H.761

Introduced by Committee on Ways and Means

Date:

Subject: Executive branch fees

Statement of purpose: This bill proposes to adjust executive branch fees, including motor vehicle and fish and wildlife fees.

An act relating to executive branch fees, including motor vehicle and fish and wildlife fees

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

* * * Secretary of state * * *

* * * Professional regulation * * *

* * * Osteopathy * * *

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

§ 1794. FEES

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

(1) Application	
(A) Licensure	$500.00
(B) Limited temporary license	$ 50.00
(2) Biennial license renewal	~~$750.00~~ $500.00

(3) Annual limited temporary license renewal $100.00

* * * Private investigative and security services * * *

Sec. 2. 26 V.S.A. § 3178a is amended to read:

§ 3178a. FEES

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

(1) Application for agency license:

(A) Investigative agency ~~$270.00~~ $340.00

(B) Security agency ~~$270.00~~ $340.00

(C) Investigative/security agency ~~$320.00~~ $400.00

(2) Application for individual license:

(A) Unarmed licensee ~~$130.00~~ $150.00

(B) Armed licensee ~~$180.00~~ $200.00

(3) Application for employee registration:

(A) Unarmed registrants ~~$ 50.00~~ $60.00

(B) Armed registrants ~~$100.00~~ $120.00

(C) Transitory permits ~~$ 50.00~~ $60.00

(4) Biennial renewal:

(A) Investigative agency ~~$275.00~~ $300.00

(B) Security agency ~~$275.00~~ $300.00

(C) Investigative/security agency ~~$275.00~~ $300.00

(D) Unarmed licensee ~~$100.00~~ $120.00

(E) Armed licensee ~~$150.00~~ $180.00

(F) Unarmed registrants (agency employees) $ 80.00

(G) Armed registrants (agency employees) $130.00

(5) Instructor licensure:

(A) Application for licensure ~~$100.00~~ $120.00

(B) Biennial renewal ~~$150.00~~ $180.00

~~(6) A sole proprietor of an investigative agency or security agency shall be required to apply for agency licensure and renewal but shall not be required to pay the fees for agency licensure or renewal.~~

Sec. 2. 26 V.S.A. § 3178a is amended to read:

§ 3178a. FEES

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

(1) Application for agency license:

(A) Investigative agency ~~*$270.00*~~ *$340.00*

(B) Security agency ~~*$270.00*~~ *$340.00*

(C) Investigative/security agency ~~*$320.00*~~ *$400.00*

(D) Sole proprietor *$250.00*

(2) Application for individual license:

(A) Unarmed licensee ~~*$130.00*~~ *$150.00*

(B) Armed licensee ~~$180.00~~ $200.00

(3) Application for employee registration:

(A) Unarmed registrants ~~$ 50.00~~ $60.00

(B) Armed registrants ~~$100.00~~ $120.00

(C) Transitory permits ~~$ 50.00~~ $60.00

(4) Biennial renewal:

(A) Investigative agency ~~$275.00~~ $300.00

(B) Security agency ~~$275.00~~ $300.00

(C) Investigative/security agency ~~$275.00~~ $300.00

(D) Unarmed licensee ~~$100.00~~ $120.00

(E) Armed licensee ~~$150.00~~ $180.00

(F) Unarmed registrants (agency employees) $ 80.00

(G) Armed registrants (agency employees) $130.00

(H) Sole proprietor $250.00

(5) Instructor licensure:

(A) Application for licensure ~~$100.00~~ $120.00

(B) Biennial renewal ~~$150.00~~ $180.00

(6) A sole proprietor of an investigative agency or security agency shall ~~*be required to apply for agency licensure and renewal but shall not be required to pay the fees for agency licensure or renewal*~~ *only pay the sole proprietor fees pursuant to this section*.

* * * Department of labor * * *

* * * Workers' compensation fund * * *

Sec. 3. WORKERS' COMPENSATION RATE OF CONTRIBUTION

Pursuant to 21 V.S.A. § 711(b), for fiscal year 2013, the general assembly has established that the rate of contribution for the direct calendar year premium for workers' compensation insurance shall remain at the rate of 1.75 percent established in 21 V.S.A. § 711(a).

* * * Department of health * * *

* * * X-ray equipment fees * * *

Sec. 4. 18 V.S.A. § 1652 is amended to read:

§ 1652. STATE RADIATION CONTROL

* * *

(e) Applicants for registration of X-ray equipment shall pay an annual registration fee of ~~$30.00~~ $45.00 per piece of equipment.

* * *

* * * Food and lodging establishment fees * * *

Sec. 5. 18 V.S.A. § 4353 is amended to read:

§ 4353. FEES

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

(1) Restaurant I — Seating capacity of 0 to 25; ~~$75.00~~ $85.00

II — Seating capacity of 26 to 50; ~~$130.00~~ $145.00

III — Seating capacity of 51 to 100; ~~$215.00~~ $245.00

IV — Seating capacity of 101 to 200; ~~$270.00~~ $305.00

V — Seating capacity of over 200; ~~$345.00~~ $390.00

VI — Home Caterer; ~~$85.00~~ $95.00

VII — Commercial Caterer; ~~$175.00~~ $200.00

VIII — Limited Operations; ~~$ 85.00~~ $95.00

IX — Fair Stand; ~~$60.00~~ $70.00; if operating for four or more days per year; ~~$140.00~~ $160.00

(2) Lodging I — Lodging capacity of 1 to 10; ~~$70.00~~ $80.00

II — Lodging capacity of 11 to 20; ~~$120.00~~ $135.00

III — Lodging capacity of 21 to 50; ~~$175.00~~ $200.00

IV — Lodging capacity of over 50; ~~$300.00~~ $340.00

(3) Food processor — a fee for any person or persons that process food for resale to restaurants, stores or individuals according to the following schedule:

(A) — Gross receipts of $10,001.00 to $50,000.00; ~~$100.00~~ $115.00

(B) — Gross receipts of over $50,000.00; ~~$135.00~~ $155.00

(4) Seafood vending facility-~~$110.00~~ $125.00, unless operating pursuant to another license issued by the department of health and generating less than $40,000.00 in seafood gross receipts annually. If generating more than

$40,000.00 in seafood gross receipts annually, the fee is to be paid regardless of whether the facility is operating pursuant to another license issued by the department of health.

(5) Shellfish reshippers and repackers—~~$250.00~~ $285.00.

* * *

Sec. 6. 18 V.S.A. § 4446 is amended to read:

§ 4446. FEE

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

Bakery I — Home Bakery; ~~$50.00~~ $55.00

II — Small Commercial; ~~$110.00~~ $125.00

III — Large Commercial; ~~$220.00~~ $250.00

IV — Camps; ~~$80.00~~ $90.00

(b) The commissioner of the department of health will be the final authority on definition of categories contained herein.

(c) All fees received by the board under this section shall be credited to a special fund and shall be available to the department to offset the cost of providing the services.

Sec. 7. 18 V.S.A. § 4463 is amended to read:

§ 4463. LICENSE

* * *

(b) ~~The fee for a salvage food facility license shall be $75.00. The license shall be effective for one year and may be renewed on payment of the license fee and approval of the department. Fees collected under this subsection shall be credited to a special fund and shall be available to the department to offset the cost of providing the services.~~ [Repealed.]

* * * Department of disabilities, aging, and independent living * * *

Sec. 8. 33 V.S.A. § 504 is amended to read:

§ 504. DUTIES OF DEPARTMENT

(a) The department shall administer all laws and programs specifically assigned to it for administration, including:

(1) Federally funded services for older persons in accordance with the Older Americans Act.

(2) Federally funded vocational rehabilitation and independent living services for persons with disabilities in accordance with the Rehabilitation Act. The division of vocational rehabilitation may contract with clients at up to $51.00 per year per employee, or may charge up to $70.00 per hour, for services rendered by the employee assistance program. The division shall charge $160.00 for each injured worker screening defined in the department of labor rules. For activities outside the scope of services funded by the Federal Assistive Technology Act, the division may charge up to $100.00 per hour for

assistive technology services rendered, including assistive technology consultations, assistive technology evaluations, individual assistive technology training, and assistive technology topic training. The division may charge fees at the rate of up to $100.00 per month for specialized assistive technology equipment leasing. The division may charge these fees to service providers, state agencies, schools, and individuals. The division shall continue to provide the following services at no charge: Information and assistance, state financing activities, equipment demonstration, short-term device loans, public outreach, technical assistance, and equipment reutilization. Fees shall be retained by the division.

* * *

* * * Agency of transportation * * *

* * * Department of motor vehicles * * *

Sec. 9. 23 V.S.A. § 114 is amended to read:

§ 114. FEES

(a) The commissioner shall be paid the following fees for miscellaneous transactions:

* * *

(14) Certified copy three-year operating record ~~11.00~~ 13.00

* * *

Sec. 10. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

(a) Any Vermont resident may make application to the commissioner and be issued an identification card which is attested by the commissioner as to true name, correct age, and any other identifying data as the commissioner may require which shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis. Every application for an identification card shall be signed by the applicant and shall contain such evidence of age and identity as the commissioner may require. The commissioner shall require payment of a fee of ~~$17.00~~ $20.00 at the time application for an identification card is made.

* * *

Sec. 11. 23 V.S.A. § 304 is amended to read:

§ 304. REGISTRATION CERTIFICATES; NUMBER PLATES; VANITY AND OTHER SPECIAL PLATES

* * *

(b) The authority to issue vanity motor vehicle number plates or special number plates for safety organizations and service organizations shall reside with the commissioner. Determination of compliance with the criteria contained in this section shall be within the discretion of the commissioner. Series of number plates for safety and service organizations which are authorized by the commissioner shall be issued in order of approval, subject to

the operating considerations in the department as determined by the commissioner. The commissioner shall issue vanity and special organization number plates in the following manner:

(1) Vanity plates. Subject to the restrictions of this section, vanity plates shall be issued at the request of the registrant of a vehicle registered at the pleasure car rate or of a truck registered for less than 26,001 pounds (but excluding trucks registered under the International Registration Plan) upon application and upon payment of an annual fee of ~~$38.00~~ $45.00 in addition to the annual fee for registration. The commissioner shall not issue two sets of plates bearing the same initials or letters unless the plates also contain a distinguishing number. Vanity plates are subject to reassignment if not renewed within 60 days of expiration of the registration.

* * *

Sec. 12. 23 V.S.A. § 307 is amended to read:

§ 307. CARRYING OF REGISTRATION CERTIFICATE

A person shall not operate a motor vehicle nor draw a trailer or semi-trailer unless the registration certificate thereof is carried in some easily accessible place in such motor vehicle. In case of the loss, mutilation or destruction of such certificate the owner of the vehicle described therein shall forthwith notify the commissioner and remit a fee of ~~$13.00~~ $15.00 whereupon the commissioner shall furnish such owner with a duplicate certificate. A

corrected registration certificate shall be furnished by the commissioner upon request and receipt of a fee of ~~$13.00~~ $15.00.

Sec. 13. 23 V.S.A. § 323 is amended to read:

§ 323. TRANSFER FEES

A person who transfers the ownership of a registered motor vehicle to another, upon the filing of a new application, and upon the payment of a fee of ~~$22.00~~ $23.00 may have registered in his or her name another motor vehicle for the remainder of the registration period without payment of any additional registration fee, provided the proper registration fee of the motor vehicle sought to be registered is the same as the registration fee of the transferred motor vehicle. However, if the proper registration fee of the motor vehicle sought to be registered by such person is greater than the registration fee of the transferred motor vehicle, the applicant shall pay, in addition to such fee of ~~$22.00~~ $23.00, the difference between the registration fee of the motor vehicle previously registered and the proper fee for the registration of the motor vehicle sought to be registered.

Sec. 14. 23 V.S.A. § 361 is amended to read:

§ 361. PLEASURE CARS

The annual fee for registration of any motor vehicle of the pleasure car type, and all vehicles powered by electricity, shall be ~~$64.00~~ $69.00, and the biennial fee shall be ~~$120.00~~ $127.00.

Sec. 15. 23 V.S.A. § 364 is amended to read:

§ 364. MOTORCYCLES

The annual fee for registration of a motorcycle, with or without side car, shall be ~~$40.00~~ $43.00.

Sec. 16. 23 V.S.A. § 367 is amended to read:

§ 367. TRUCKS

(a)(1) The annual fee for registration of tractors, truck-tractors, or motor trucks except truck cranes, truck shovels, road oilers, bituminous distributors, and farm trucks used as hereinafter specified shall be based on the total weight of the truck-tractor or motor truck including body and cab plus the heaviest load to be carried. In computing the fees for registration of tractors, truck-tractors or motor trucks with trailers or semi-trailers attached, except trailers or semi-trailers with a gross weight of less than 6,000 pounds, the fee shall be based upon the weight of the tractor, truck-tractor or motor truck, the weight of the trailer or semi-trailer, and the weight of the heaviest load to be carried by the combined vehicles. In addition to the fee set out in the following schedule, the fee for vehicles weighing between 10,000 and 25,999 pounds inclusive shall be an additional ~~$31.47~~ $33.55, the fee for vehicles weighing between 26,000 and 39,999 pounds inclusive shall be an additional ~~$62.93~~ $67.09, the fee for vehicles weighing between 40,000 and 59,999 pounds inclusive shall be an additional ~~$220.30~~ $234.86 and the fee for

vehicles 60,000 pounds and over shall be an additional ~~$346.19~~ $369.07. The fee shall be computed at the following rates per thousand pounds of weight determined as above specified and rounded up to the nearest whole dollar, the minimum fee for registering a tractor, truck-tractor, or motor truck to 6,000 pounds shall be the same as for the pleasure car type:

~~$13.48~~ $14.37 when the weight exceeds 6,000 pounds but does not exceed 8,000 pounds.

~~$15.42~~ $16.44 when the weight exceeds 8,000 pounds but does not exceed 12,000 pounds.

~~$17.00~~ $18.12 when the weight exceeds 12,000 pounds but does not exceed 16,000 pounds.

~~$18.18~~ $19.38 when the weight exceeds 16,000 pounds but does not exceed 20,000 pounds.

~~$19.02~~ $20.28 when the weight exceeds 20,000 pounds but does not exceed 30,000 pounds.

~~$19.44~~ $20.72 when the weight exceeds 30,000 pounds but does not exceed 40,000 pounds.

~~$19.90~~ $21.22 when the weight exceeds 40,000 pounds but does not exceed 50,000 pounds.

~~$20.08~~ $21.41 when the weight exceeds 50,000 pounds but does not exceed 60,000 pounds.

~~$20.77~~ $22.14 when the weight exceeds 60,000 pounds but does not exceed 70,000 pounds.

~~$21.46~~ $22.88 when the weight exceeds 70,000 pounds but does not exceed 80,000 pounds.

~~$22.16~~ $23.62 when the weight exceeds 80,000 pounds but does not exceed 90,000 pounds.

(2) Fractions of thousand pounds shall be computed at the next highest thousand pounds, excepting, however, fractions of hundredweight shall be disregarded.

* * *

Sec. 17. 23 V.S.A. § 371 is amended to read:

§ 371. TRAILER AND SEMI-TRAILER

(a)(1) The one-year and two-year fees for registration of a trailer or semi-trailer, except contractor's trailer or farm trailer, shall be as follows:

(A) ~~$23.00~~ $25.00 and ~~$45.00~~ $48.00, respectively, when such trailer or semi-trailer has a gross weight of trailer and load of less than 1,500 pounds;

(B) ~~$46.00~~ $49.00 and ~~$90.00~~ $96.00, respectively, when such trailer or semi-trailer has a gross weight of trailer and load of 1,500 pounds or more, and is drawn by a vehicle of the pleasure car type;

(C) ~~$46.00~~ $49.00 and ~~$90.00~~ $96.00, respectively, when such trailer or semi-trailer is drawn by a motor truck or tractor, when such trailer or semi-

trailer has a gross weight of 1,500 pounds or more, but not in excess of 3,000 pounds;

(D) ~~$46.00~~ $49.00 and ~~$90.00~~ $96.00, respectively, when such trailer or semi-trailer is used in combination with a truck-tractor or motor truck registered at the fee provided for combined vehicles under section 367 of this title. Excepting for the fees, the provisions of this subdivision shall not apply to trailer coaches as defined in section 4 of this title nor to modular homes being transported by trailer or semi-trailer.

* * *

Sec. 18. 23 V.S.A. § 608 is amended to read:

§ 608. FEES

(a) The four-year fee required to be paid the commissioner for licensing an operator of motor vehicles shall be ~~$45.00~~ $48.00. The two-year fee required to be paid the commissioner for licensing an operator shall be ~~$28.00~~ $30.00 and the two-year fee for licensing a junior operator shall be ~~$28.00~~ $30.00.

* * *

Sec. 19. 23 V.S.A. § 634(a) is amended to read:

(a) The fee for an examination for a learner's permit shall be ~~$28.00~~ $30.00. The fee for an examination to obtain an operator's license when the applicant is required to pass an examination pursuant to section 632 of this title

shall be ~~$17.00~~ $18.00. The fee for a motorcycle skill test to obtain a motorcycle endorsement shall be $18.00.

Sec. 20. 23 V.S.A. § 1230 is amended to read:

§ 1230. CHARGE

For each inspection certificate issued by the department of motor vehicles, the commissioner shall be paid ~~$4.00~~ $5.00, provided that state and municipal inspection stations that inspect only state or municipally owned and registered vehicles shall not be required to pay a fee. All vehicle inspection certificate charge revenue shall be allocated to the transportation fund with one-half reserved for bridge maintenance activities.

Sec. 21. 23 V.S.A. § 2002 is amended to read:

§ 2002. FEES

(a) The commissioner shall be paid the following fees:

(1) For any certificate of title, including a salvage certificate of title, ~~$31.00~~ $33.00;

(2) For each security interest noted upon a certificate of title, including a salvage certificate of title, ~~$9.00~~ $10.00;

(3) For a certificate of title after a transfer, ~~$31.00~~ $33.00;

(4) For each assignment of a security interest noted upon a certificate of title, ~~$9.00~~ $10.00;

(5) For a duplicate certificate of title, including a salvage certificate of title, ~~$31.00~~ $33.00;

(6) For an ordinary certificate of title issued upon surrender of a distinctive certificate, ~~$31.00~~ $33.00;

(7) For filing a notice of security interest, ~~$9.00~~ $10.00;

(8) For a certificate of search of the records of the motor vehicle department, for each motor vehicle searched against, $20.00;

(9) For filing an assignment of a security interest, ~~$9.00~~ $10.00;

(10) For a certificate of title after a security interest has been released, ~~$31.00~~ $33.00;

(11) For a certificate of title for a motor vehicle granted a veteran by the veterans' administration and exempt from registration fees pursuant to section 378 of this title, no fee;

(12) For a corrected certificate of title, ~~$31.00~~ $33.00.

* * *

Sec. 22. 23 V.S.A. § 3802 is amended to read:

§ 3802. FEES

(a) The commissioner shall be paid the following fees:

(1) for filing an application for a first certificate of title, ~~$19.00~~ $20.00;

(2) for each security interest noted upon a certificate of title, ~~$9.00~~ $10.00;

(3) for a certificate of title after a transfer, ~~$19.00~~ $20.00;

(4) for each assignment of a security interest noted upon a certificate of title, ~~$9.00~~ $10.00;

(5) for a duplicate certificate of title, ~~$19.00~~ $20.00;

(6) for an ordinary certificate of title issued upon surrender of a distinctive certificate, ~~$19.00~~ $20.00;

(7) for filing a notice of security interest, ~~$9.00~~ $10.00;

(8) for a certificate of search of the records of the motor vehicle department for each vessel, snowmobile or all-terrain vehicle searched against, $20.00;

(9) for filing an assignment of a security interest, ~~$9.00~~ $10.00;

(10) for a certificate of clear title after the security interest or interests have been released, ~~$19.00~~ $20.00;

(11) for a corrected certificate of title, ~~$19.00~~ $20.00.

* * *

Sec. 23. 23 V.S.A. § 4108 is amended to read:

§ 4108. COMMERCIAL DRIVER LICENSE QUALIFICATION STANDARDS

* * *

(f) The fee for a knowledge test and accompanying skill test shall be ~~$30.00~~ $35.00 for the first test and ~~$25.00~~ $30.00 for each subsequent test.

The fee for an endorsement test shall be ~~$10.00~~ $13.00. In the event that an applicant fails a test three times, he or she may not take the test again for at least six months. A fee of $20.00 shall be paid by the applicant before he or she may schedule a skill test. If an applicant does not appear for the scheduled skill test, the $20.00 scheduling fee is forfeited and another $20.00 scheduling fee must be paid before another skill test will be scheduled, unless the applicant has given the department at least 48 hours' notice of cancellation of the test. If the applicant passes the skill test, the $20.00 scheduling fee for that test will be used as part of the license fee. If the applicant appears for the scheduled skill test and fails the skill test, a subsequent skill test will be scheduled without an additional $20.00 fee.

* * *

Sec. 24. 23 V.S.A. § 4110 is amended to read:

§ 4110. APPLICATION FOR COMMERCIAL DRIVER LICENSE

* * *

(b) When a licensee or permittee changes his or her name, mailing address, or residence or in the case of the loss, mutilation, or destruction of a license or permit, the licensee or permittee shall forthwith notify the commissioner and apply in person for a duplicate license or permit in the same manner as set forth in subsection (a) of this section. The fee for a duplicate license or permit shall be ~~$10.00~~ $13.00.

* * *

* * * Agency of natural resources * * *

* * * Department of fish and wildlife * * *

Sec. 25. 10 V.S.A. § 4001 is amended to read:

§ 4001. DEFINITIONS

Words and phrases used in this part, unless otherwise provided, shall be construed to mean as follows:

* * *

(37) Mitigation: the acquisition of an interest in land, change in operation, or funds or other remuneration paid in order to compensate for the loss of habitat, plants, or animals required by a permitting or regulatory process.

Sec. 26. 10 V.S.A. § 4047 is amended to read:

§ 4047. FISH AND WILDLIFE DEPARTMENT FUNDS

(a) The receipts of the fish and wildlife department shall not become a part of the general fund of the state but shall be used solely for the fish and wildlife department. Interest on the cash balance of department receipts shall likewise accrue to the department.

(b) The state of Vermont assents to the provisions of the Pittman-Robertson Wildlife Restoration Act of September 2, 1937, as amended (16 U.S.C. §§ 669–669i) and the Dingell-Johnson Sport Fish Restoration Act of August

1950, as amended (16 U.S.C. §§ 777–777k) and diversion of license fees paid by hunters and anglers to purposes other than the administration of the department of fish and wildlife is prohibited.

(c) Receipts for each fiscal year in excess of the amount appropriated for each fiscal year shall remain in the fish and wildlife fund and be carried forward to the following year. If appropriations exceed receipts, the commissioner of finance and management may anticipate receipts and issue warrants based thereon. With the approval of the emergency board, funds not to exceed $100,000.00 each fiscal year may be appropriated to the department if needed for any emergency under the jurisdiction of the board or department that may occur during any fiscal year.

~~(c)~~(d) With the approval of the emergency board, funds not to exceed $300,000.00 may be appropriated each fiscal year for the purpose of purchasing land to achieve the purposes of the department. Such purchase(s) shall be in accordance with the provisions of this title. Each purchase shall be approved by the emergency board. These funds may be used in conjunction with funds provided by other state agencies, the federal government, or any provider or quasi-public entity.

~~(d)~~(e) Receipts from tuition charged for attendance at Green Mountain Conservation Camps shall be deposited in the fish and wildlife fund.

(f) A species and habitat conservation fund is created within the fish and wildlife fund. The commissioner may solicit federal funds, grants, and private contributions and may accept mitigation payments directed toward fish and wildlife species and habitat conservation. Such moneys shall be deposited in the species and habitat conservation fund, and the commissioner may make expenditures from the fund for purposes of species and habitat conservation. Interest accrued on the fund shall be credited to the fund.

Sec. 27. 10 V.S.A. § 4252 is amended to read:

§ 4252. ACTIVITIES PERMITTED UNDER LICENSES

Subject to provisions of this part and regulations of the board:

(1) A fishing license shall entitle the holder to take fish.

(2) A hunting license shall entitle the holder to take wild animals, other than fish, except by trapping and for those species that require a separate big game license, and to shoot and spear pickerel.

(3) A trappers' license shall entitle the holder to take animals other than fish with the use of traps.

(4) A combination fishing and hunting license shall entitle the holder to take fish and wild animals, except by trapping and for those species that require a separate big game license, and to shoot and spear pickerel.

* * *

(14) A free youth turkey hunting weekend license for persons aged 15 or under on youth turkey hunting weekend shall entitle the holder to take wild turkey.

(15) A free youth deer weekend license for persons aged 15 or under on youth deer hunting weekend shall entitle the holder to take deer.

(16) A youth hunting license for persons aged 17 and under on the date of the license purchase shall entitle the holder to take wild animals, other than fish, except by trapping and for those animals that require a separate big game license, and to shoot and spear pickerel.

(17) A youth fishing license, eligible for persons aged 15 to 17 on the date of the license purchase, shall entitle the holder to take fish.

(18) A youth combination fishing and hunting license, eligible for persons aged 15 to 17 on the date of the license purchase, shall entitle the holder to take fish and wild animals, except by trapping and for those animals that require a separate big game license, and to shoot and spear pickerel.

Sec. 28. 10 V.S.A. § 4254 is amended to read:

§ 4254. FISHING AND HUNTING LICENSES; ELIGIBILITY, DESIGN, DISTRIBUTION, SALE, AND ISSUE

(a) Fishing licenses. A fishing license may be issued to any person aged 15 ~~years of age~~ or older.

(b) Hunting licenses. A resident or nonresident hunting license, combination fishing and hunting license, or archery license may be issued to any person, provided that the applicant prior to issue first presents:

* * *

(4) other satisfactory proof that the applicant has previously held a hunting, or combination hunting and fishing license or archery license, if applicable. A hunting license or archery license may be issued to a person ~~under 16 years of age~~ aged 15 or under only with the written consent of the applicant's parent or legal guardian given in the presence of the agent issuing the license.

* * *

Sec. 29. 10 V.S.A. § 4254a is amended to read:

§ 4254a. TRAPPING LICENSES

(a) A resident, resident youth aged 17 or under on the date of license purchase, or nonresident trapping license may be issued to any person, provided that the applicant prior to issue first presents:

* * *

~~(c) A nonresident trapping license may be issued only from the central office of the department.~~

Sec. 30. 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~~ $25.00
(2) Hunting license	$22.00
(3) Combination hunting and fishing license	~~$35.00~~ $38.00
(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~~ $23.00
(D) second muzzle loader license	$17.00
(E) second archery license	$17.00
(F) moose license	$100.00
(G) second bear tag	$5.00
(5) Trapping license	$20.00
(6) Hunting license for persons ~~under 18 years of age~~ aged 17 or under	$8.00
(7) Trapping license for persons ~~under 18 years of age~~ aged 17 or under	$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~~ aged 17 or under $12.00

(12) Mentored hunting license $10.00

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

(1) Fishing license ~~$45.00~~ $50.00

(2) One-day fishing license $20.00

(3) [Deleted.]

(4) Hunting license $100.00

(5) Combination hunting and fishing license ~~$130.00~~ $135.00

(6) Big game licenses (all require a hunting license)

(A) archery license ~~$35.00~~ $38.00

(B) muzzle loader license $40.00

(C) turkey license ~~$35.00~~ $38.00

(D) second muzzle loader license $25.00

(E) second archery license $25.00

(F) moose license $350.00

(G) second bear tag $15.00

(7) Small game licenses

(A) all season $50.00

(B) [Deleted.]

(8) Trapping license $300.00

(9) Hunting licenses for persons ~~under 18 years of age~~ aged 17 or under $25.00

(10) Three-day fishing license $22.00

(11) Seven-day fishing license $30.00

(12) Archery-only license (does not require hunting license) $75.00

(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~~ aged 17 or under $30.00

(16) Mentored hunting license $10.00.

(c) A permanent or free license may be secured on application to the department by a person qualifying as follows:

(1) For ~~$36.00~~ $50.00, a Vermont resident aged 65 ~~years of age~~ or older may purchase one or all of the following licenses:

(A) A permanent fishing license.

(B) If the person qualifies for a hunting license, a combination fishing and hunting license, which shall include all big game licenses, except for a moose license.

(C) If the person qualifies for a trapping license, a trapping license.

(2) A legally blind person who is a Vermont resident may receive a free permanent fishing license upon submittal of proper proof of blindness as the commissioner shall require. A legally blind person who is a resident in a state which provides a reciprocal privilege for Vermont residents may receive a free one-year fishing license.

(3) A paraplegic person as defined in subdivision 4001(30) of this title who is a Vermont resident may receive a free permanent fishing license or, if the person qualifies for a hunting license, a free combination hunting and fishing license. A paraplegic person who is a resident ~~of~~ in a state which provides a reciprocal privilege for Vermont residents may receive a free one-year fishing license, or if the person qualifies for a hunting license, a free one-year combination fishing and hunting license.

(4) A Vermont resident who is a veteran of the armed forces of the United States and who is, or ever has been, ~~one hundred~~ 100 percent disabled as a result of a service-connected disability may receive a free fishing, hunting, or combination hunting and fishing license which shall include all big game licenses, except for a moose license, upon presentation of a certificate issued

by the veterans' administration so certifying. A resident of a state which provides a reciprocal privilege for Vermont veterans and who would qualify for a free license under this subdivision if the person were a Vermont resident, may receive a free one-year fishing, hunting, or combination hunting and fishing license.

(5) A special olympian participating in a fishing tournament for special olympics may receive a free fishing license valid for that event.

(d) A nonresident student who is otherwise qualified and who is enrolled in a program of secondary education or in a college or university within the state at which he has successfully completed two successive semesters shall be entitled to a resident fishing, hunting, or combination hunting and fishing license upon presentation of ~~an admission card~~ a document from a school that affirms his or her status and payment of the fees set forth in this section, provided the student applies for the license to ~~a town or city clerk~~ an authorized license agent.

* * *

Sec. 31. 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 $25.00

(2) Hunting license	~~$22.00~~ $25.00
(3) Combination hunting and fishing license	~~$38.00~~ $40.00
(4) Big game licenses (all require a hunting license)	
(A) archery license	~~$20.00~~ $23.00
(B) muzzle loader license	~~$20.00~~ $23.00
(C) turkey license	$23.00
(D) second muzzle loader license	$17.00
(E) second archery license	$17.00
(F) moose license	$100.00
(G) second bear tag	$5.00

* * *

Sec. 32. 10 V.S.A. § 4258 is amended to read:

§ 4258. LICENSE; ARMED FORCES

A license to hunt or fish shall be issued, upon payment of the resident license fee, to any member of the armed forces of the United States of America who is on active duty and stationed at some military, air, or naval post, station, or base within the state. ~~Said~~ The member of the armed forces, desiring a hunting ~~or~~, fishing, or combination hunting and fishing license, shall certify that he or she is eligible for such a license under this section. Holders of such licenses shall be subject to all the laws of the state and the rules and regulations of the board regulating hunting and fishing; and for violations of said laws or

rules and regulations, shall be subject to the penalties prescribed therefor, and such licenses shall be revoked in the same manner as provided in section 4502 of this title.

Sec. 33. 10 V.S.A. § 4261 is amended to read:

§ 4261. LOST, REPLACEMENT, OR FREE LICENSE CERTIFICATE

(a) A person who has lost a license other than a lifetime license <u>or permanent license</u> may demand a lost license certificate from the agent of original issue. The fee shall be $5.00 which the agent may retain. If the agent of original issue is no longer selling licenses, the applicant may apply directly to the department. If available, replacement and free licenses may be obtained from a point-of-sale agent or online at the state's website. If requested from a point-of-sale agent, a $1.50 filing fee may be charged and retained by the agent.

(b) A person who has lost a lifetime license <u>or permanent license</u> may obtain a new license upon application to the department, payment of a $5.00 fee and submission of proof of identification. If available, replacement and free licenses may be obtained from a point-of-sale agent or online at the state's website. If requested from a point-of-sale agent, a $1.50 filing fee may be charged and retained by the agent.

Sec. 34. 10 V.S.A. § 4279 is amended to read:

§ 4279. LIFETIME LICENSES

* * *

(f) Fees for lifetime licenses shall be the appropriate multiplication factor for the child's or adult's age multiplied by the fee for the appropriate license. Appropriate license fees are those in subdivisions 4255(a)(1), (2), and (3) of this title for residents and subdivisions 4255(b)(1), (4), and (5) of this title for nonresidents. Multiplication factors are as follows:

(1) for children under 1 year of age	~~5~~ 6
(2) for children 1 through 15 years of age	~~15~~ 16
(3) for adults 16 through 24 years of age	~~30~~ 31
(4) for adults 25 through 64 years of age	~~25~~ 26

Sec. 35. 10 V.S.A. § 5408 is amended to read:

§ 5408. LIMITATIONS

(a) Notwithstanding any provision of this chapter, after obtaining the advice of the endangered species committee, the secretary may permit, under such terms and conditions as the secretary may prescribe by rule, any act otherwise prohibited by this chapter if done for any of the following purposes: scientific purposes; to enhance the propagation or survival of a species; economic hardship; zoological exhibition; educational purposes; or special purposes consistent with the purposes of the federal Endangered Species Act.

* * *

(f)(1) Fees to be charged to a person applying to take a threatened or endangered species under this section shall be:

(A) To take for scientific purposes, to enhance the propagation or survival of the species, or for educational purposes or special purposes consistent with the federal Endangered Species Act, $50.00.

(B) To take for a zoological or botanical exhibition or to lessen an economic hardship, $250.00 for each listed animal or plant taken up to a maximum of $25,000.00, or if the secretary determines that it is in the best interest of the species, the parties may agree to mitigation in lieu of a monetary fee.

(2) Fees or mitigation payments collected under this subsection shall be deposited in the ~~nongame wildlife fund~~ threatened and endangered species fund within the fish and wildlife fund, which fund is hereby created. Expenditures may be made for monitoring, restoration, conservation, and the acquisition of property interests and other purposes consistent with this chapter. Where practical, the fees collected for takings shall be devoted to the conservation of the taken species or its habitat. Interest accrued on the fund shall be credited to the fund.

* * * Department of Vermont health access * * *

* * * Hospital assessment * * *

Sec. 36. 33 V.S.A. § 1953 is amended to read:

§ 1953. HOSPITAL ASSESSMENT

(a) Hospitals shall be subject to an annual assessment as follows:

(1) ~~Each~~ Beginning July 1, 2012, each hospital's annual assessment, except for hospitals assessed under subdivision (2) of this subsection, shall be ~~5.5~~ six percent of its net patient revenues (less chronic, skilled, and swing bed revenues) ~~through September 30, 2011. Beginning October 1, 2011, each hospital's assessment, except for hospitals assessed under subdivision (2) of this subsection, shall be 5.9 percent of its net patient revenues (less chronic, skilled, and swing bed revenues)~~.

* * *

* * * Local option tax * * *

Sec. 37. 24 V.S.A. § 138 is amended to read:

§ 138. LOCAL OPTION TAXES

* * *

(c) Any tax imposed under the authority of this section shall be collected and administered by the department of taxes, in accordance with state law governing such state tax or taxes; provided however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont

sales tax using a destination basis for taxation. A per-return fee of ~~$9.52~~ $5.96 shall be assessed to compensate the department for the costs of administration and collection, 70 percent of which shall be borne by the municipality, and 30 percent of which shall be borne by the state to be paid from the pilot special fund. The fee shall be subject to the provisions of 32 V.S.A. § 605.

* * *

* * * Defender general * * *

Sec. 38. 13 V.S.A. § 5238 is amended to read:

§ 5238. CO-PAYMENT AND REIMBURSEMENT ORDERS

* * *

(b) The court shall require any person assigned counsel pursuant to section 5236 of this title to pay for all or part of the cost of representation based upon his or her ability to pay. Unless the person and cohabiting family members are found to be financially unable to pay, in all cases the court shall order a minimum payment of ~~$25.00~~ $50.00. This assignment fee shall be paid within 60 days of assignment of counsel. If the court finds that the income of the person and cohabiting family members for the past year equaled or exceeded 125 percent of the federal poverty level applicable to their family size, the balance to be paid by the person found eligible, when added to the minimum assignment fee, shall be equal to the amount calculated according to the following chart:

Income as a percentage of federal poverty level applicable to family size	Defendant's percentage of average direct cost per case for category of case
125-150%	25%
151-175	50
176-200	75
over 200	100

* * *

Sec. 39. 13 V.S.A. § 5240 is amended to read:

§ 5240. COLLECTION OF REIMBURSEMENTS

(a) If ~~a person~~ persons receiving representation under this chapter ~~fails~~ fail to make reimbursement on the date specified in the court order, the ~~clerk~~ court administrator shall ~~notify the person and~~ refer the uncollected reimbursement orders to the commissioner of taxes ~~forthwith~~, and the commissioner is authorized to proceed to collection in the name of the state.

* * *

* * * Repeal * * *

Sec. 40. REPEAL

10 V.S.A. § 4272 (regarding lost fur buyer's license; certificate) is repealed.

* * * Effective dates * * *

Sec. 41. EFFECTIVE DATES

Secs. 30 and 34 of this act shall take effect on January 1, 2013. Sec. 31 shall take effect on January 1, 2014. All other sections shall take effect on July 1, 2012.