in writing, under oath, and in the form prescribed by the commissioner, and shall contain the name and address of the residence and the place of business of the applicant and, if the applicant is a partnership or association, of every member thereof, and, if a corporation, of each officer, director, and control person thereof; the county and municipality with street and number, if any, where the business is to be conducted; and such further information as the commissioner may require.

(b) At the time of making application, the applicant shall pay to the commissioner a \$500.00 fee for investigating the application and a \$500.00 initial license fee for a period terminating on the last day of the current calendar year.

(c) In connection with an application for a commercial lender license, the applicant and each officer, director, and control person of the applicant shall furnish to the Nationwide Mortgage Licensing System and Registry (NMLSR) information concerning the applicant's identity and the identity of each of the applicant's officers, directors, and control persons, including:

(1) Fingerprints for submission to the Federal Bureau of Investigation and for any other governmental agency or entity authorized to receive such information for a state, national, and international criminal history background check.

(2) Personal history and experience in a form prescribed by the NMLSR, including the submission of authorization for the NMLSR and the commissioner to obtain information related to any administrative, civil, or criminal findings by any governmental jurisdiction.

(3) Any other information required by the NMLSR or the commissioner.

Sec. 24d. 8 V.S.A. § 2203(f) is added to read:

(f) This section does not apply to a lender making only commercial loans.

Sec. 24e. 8 V.S.A. § 2204(d) is added to read:

(d) This section does not apply to a lender making only commercial loans.

Sec. 24f. 8 V.S.A. § 2204c is added to read:

§ 2204c. APPROVAL OF APPLICATION; ISSUANCE OF COMMERCIAL  
LENDER LICENSE

(a) Upon the filing of the application and payment of the required fees, the commissioner shall issue and deliver a commercial lender license to the applicant upon findings by the commissioner as follows:

(1) That the experience, character, and general fitness of the applicant are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly, and efficiently within the purposes of this chapter. If the applicant is a partnership or association, such findings are required with respect to each partner, member, and control person. If the applicant is a corporation, such findings are required with respect to each officer, director, and control person.

(2) That the applicant and each officer, director, and control person of the applicant has never had a lender license, mortgage broker license, mortgage loan originator license, or similar license revoked in any governmental jurisdiction, except that a subsequent formal vacation of such revocation shall not be deemed a revocation.

(3) That the applicant and each officer, director, and control person of the applicant has not been convicted of or pled guilty or nolo contendere to a felony in a domestic, foreign, or military court:

(A) During the seven-year period preceding the date of the application for licensing, except a conviction for driving under the influence or a similarly titled offense in this state or in any other jurisdiction;

(B) At any time preceding such date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering;  
or

(C) Provided that any pardon of a conviction shall not be a conviction for purposes of this subsection.

(b) If the commissioner does not find as set forth in subsection (a) of this section, the commissioner shall not issue a license. Within 60 days of filing of the completed application, the commissioner shall notify the applicant of the denial, stating the reason or reasons therefor. If after the allowable period, no request for reconsideration under subsection 2205(a) of this title is received from the applicant, the commissioner shall return to the applicant the sum paid by the applicant as a license fee, retaining the investigation fee to cover the costs of investigating the application.

(c) If the commissioner makes findings as set forth in subsection (a) of this section, he or she shall issue the license within 60 days of filing the completed

application. Provided the licensee annually renews the license, the license shall be in full force and effect until surrendered by the licensee or until revocation, suspension, termination, or refusal to renew by the commissioner.

Sec. 24g. 8 V.S.A. § 2209(a)(6) is added to read:

(6) For the renewal of a lender's license for a lender making only commercial loans, \$500.00.

Sec. 24h. 8 V.S.A. § 2224(b) is amended to read:

(b) Annually, within 90 days of the end of its fiscal year, each licensed lender, mortgage broker, and sales finance company shall file financial statements with the commissioner in a form and substance satisfactory to the commissioner, which financial statements must include a balance sheet and income statement. This subsection does not apply to a lender making only commercial loans.

Sec. 24i. 9 V.S.A. § 46 is amended to read:

§ 46. EXCEPTIONS

Section 43 of this title relating to deposit requirements and section 45 of this title relating to prepayment penalties shall not apply and the parties may contract for a rate of interest in excess of the rate provided in section 41a of this title in the case of:

\* \* \*

(2) obligations incurred by any person, partnership, association or other entity to finance in whole or in part income-producing business or activity, but not including obligations incurred to finance family dwellings of ~~two~~ four units or less when used as a residence by the borrower or to finance real estate which is devoted to agricultural purposes as part of an operating farming unit when used as a residence by the borrower; or

\* \* \*

\* \* \* Captive insurance fees \* \* \*

Sec. 25. 8 V.S.A. § 6002(d) is amended to read:

(d) Each captive insurance company shall pay to the commissioner a nonrefundable fee of ~~\$200.00~~ \$500.00 for examining, investigating, and processing its application for license, and for issuing same, and the commissioner is authorized to retain legal, financial, and examination services from outside the department, the reasonable cost of which may be charged against the applicant. The provisions of section 3576 of this title shall apply to examinations, investigations, and processing conducted under the authority of this section. In addition, each captive insurance company shall pay a license ~~fee for the year of registration and a renewal fee for each year thereafter of~~ \$300.00 \$500.00.

\* \* \* Department of Health \* \* \*

\* \* \* Hospital license fees \* \* \*

Sec. 26. 18 V.S.A. § 1904(b) is amended to read:

(b) ~~License~~ Annual license fees.

(1) Base fee of \$7,667.00 ~~in calendar years 2007, 2008, 2009, and 2010.~~

(2) Per-bed fee of \$25.00 ~~in calendar years 2007, 2008, 2009, and 2010.~~

(3) The base fee for applicants presenting evidence of current accreditation by the Joint Commission on Accreditation of Health Care Organizations shall be reduced by \$2,750.00 ~~in calendar years 2007, 2008, 2009, and 2010.~~

\* \* \* X-ray equipment fees \* \* \*

Sec. 27. 18 V.S.A. § 1652(e) is amended to read:

(e) Applicants for registration of X-ray equipment shall pay ~~a triannual~~ an annual registration fee of ~~\$300.00~~ \$30.00 per piece of equipment.

\* \* \* Department of Labor \* \* \*

\* \* \* Workers' compensation fund \* \* \*

Sec. 28. 21 V.S.A. § 711(a) is amended to read:

(a) A workers' compensation administration fund is created pursuant to subchapter 5 of chapter 7 of Title 32 to be expended by the commissioner for the administration of the worker's compensation and occupational disease programs. The fund shall consist of contributions from employers made at a

rate of ~~0.96~~ 1.37 percent of the direct calendar year premium for workers' compensation insurance, one percent of self-insured workers' compensation losses, and one percent of worker's compensation losses of corporations approved under ~~the chapter 9~~ of this title chapter. Disbursements from the fund shall be on warrants drawn by the commissioner of finance and management in anticipation of receipts authorized by this section.

\* \* \* Department of Fish and Wildlife \* \* \*

\* \* \* Hunting and fishing licenses \* \* \*

Sec. 29. 10 V.S.A. § 4255 is amended to read:

§ 4255. LICENSE FEES

(a) Vermont residents may apply for licenses on forms provided by the commissioner. Fees for each license shall be:

(1) Fishing license	<del>\$20.00</del>	<u>\$22.00</u>
(2) Hunting license	<del>\$20.00</del>	<u>\$22.00</u>
(3) Combination hunting and fishing license	<del>\$32.00</del>	<u>\$35.00</u>
(4) Big game licenses (all require a hunting license)		
(A) archery license	<del>\$17.00</del>	<u>\$20.00</u>
(B) muzzle loader license	<del>\$17.00</del>	<u>\$20.00</u>
(C) turkey license	<del>\$17.00</del>	<u>\$20.00</u>
(D) second muzzle loader license	\$17.00	
(E) second archery license	\$17.00	

(F) moose license	\$100.00
(5) Trapping license	\$20.00
(6) Hunting license for persons under 18 years of age	\$8.00
(7) Trapping license for persons under 18 years of age	\$10.00
(8) Fishing license for persons aged 15 through 17	\$8.00
(9) Super sport license	\$150.00
(10) Three-day fishing license	\$10.00
(11) Combination hunting and fishing license for persons under 18 years of age	\$12.00

(b) Nonresidents may apply for licenses on forms provided by the commissioner. Fees for each license shall be:

(1) Fishing license	<del>\$41.00</del>	<u>\$45.00</u>
(2) One-day fishing license	<del>\$15.00</del>	<u>\$20.00</u>
(3) [Deleted.]		
(4) Hunting license	<del>\$90.00</del>	<u>\$100.00</u>
(5) Combination hunting and fishing license	<del>\$120.00</del>	<u>\$130.00</u>
(6) Big game licenses (all require a hunting license)		
(A) archery license	<del>\$25.00</del>	<u>\$35.00</u>
(B) muzzle loader license	<del>\$25.00</del>	<u>\$40.00</u>

(C) turkey license	<del>\$25.00</del>	<u>\$35.00</u>
(D) second muzzle loader license	\$25.00	
(E) second archery license	\$25.00	
(F) moose license	\$350.00	
(7) Small game licenses		
(A) all season	<del>\$40.00</del>	<u>\$50.00</u>
(B) [Deleted.]		
(8) Trapping license	\$300.00	
(9) Hunting licenses for persons under 18 years of age	\$25.00	
(10) Three-day fishing license	<del>\$20.00</del>	<u>\$22.00</u>
(11) Seven-day fishing license	\$30.00	
(12) Archery-only license (does not require hunting license)	<del>\$60.00</del>	<u>\$75.00</u>
(13) Fishing license for persons aged 15 through 17	\$15.00	
(14) Super sport license	\$250.00	
(15) Combination hunting and fishing license for persons under 18 years of age	\$30.00	

\* \* \*

(j) If the board determines that a moose season will be held in accordance with the rules adopted under sections 4082 and 4084 of this title, the commissioner annually may issue ~~one~~ three no-cost moose ~~license~~ licenses to a child or young adult age 21 years or under who has a life threatening disease or illness and who is sponsored by a qualified charitable organization. The child or young adult must comply with all other requirements of this chapter and the rules of the board. The commissioner shall adopt rules in accordance with chapter 25 of Title 3 to implement this subsection. The rules shall define the child or young adult qualified to receive the no-cost license, shall define a qualified sponsoring charitable organization, and shall provide the application process and criteria for issuing the no-cost moose license.

\* \* \*

\* \* \* Department of Environmental Conservation \* \* \*

\* \* \* Air contaminant permits; stormwater permits;

groundwater extraction \* \* \*

Sec. 30. 3 V.S.A. § 2822 is amended to read:

§ 2822. BUDGET AND REPORT; POWERS

\* \* \*

(j) In accordance with subsection (i) of this section, the following fees are established for permits, licenses, certifications, approvals, registrations, orders, and other actions taken by the agency of natural resources.

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

(A) Any persons subject to the provisions of ~~section 10 V.S.A. § 556 of Title 10~~ shall submit with each permit application or with each request for a permit amendment, a base service fee in accordance with the base fee schedule in subdivision (i) of this subdivision (1)(A). Prior to taking final action under ~~section 10 V.S.A. § 556 of Title 10~~ on any application for a permit for a nonmajor stationary source or on any request for an amendment of a permit for such a source, the secretary shall assess each applicant for any additional fees due to the agency, assessed in accordance with the base fee schedule and the supplementary fee schedule in subdivision (ii) of this subdivision (1)(A). The applicant shall submit any fees so assessed to the secretary prior to issuance of the final permit, notwithstanding the provisions of subsection (i) of this section. The base fee schedule and the supplementary fee schedule are applicable to all applications on which the secretary makes a final decision on or after the date on which this section is operative.

(i) Base fee schedule

(I) Application for permit to construct or modify source

(aa) Major stationary source	<del>\$11,500.00</del>	<u>\$12,500.00</u>
(bb) Nonmajor stationary source	<del>\$750.00</del>	<u>\$1,000.00</u>
<del>(cc) Indirect source</del>	<del>\$4,000.00</del>	

(II) Amendments

~~(aa)~~ Change in business name, division name  
 or plant name; mailing address; or  
 company stack designation; or other  
 administrative amendments \$100.00

~~(bb)~~ Technical amendments \$500.00

(ii) Supplementary fee schedule for nonmajor  
 stationary sources

(I) Engineering review \$1,460.00 \$1,750.00

(II) Air quality impact analysis

~~(aa)~~ Review screening modeling \$600.00

~~(bb)~~ Review refined modeling \$1,170.00 \$1,250.00

\* \* \*

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

Registration: ~~\$0.021~~ \$0.024 per pound of emissions of any of these contaminants. Where the sum of a source's emission of these contaminants is greater than ten tons per year:

Base registration fee ~~\$924.00~~ \$1,000.00; and ~~\$0.021~~ \$0.024 per pound of emissions of any of these contaminants.

(2) For discharge permits issued under ~~10 V.S.A. chapter 47~~ of Title 10 and orders issued under 10 V.S.A. § 1272, an administrative processing fee of \$100.00 shall be paid at the time of application for a discharge permit in addition to any application review fee and any annual operating fee, except for permit applications under subdivisions (2)(A)(iii)(III) ~~and~~, (IV), and (V) of this subsection:

(A) Application review fee,

- (i) Municipal, industrial, noncontact cooling water and thermal discharges.

\* \* \*

(iii) Stormwater discharges.

- (I) Individual operating permit ~~\$300.00~~ \$360.00 per acre or application to operate impervious area; under general operating minimum ~~\$150.00~~ \$180.00 permit for collected per application.

stormwater runoff  
which is discharged to  
Class B waters: original  
application; amendment  
for increased flows;  
amendment for change  
in treatment process.

\* \* \*

(III) Individual permit or application

to operate under general permit for  
construction activities; original  
application; amendment for increased  
acreage.

- |                              |  |
|------------------------------|--|
| (aa) Projects with low risk  | <del>\$30.00</del> <u>\$36.00</u> per project; |
| to waters of the state.      | original application.                          |
| (bb) Projects with moderate  | <del>\$250.00</del> <u>\$300.00</u> per        |
| risk to waters of the state. | project; original                              |
|                              | application.                                   |
| (cc) Projects that require   | <del>\$500.00</del> <u>\$600.00</u> per        |
| an individual permit.        | project; original                              |
|                              | application.                                   |

- (IV) Individual permit or ~~\$150.00~~ \$180.00 per application to operate under facility. under general permit for stormwater runoff associated with industrial activities with specified SIC codes; original application; amendment for change in activities.
- (V) Individual permit or application to operate under general permit for stormwater runoff associated with municipal separate storm sewer systems; original application; amendment for change in activities. \$1,000.00 per system
- (VI) Renewal, transfer, or minor amendment of individual permit or approval \$0.00

under general permit.

\* \* \*

(B) Annual operating fee.

(i) Industrial, noncontact cooling water and thermal discharges.	<del>\$0.0009</del> <u>\$0.001</u> per gallon design capacity. <del>\$100.00</del> <u>\$150.00</u> minimum; maximum <del>\$27,500.00</del>
--	---

\$105,000.00.

(ii) Municipal.  of actual flows. <del>\$100.00</del>	<del>\$0.0027</del> <u>\$0.003</u> per gallon  <u>\$150.00</u> minimum; maximum <del>\$11,000.00</del> <u>\$12,500.00.</u>
---	--

(iii) Pretreatment discharges.  design capacity. <del>\$100.00</del>	<del>\$0.0315</del> <u>\$0.0385</u> per gallon  <u>\$150.00</u> minimum; maximum <del>\$27,500.00.</del>
--	---

(iv) Stormwater

\* \* \*

(II) Individual operating permit  or approval under general	<del>\$55.00</del> <u>\$66.00</u> per acre  impervious area;
---	--

operating permit for ~~\$50.00~~ \$60.00 minimum.  
 collected stormwater runoff  
 which is discharged to  
 Class B waters.

(III) Individual permit or ~~\$55.00~~ \$66.00 per facility.  
 approval under general  
 permit for stormwater  
 runoff from industrial  
 facilities with specified  
 SIC codes.

(IV) Individual permit or \$66.00 per system.  
application to operate under  
general permit for stormwater  
runoff associated with  
municipal separate storm  
sewer systems.

(v) Indirect discharge or underground  
 injection control, excluding  
 stormwater discharges:

(I) Sewage

(aa) Individual permit, ~~\$385.00~~ \$400.00 plus

~~\$0.0317~~ \$0.035 per gallon  
of design capacity above  
6,500 gpd. ~~\$350.00~~  
~~minimum~~; maximum  
\$27,500.00.

(bb) Approval under \$220.00  
general permit.

\* \* \*

(7) For public water supply and bottled water permits and approvals issued under ~~10 V.S.A.~~ chapter 56 of Title 10 and interim groundwater withdrawal permits and approvals issued under ~~10 V.S.A.~~ chapter 48 of Title 10:

\* \* \*

(C) For source permit applications ~~for community~~:

- (i) Community water systems: \$615.00 per source.
- (ii) Transient noncommunity: \$250.00 per source.
- (iii) Nontransient, noncommunity: \$500.00 per source.
- (iv) Amendments: \$110.00 per application.

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

\* \* \*

(iv) Bottled water: ~~\$550.00~~ \$900.00 per permitted facility.

\* \* \*

(F) ~~For permit applications for interim groundwater withdrawal permits: \$960.00 per facility. Amendments \$110.00 per application. For facilities permitted to withdraw groundwater pursuant to 10 V.S.A. § 1418: \$1,500.00 annually per facility.~~

\* \* \*

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

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

(B) Structural erosion control: ~~\$155.00~~ \$250.00 per application.

(C) All other encroachments: ~~\$155.00~~ \$300.00 per application plus ~~0.5~~ one percent of construction costs.

(11) For stream alteration permits issued under ~~10 V.S.A. chapter 41~~ of Title 10: ~~\$105.00~~ \$225.00 per application.

\* \* \*

(15) For sludge or septage facility certifications issued under ~~10 V.S.A.~~ chapter 159 of Title 10:

- |  |   |
|--|---|
| (A) land application sites; facilities | <del>\$840.00</del> <u>\$950.00</u> per |
| . that further reduce pathogens;       | application.                            |
| disposal facilities.                   |   |
| (B) all other types of facilities.     | <del>\$95.00</del> <u>\$110.00</u> per  |
|  | application.                            |

\* \* \*

(26) For individual conditional use determinations, for individual wetland permits, for general conditional use determinations issued under 10 V.S.A. § 1272, or for wetland authorizations issued under a general permit, an administrative processing fee assessed under subdivision (2) of this subsection (j) and an application fee of:

- (A) ~~\$0.07~~ \$0.12 per square foot of proposed impact to Class I or II wetlands;
- (B) ~~\$0.05~~ \$0.09 per square foot of proposed impact to Class I or II wetland buffers;
- (C) maximum fee, for the conversion of Class II wetlands or wetland buffers to cropland use, \$200.00 per application. For purposes of this subdivision, “cropland” means land that is used for the production of

agricultural crops, including row crops, fibrous plants, pasture, fruit-bearing bushes, trees or vines and the production of Christmas trees;

(D) minimum fee, \$50.00 per application.

\* \* \*

(29) For salvage yards permitted under subchapter 10 of chapter 61 of

Title 24:

(A) facilities that crush or shred                      \$1,250.00 per facility.  
junk motor vehicles.

(B) facilities that accept or                              \$750.00 per facility.  
dismantle junk motor vehicles.

(C) facilities that manage junk                        \$350.00 per facility.  
on site excluding junk motor vehicles.

(D) facilities the primary activity of which \$300.00 per facility.  
is handling total-loss vehicles from  
insurance companies.

\* \* \*

(1) 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 the following fees for emissions of hazardous air contaminants resulting from the combustion of any of the following fuels in fuel burning or manufacturing process equipment.

(1) Coal-\$0.43 per ton burned;

(2)(A) Wood-\$0.103 per ton burned; or

(B) Wood burned with an operational electrostatic precipitator and  
NOx reduction technologies-\$0.025 per ton burned;

(3) No. 6 grade fuel oil-\$0.0005 per gallon burned;

(4) No. 4 grade fuel oil-\$0.0004 per gallon burned;

(5) No. 2 grade fuel oil-\$0.0002 per gallon burned;

(6) Liquid propane gas-\$0.0002 per gallon burned;

(7) Natural gas-\$0.87 per million cubic feet burned.

\* \* \*

\* \* \* Brownfields oversight fee; innocent current owners \* \* \*

Sec. 31. 10 V.S.A. § 6644 is amended to read:

§ 6644. GENERAL OBLIGATIONS

Any person participating in the program shall do all the following:

\* \* \*

(5) If an innocent current owner, ~~pay the secretary an oversight fee of \$5,000.00. Upon depletion of this \$5,000.00 fee, the applicant shall pay any additional costs of the secretary's review and oversight of the site investigation or corrective action plan, or both. Upon completion of the secretary's review and oversight, any funds remaining shall be returned to the applicant, as determined by the commissioner.~~

\* \* \*

\* \* \* Repeals \* \* \*

Sec. 32. REPEAL

(a) Sec. 4 of No. 135 of the Acts of the 2005 Adj. Sess. (2006) (sunset on pass through of solid waste funds and ability to transfer solid waste funds to the contingency fund) is repealed.

(b) Sec. 299(h) of No. 65 of the Acts of 2007 (sunset on the authority of the state to spend contingency funds at the Pownal Tannery Superfund Site) is repealed.

(c) 24 V.S.A. § 2263 (annual salvage yard licensing fee) is repealed.

\* \* \* Natural Resources Board \* \* \*

\* \* \* Act 250 fees \* \* \*

Sec. 33. 10 V.S.A. § 6083a(a) is amended to read:

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

(1) For projects involving construction, ~~\$4.75~~ \$5.40 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and ~~\$2.25~~ \$2.50 for each \$1,000.00 of construction costs above \$15,000,000.00.

\* \* \*

(4) For projects involving the extraction of earth resources, including but not limited to sand, gravel, peat, topsoil, crushed stone, or quarried material, a fee as determined under subdivision (1) of this subsection or a fee equivalent to the rate of ~~\$0.10~~ \$0.20 per cubic yard of maximum estimated annual extraction, whichever is greater.

\* \* \*

(6) In no event shall a permit application fee exceed ~~\$135,000.00~~ \$150,000.00.

Sec. 34. 32 V.S.A. § 605 is amended to read:

§ 605. CONSOLIDATED EXECUTIVE BRANCH ANNUAL FEE REPORT  
AND REQUEST

\* \* \*

(b) Fee reports shall be made as follows:

(1) A report covering all fees in existence on the prior July 1 within the areas of government identified by the department of finance and management accounting system as “general government,” “labor,” “general education,” “development and community affairs” and “transportation” shall be submitted

~~by October 1, 1996 and every three years thereafter on~~ by the third Tuesday of the legislative session ~~beginning with 2000~~ beginning in 2011 and every three years thereafter.

(2) A report covering all fees in existence on the prior July 1 within the “human services” and “natural resources” areas of government shall be submitted ~~no later than~~ by the third Tuesday of the legislative session of ~~1998~~ 2012 and every three years thereafter.

(3) A report covering all fees in existence on the prior July 1 within the “protection to persons and property” area of government shall be submitted ~~no later than~~ by the third Tuesday of the legislative session of ~~1999~~ 2013 and every three years thereafter.

\* \* \*

\* \* \* Bill-back report \* \* \*

#### Sec. 35. BILL-BACK REPORT

No later than January 15, 2011, the commissioner of finance and management shall provide to the house committee on ways and means and the senate committee on finance a detailed report concerning the use of bill-backs in general and in addition to or in lieu of fees. The report shall provide the committees with a working definition of a bill-back for services provided by the legislative, executive, and judicial branches of state government and shall address in specific detail each of the following issues:

(1) The appropriateness of using bill-backs in providing governmental services.

(2) The relationship between fees and bill-backs.

(3) The prevalence of the bill-back practice in Vermont state government.

(4) The statutory authority that exists for each bill-back program and whether the authority provides for maximum use of the bill-back process.

(5) Whether bill-back rates for various services adequately cover the costs of the governmental services being performed.

(6) Whether there should be limitations on amounts that may be subject to bill-back; and, if so, whether those limitations are adequate.

(7) Whether there ought to be oversight and reporting of bill-back programs and, if so, at what level.

(8) How bill-backs are categorized and accounted for in agency and departmental budgets.

\* \* \* Legislative intent \* \* \*

Sec. 36. CIGARETTE CERTIFICATION FEE; STATEMENT OF INTENT

It is the intent of the General Assembly that the fees collected under 20 V.S.A. § 2757 in excess of the amount needed by the department of public safety to administer the fire prevention and building inspection special fund be paid into the tobacco trust fund established in 18 V.S.A. § 9502 for the purpose

of smoking prevention and cessation. This statement of intent shall be placed in the annotations to 20 V.S.A. § 2757 in the Vermont Statutes Annotated.

Sec. 37. LONG-TERM MONITORING OF WASTEWATER DISCHARGE

Pursuant to 3 V.S.A. § 2822(j)(2)(B)(i), the agency of natural resources charges an annual fee for the monitoring of certain wastewater discharges. It is the intent of the general assembly to create a special fund that will be used to cover the continuing costs of monitoring in the event that the facilities monitored cease discharging wastewater. The general assembly anticipates that the special fund will be financed by a fee assessment on the facilities that are monitored prior to any cessation of their business.

\* \* \* Effective dates \* \* \*

Sec. 38. EFFECTIVE DATES

This section shall take effect on passage. Sec. 29 shall take effect on January 1, 2011. Sec. 30 shall take effect July 1, 2010, except that subdivision (j)(29) (relating to salvage yard fees) shall take effect on passage. Sec. 32 shall take effect on July 1, 2010, except that subsection (c) (relating to repeal of annual salvage yard licensing fee) shall take effect on passage.

Approved: May 29, 2010