

1 H.138

2 Introduced by Committee on Ways and Means

3 Date:

4 Subject: Taxation; fees; executive branch

5 Statement of purpose: This bill proposes to adjust executive branch fees.

6 An act relating to executive branch fees

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

8 * * * Secretary of state * * *

9 * * * Professional regulation * * *

10 * * * Nursing home administrators * * *

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

12 § 2058. LICENSE FEES

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

15 (1) Application ~~\$325.00~~ \$100.00

16 (2) Biennial renewal ~~\$400.00~~ \$200.00

1 (E) Removal personnel \$ ~~75.00~~ \$ 85.00

2 * * *

3 * * * Psychologists * * *

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

5 § 3010. FEES; LICENSES

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

8 (1) Application for license \$175.00

9 (2) Biennial renewal of license ~~\$225.00~~ \$ 150.00

10 (3) Psychological trainee registration \$75.00

11 (4) Biennial renewal of trainee registration \$90.00

12 * * * Department of labor * * *

13 * * * Workers' compensation fund * * *

14 Sec. 5. 21 V.S.A. § 711(a) is amended to read:

15 (a) A workers' compensation administration fund is created pursuant to
16 subchapter 5 of chapter 7 of Title 32 to be expended by the commissioner for
17 the administration of the ~~worker's~~ workers' compensation and occupational
18 disease programs. The fund shall consist of contributions from employers
19 made at a rate of ~~1.37~~ 1.61 percent of the direct calendar year premium for
20 workers' compensation insurance, one percent of self-insured workers'
21 compensation losses, and one percent of ~~worker's~~ workers' compensation

1 losses of corporations approved under this chapter. Disbursements from the
2 fund shall be on warrants drawn by the commissioner of finance and
3 management in anticipation of receipts authorized by this section.

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

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

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

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

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

17 * * * Dairy programs * * *

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

19 § 2721. HANDLERS' LICENSES

20 (a) The secretary may classify and issue licenses to milk handlers to carry
21 on ~~milk~~ dairy product handling businesses including, ~~but not limited to~~, the

1 purchase, distribution or sale of milk or milk products, processing or
2 manufacturing of milk or milk products including the pasteurization of frozen
3 dessert mixes, transport of milk and milk products, bargaining and collecting
4 for the sale of milk and milk products, and dealing in or brokering milk or milk
5 products.

6 (b) A milk handler shall not transact business in the state unless the milk
7 handler secures and holds a handler's license from the secretary. The license
8 shall terminate September 1 each year and shall be procured by August 15 of
9 each year. The secretary shall furnish all forms for applications, licenses, and
10 bonds. ~~The~~ At the time the application is delivered to the secretary, the milk
11 handler shall pay a license application fee of ~~\$200.00~~ \$50.00 for an initial
12 application ~~or~~ and a license fee of ~~\$50.00~~ for based on the following table. For
13 a renewal application ~~at the time the application is delivered to the secretary,~~
14 only the fee in the table applies. Out-of-state firms are to use the company's
15 highest total pounds of milk or dairy products bought, sold, packaged,
16 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>

1	<u>1,000 to 10,000 pounds per day</u>	<u>\$175.00</u>
2	<u>Over 10,000 to 25,000 pounds per day</u>	<u>\$275.00</u>
3	<u>Over 25,000 pounds</u>	<u>\$350.00</u>
4	<u>Processor fee per pasteurizer</u>	<u>\$50.00</u>

5 * * *

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

7 § 2722. APPLICATION

8 Applications shall be completely filled out and sworn to by the applicant or
9 a partner or officer thereof and in case of renewal shall be filed with the
10 secretary by June 1 of each year. New handlers may apply for a license at any
11 time. Renewal applications not received by July 1 shall be assessed a late fee
12 of \$50.00. The application for a handler's license shall provide the following
13 information and such other information as the secretary by regulation shall
14 reasonably require:

15 * * *

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

17 § 2724. TECHNICIANS' LICENSES

18 (a) Any person who performs any tests, or determines weight or volume of
19 dairy products where such determinations are used as a basis of payment or
20 acceptance, shall hold an appropriate license or licenses issued by the
21 secretary, which may be revoked for cause after giving the technician the

1 opportunity to be heard. Out-of-state laboratories that are NCIMS listed are
2 exempt from the licensing requirement. Before issuing a license, the secretary
3 shall determine that the applicant is qualified to perform the service stated in
4 the license. Different licenses may be issued for different services. The
5 applicant shall pay the secretary ~~\$15.00~~ \$20.00 for each examination. The
6 initial license fee is \$30.00. Licenses shall expire on June 30. After July 1,
7 2011, licenses shall be renewed by July 1 of each year when due. Licenses
8 shall be issued for a period of three years from the date of issue and. Licenses
9 are renewable upon payment of a fee of \$10.00. Licenses in effect on July 1,
10 1965, shall be renewed within 12 months but prior to the anniversary date of
11 the original license \$30.00. Licenses issued between July 1 and December 31
12 of each year shall be considered as if issued on the preceding July 1 for
13 expiration purposes. Licenses issued from January 1 to June 30 shall be
14 considered as if issued on the following July 1. There shall be a \$25.00 late
15 fee for each license not renewed by its due date, and the license shall lapse
16 after it is late for 30 days. The holder of a license that has been lapsed more
17 than 60 days shall retake any examination needed for a new license. License
18 renewals shall be submitted 30 days prior to the renewal date to allow for
19 processing of the licenses. Licenses not processed within 30 days of receipt
20 shall automatically receive an extension of their current license until it is
21 processed.

1 (b) Any commercial enterprise which installs or repairs milking or dairy
2 processing equipment on farms shall ~~annually~~ register with the secretary. The
3 company shall apply for registration on a form made available by the agency.
4 The registration shall be valid for three years. Before registering a company,
5 the secretary shall determine that the company is qualified to perform the
6 installation or repair service. The registration form shall be accompanied by a
7 fee of ~~\$25.00~~ \$100.00. The secretary may suspend or revoke registration for
8 cause after giving the installer the opportunity to be heard. Registration shall
9 terminate on December 31 of each year. Electricians or plumbers licensed
10 pursuant to Title 26 doing only electrical or plumbing work within a farm or
11 plant shall be exempt from this registration provided any work directly related
12 to the processing of dairy products or milking of animals is performed under
13 the supervision of a person that is registered. Any company that fails to renew
14 by December 31 shall pay a \$25.00 late fee, and the registration shall lapse if it
15 is more than 30 days late.

16 Sec. 10. DAIRY TECHNICIANS' LICENSES

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

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

2 § 2855. LICENSES

3 No person shall manufacture for sale frozen desserts unless that person first
4 secures a license from the secretary of agriculture, food and markets.
5 Applications shall be made on forms furnished by the secretary and be
6 accompanied by a fee of ~~\$35.00~~ \$70.00. All licenses shall terminate
7 December 31st of each year. Frozen dessert licenses may be revoked or
8 suspended for cause following due notice and hearing.

9 * * * Report on local option tax assessment fee * * *

10 Sec. 12. REPORT ON LOCAL OPTION TAX ADMINISTRATION FEE

11 No later than January 15, 2012, the commissioner of the department of
12 taxes shall provide to the house committee on ways and means and the senate
13 committee on finance a detailed report concerning the implementation and
14 administration of the local option tax administration fee contained in 24 V.S.A.
15 § 138 as well as any request for a change in the fee amount.

16 * * * Repeals and effective dates * * *

17 Sec. 13. REPEALS

18 The following are repealed:

19 (1) 6 V.S.A. § 2723a (distributor's license).

20 (2) 22 V.S.A. § 609 (fees for library materials), and authority to charge
21 library fees is continued pursuant to 32 V.S.A. § 603(3).

1 (3) Sec. 4 of No. 12 of the Acts of 2009 (sunset on court diversion fees).

2 Sec. 14. EFFECTIVE DATES

3 This section, Sec. 6, and Sec. 13(c) (relating to sunset on court diversion

4 fees) shall take effect on passage.