

**No. 33. An act relating to executive branch fees.**

(H.138)

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

\* \* \* Secretary of state \* \* \*

\* \* \* Professional regulation \* \* \*

\* \* \* Nursing home administrators \* \* \*

Sec. 1. 18 V.S.A. § 2058 is amended to read:

§ 2058. LICENSE FEES

Applicants and persons regulated under this chapter shall be subject to the following fees:

- |                      |                                     |
|----------------------|-------------------------------------|
| (1) Application      | <del>\$325.00</del> <u>\$100.00</u> |
| (2) Biennial renewal | <del>\$400.00</del> <u>\$200.00</u> |

\* \* \* Accountants \* \* \*

Sec. 2. 26 V.S.A. § 56 is amended to read:

§ 56. FEES

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

- |  |                                      |
|--|--------------------------------------|
| (1) Application for license                                | \$ 75.00                             |
| (2) Biennial renewal of license                            | <del>\$ 100.00</del> <u>\$120.00</u> |
| (3) Firm registration and biennial renewal of registration | <del>\$ 35.00</del> <u>\$120.00</u>  |
| (4) Registration of foreign firm for temporary practice    | \$ 50.00                             |

\* \* \* Funeral directors \* \* \*

Sec. 3. 26 V.S.A. § 1256(d) is amended to read:

\* \* \*

(d) Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Application for license \$ 70.00
- (2) Biennial renewal of license
  - (A) Funeral director ~~\$ 260.00~~ \$ 300.00
  - (B) Embalmer ~~\$ 260.00~~ \$ 300.00
  - (C) Funeral establishment ~~\$ 475.00~~ \$ 540.00
  - (D) Crematory establishment ~~\$ 475.00~~ \$ 540.00
  - (E) Removal personnel ~~\$ 75.00~~ \$ 85.00

\* \* \*

\* \* \* Psychologists \* \* \*

Sec. 4. 26 V.S.A. § 3010 is amended to read:

§ 3010. FEES; LICENSES

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

- (1) Application for license \$175.00
- (2) Biennial renewal of license ~~\$225.00~~ \$ 150.00
- (3) Psychological trainee registration \$75.00

(4) Biennial renewal of trainee registration \$90.00

\* \* \* Department of labor \* \* \*

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

Sec. 5. 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~~ workers' compensation and occupational disease programs. The fund shall consist of contributions from employers made at a rate of ~~1.37~~ 1.75 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~~ workers' compensation losses of corporations approved under this chapter. Disbursements from the fund shall be on warrant drawn by the commissioner of finance and management in anticipation of receipts authorized by this section.

Sec. 6. Sec. 1 of No. 142 of the Acts of the 2009 Adj. Sess. (2010) is amended to read:

Sec. 1. DEPARTMENT OF LABOR MISCLASSIFICATION;  
ENFORCEMENT PERSONNEL; FUNDING

(a) No later than August 1, 2010, the department of labor shall have a total of four limited service workers' compensation fraud investigator employees to investigate classifications and enforce the laws relating to worker, business,

and job duty classifications.

(b) In addition to the percentage of premiums to be paid by employers into the workers' compensation administration fund pursuant to 21 V.S.A. § 711, in fiscal year 2011, employers shall pay an additional 0.055 percent to fund one of the investigator positions required pursuant to subsection (a) of this section.

\* \* \* Agency of agriculture, food and markets \* \* \*

\* \* \* Dairy programs \* \* \*

Sec. 7. 6 V.S.A. § 2721 is amended to read:

§ 2721. HANDLERS' LICENSES

(a) The secretary may classify and issue licenses to milk handlers to carry on milk dairy product handling businesses including, ~~but not limited to,~~ the purchase, distribution or sale of milk or milk products, processing or manufacturing of milk or milk products including the pasteurization of frozen dessert mixes, transport of milk and milk products, bargaining and collecting for the sale of milk and milk products, and dealing in or brokering milk or milk products.

(b) A milk handler shall not transact business in the state unless the milk handler secures and holds a handler's license from the secretary. The license shall terminate September 1 each year and shall be procured by August 15 of each year. The secretary shall furnish all forms for applications, licenses, and bonds. The At the time the application is delivered to the secretary, the milk

handler shall pay a license application fee of ~~\$200.00~~ \$50.00 for an initial application ~~or~~ and a license fee of ~~\$50.00~~ for based on the following table. For a renewal application ~~at the time the application is delivered to the secretary,~~ only the fee in the table applies. Out-of-state firms are to use the company's highest total pounds of milk or dairy products bought, sold, packaged, assembled, transported, or processed per production day.

<u>Pounds of milk or dairy products bought,</u>	<u>License handling fee</u>
<u>sold, packaged, assembled, transported, or</u>	
<u>processed per production day:</u>	

<u>500 pounds or less</u>	<u>\$50.00</u>
<u>Over 500 but less than 1,000 pounds</u>	<u>\$100.00</u>
<u>1,000 to 10,000 pounds per day</u>	<u>\$175.00</u>
<u>Over 10,000 to 25,000 pounds per day</u>	<u>\$275.00</u>
<u>Over 25,000 pounds</u>	<u>\$350.00</u>
<u>Processor fee per pasteurizer</u>	<u>\$50.00</u>

\* \* \*

Sec. 8. 6 V.S.A. § 2722 is amended to read:

§ 2722. APPLICATION

Applications shall be completely filled out and sworn to by the applicant or a partner or officer thereof and in case of renewal shall be filed with the secretary by June 1 of each year. New handlers may apply for a license at any

time. Renewal applications not received by July 1 shall be assessed a late fee of \$50.00. The application for a handler's license shall provide the following information and such other information as the secretary by regulation shall reasonably require:

\* \* \*

Sec. 9. 6 V.S.A. § 2724 is amended to read:

§ 2724. TECHNICIANS' LICENSES

(a) Any person who performs any tests, or determines weight or volume of dairy products where such determinations are used as a basis of payment or acceptance, shall hold an appropriate license or licenses issued by the secretary, which may be revoked for cause after giving the technician the opportunity to be heard. Out-of-state laboratories that are NCIMS listed are exempt from the licensing requirement. Before issuing a license, the secretary shall determine that the applicant is qualified to perform the service stated in the license. Different licenses may be issued for different services. The applicant shall pay the secretary ~~\$15.00~~ \$20.00 for each examination. The initial license fee is \$30.00. Licenses shall expire on June 30. After July 1, 2011, licenses shall be renewed by July 1 of each year when due. Licenses shall be issued for a period of three years from the date of issue and. Licenses are renewable upon payment of a fee of \$10.00. Licenses in effect on July 1, 1965, shall be renewed within 12 months but prior to the anniversary date of

the original license \$30.00. Licenses issued from July 2 to December 31 of each year shall be considered as if issued on the preceding July 1 for expiration purposes. Licenses issued from January 1 to June 30 shall be considered as if issued on the following July 1. There shall be a \$25.00 late fee for each license not renewed by its due date, and the license shall lapse after it is late for 30 days. The holder of a license that has been lapsed more than 60 days shall retake any examination needed for a new license. License renewals shall be submitted 30 days prior to the renewal date to allow for processing of the licenses. Licenses not processed within 30 days of receipt shall automatically receive an extension of their current license until it is processed.

(b) Any commercial enterprise which installs or repairs milking or dairy processing equipment on farms shall ~~annually~~ register with the secretary. The company shall apply for registration on a form made available by the agency. The registration shall be valid for three years. Before registering a company, the secretary shall determine that the company is qualified to perform the installation or repair service. The registration form shall be accompanied by a fee of ~~\$25.00~~ \$100.00. The secretary may suspend or revoke registration for cause after giving the installer the opportunity to be heard. Registration shall terminate on December 31 of each year. Electricians or plumbers licensed pursuant to Title 26 doing only electrical or plumbing work within a farm or plant shall be exempt from this registration provided any work directly related

to the processing of dairy products or milking of animals is performed under the supervision of a person that is registered. Any company that fails to renew by December 31 shall pay a \$25.00 late fee, and the registration shall lapse if it is more than 30 days late.

Sec. 10. DAIRY TECHNICIANS' LICENSES

After July 1, 2011, technicians licenses issued under 6 V.S.A. § 2724 shall be renewed by July 1 of each year when due. Current license holders with staggered due dates shall be notified of the change and the license renewal dates changed to the closest July 1 to their current due date.

Sec. 11. 6 V.S.A. § 2855 is amended to read:

§ 2855. LICENSES

No person shall manufacture for sale frozen desserts unless that person first secures a license from the secretary of agriculture, food and markets.

Applications shall be made on forms furnished by the secretary and be accompanied by a fee of ~~\$35.00~~ \$70.00. All licenses shall terminate

December 31st of each year. Frozen dessert licenses may be revoked or suspended for cause following due notice and hearing.

\* \* \* Department of Fish and Wildlife Bear Tags \* \* \*

Sec. 11a. 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	\$22.00
(2) Hunting license	\$22.00
(3) Combination hunting and fishing license	\$35.00
(4) Big game licenses (all require a hunting license)	
(A) archery license	\$20.00
(B) muzzle loader license	\$20.00
(C) turkey license	\$20.00
(D) second muzzle loader license	\$17.00
(E) second archery license	\$17.00
(F) moose license	\$100.00
<u>(G) second bear tag</u>	<u>\$5.00</u>

\* \* \*

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

(1) Fishing license	\$45.00
(2) One-day fishing license	\$20.00
(3) [Deleted.]	
(4) Hunting license	\$100.00
(5) Combination hunting and fishing license	\$130.00
(6) Big game licenses (all require a hunting license)	

(A) archery license	\$35.00
(B) muzzle loader license	\$40.00
(C) turkey license	\$35.00
(D) second muzzle loader license	\$25.00
(E) second archery license	\$25.00
(F) moose license	\$350.00
<u>(G) second bear tag</u>	<u>\$15.00</u>

\* \* \*

(1) If the board determines that it is in the interest of bear management, it may authorize the department to issue a second bear tag for the taking of bear in addition to that allowed by a hunting license issued under this chapter.

\* \* \* Probate fees \* \* \*

Sec. 11b. 14 V.S.A. § 2 is amended to read:

§ 2. DEPOSIT OF WILL FOR SAFEKEEPING; DELIVERY; FINAL  
DISPOSITION

(a) A testator may deposit a will for safekeeping in the probate division of the superior court for the district in which the testator resides on the payment of a fee of \$2.00 to the court of the fee required by 32 V.S.A. § 1434(a)(17).

The register shall give to the testator a certificate of deposit, shall safely keep each will so deposited and shall keep an index of the wills so deposited.

\* \* \*

Sec. 12. [DELETED]

\* \* \* Repeals and effective dates \* \* \*

Sec. 13. REPEALS

The following are repealed:

(1) 6 V.S.A. § 2723a (distributor's license).

(2) 22 V.S.A. § 609 (fees for library materials), and authority to charge library fees is continued pursuant to 32 V.S.A. § 603(3).

(3) Sec. 4 of No. 12 of the Acts of 2009, as amended by Sec. 105 of No. 67 of the Acts of the 2009 Adj. Sess. (2010) (sunset on the amendments requiring the payment of the fee as a condition to successfully complete the diversion program).

Sec. 14. EFFECTIVE DATES

This section, Sec. 6, and Sec. 13(3) (relating to sunset on the amendments requiring the payment of the fee as a condition to successfully complete the diversion program) shall take effect on passage.

Approved: May 18, 2011