

House Calendar

Friday, February 13, 2015

38th DAY OF THE BIENNIAL SESSION

House Convenes at 9:30 A.M.

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Third Reading

H. 184 Executive Branch fees	74
Rep. Dame amendment	74
Rep. Shaw of Pittsford et al amendment	93
Rep. Olsen amendment.....	94
Rep. Sabilia amendment.....	96

NOTICE CALENDAR

Committee Bill for Second Reading

H. 206 Regulating notaries public.....	97
Rep. Sweaney for Government Operations	

Consent Calendar

H.C.R. 28 Designating February 6, 2015, as Wear Red Day in Vermont	97
H.C.R. 29 Congratulating the Vermont Jazz Center of Brattleboro on winning a 2014 Chamber Music America Acclaim Award	97
H.C.R. 30 Honoring Deborah and Wayne Granquist of Weston for their leadership in the public and nonprofit sectors	97
H.C.R. 31 Designating February 12, 2015, as Alzheimer's Awareness Day in Vermont	98
H.C.R. 32 Congratulating Iva Fisher on her 100th birthday.....	98
H.C.R. 33 Honoring Peter Mello for his outstanding contributions to public education, including his leadership of the Rutland City School Board.....	98
H.C.R. 34 Congratulating Barbara G. Rhoad as the winner of the 2014 Vermont Tree Steward Award for the Unsung Steward	98
H.C.R. 35 In memory of master fiddler Harold Luce	98
H.C.R. 36 Honoring Barry and Wendy Rowland for their leadership in secondary education and their philanthropic community support.....	98

ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 184

An act relating to Executive Branch fees

Amendment to be offered by Rep. Dame of Essex to H. 184

Rep. Dame of Essex moves that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

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 ~~\$500.00~~ \$350.00
- (3) Annual limited temporary license renewal \$100.00

* * * Veterinary Medicine * * *

Sec. 2. 26 V.S.A. § 2414 is amended to read:

§ 2414. FEES

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

- (1) Application \$ 100.00
- (2) Biennial renewal ~~\$ 250.00~~ \$ 200.00

* * * Land Surveyors * * *

Sec. 3. 26 V.S.A. § 2597 is amended to read:

§ 2597. FEES

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

- (1) Application \$200.00

(2) Biennial renewal of license ~~\$400.00~~ \$300.00

* * * Real Estate Appraisers * * *

Sec. 4. 26 V.S.A. § 3316 is amended to read:

§ 3316. LICENSING AND REGISTRATION FEES

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

- (1) Application \$125.00
- (2) Initial license \$150.00
- (3) Biennial renewal ~~\$315.00~~ \$200.00
- (4) Temporary license \$150.00
- (5) Prelicensing course review \$100.00
- (6) Continuing education course review \$100.00
- (7) Appraiser trainee annual registration \$100.00
- (8) Appraisal management company registration application \$125.00
- (9) Appraisal management company registration renewal ~~\$500.00~~ \$400.00

* * * Agency of Education * * *

Sec. 5. 16 V.S.A. § 1697 is amended to read:

§ 1697. FEES

(a) Each individual applicant and licensee shall be subject to the following fees:

- (1) ~~Initial processing~~ Processing of application ~~\$40.00~~ \$42.00 per application
- (2) Issuance of ~~initial~~ Level I license ~~\$40.00~~ \$42.00 per year for the term of the license
- (3) ~~Renewal~~ Issuance of Level II license ~~\$40.00~~ \$42.00 per year for the term of the renewal
- (4) ~~Replacement of license~~ Official copy of licenses \$10.00
- (5) [Repealed.]
- (6) Issuance of provisional, emergency, or apprenticeship license

\$42.00 per year for term of license

~~(6)~~(7) Peer review process \$1,200.00 one-time fee

* * *

* * * Speech–Language Pathologists and Audiologists * * *

Sec. 6. 26 V.S.A. § 4459 is amended to read:

§ 4459. FEES

(a) Each applicant and licensee shall be subject to the following fees:

(1) ~~Initial processing~~ Processing of application ~~\$35.00~~ \$37.00

(2) Issuance of ~~initial~~ license ~~\$35.00~~ \$37.00 per year for the term of the license

(3) ~~Renewal~~ Issuance of license ~~\$35.00~~ \$37.00 per year for the term of the renewal

(4) ~~Replacement~~ Official copy of license \$10.00.

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

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

* * * Department of Health * * *

* * * X-ray Equipment Fees * * *

Sec. 7. 18 V.S.A. § 1652(e) is amended to read:

(e) Applicants for registration of X-ray equipment shall pay an annual registration fee of ~~\$45.00~~ \$47.00 per piece of equipment.

* * * Food and Lodging Establishment Fees * * *

Sec. 8. 18 V.S.A. § 4353 is amended to read:

§ 4353. FEES

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

(1) Restaurant I – Seating capacity of 0 to 25; ~~\$85.00~~ \$88.00

II — Seating capacity of 26 to 50; ~~\$145.00~~ \$150.00

III — Seating capacity of 51 to 100; ~~\$245.00~~ \$253.00

IV — Seating capacity of 101 to 200; ~~\$305.00~~ \$315.00

V — Seating capacity of over 200; ~~\$390.00~~ \$402.00

VI — Home Caterer; ~~\$95.00~~ \$98.00

VII — Commercial Caterer; ~~\$200.00~~ \$206.00

VIII — Limited Operations; ~~\$95.00~~ \$98.00

IX — Fair Stand; ~~\$70.00~~ \$73.00; if operating for four or more days per year; ~~\$160.00~~ \$165.00

(2) Lodging I — Lodging capacity of 1 to 10; ~~\$80.00~~ \$83.00

II — Lodging capacity of 11 to 20; ~~\$135.00~~ \$140.00

III — Lodging capacity of 21 to 50; ~~\$200.00~~ \$206.00

IV — Lodging capacity of over 50; ~~\$340.00~~ \$351.00

(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; ~~\$115.00~~ \$119.00

(B) - Gross receipts of over \$50,000.00; ~~\$155.00~~ \$160.00

(4) Seafood vending facility – ~~\$125.00~~ \$129.00, unless operating pursuant to another license issued by the ~~department of health~~ 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~~ Department of Health.

(5) Shellfish reshippers and repackers – ~~\$285.00~~ \$294.00.

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

* * *

Sec. 9. 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~~ Board a fee for each certificate and renewal thereof in accordance with the following schedule:

Bakery I – Home Bakery; ~~\$55.00~~ \$57.00

II – Small Commercial; ~~\$125.00~~ \$129.00

III – Large Commercial; ~~\$250.00~~ \$258.00

IV – Camps; ~~\$90.00~~ \$93.00

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

* * *

Sec. 10. REPORT TO GENERAL ASSEMBLY; COMBINATION

LICENSES FOR FOOD AND LODGING ESTABLISHMENTS

On or before January 15, 2016, the Commissioner of Health shall submit to the House Committee on Human Services, the House Committee on Ways and Means, and the Senate Committee on Finance a report with recommendations designed to achieve licensing efficiencies, including risk-based inspections and combination licenses for food retailers and food and lodging establishments. The report shall include:

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

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

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

* * * Board of Medical Practice Fees * * *

* * * Podiatry * * *

Sec. 11. 26 V.S.A. § 374 is amended to read:

§ 374. FEES; LICENSES

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

(1) Application for licensure, ~~\$625.00~~ \$644.00; the ~~board~~ Board shall use at least \$25.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(2) Biennial renewal, ~~\$500.00~~ \$515.00; the ~~board~~ Board shall use at least \$25.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

* * * Medicine * * *

Sec. 12. 26 V.S.A. § 1401a is amended to read:

§ 1401a. FEES

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

(1) Application for licensure, ~~\$625.00~~ \$644.00; the ~~board~~ Board shall use at least \$25.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(2) Biennial renewal, ~~\$500.00~~ \$515.00; the ~~board~~ Board shall use at least \$25.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(3) Initial limited temporary license; annual renewal ~~\$70.00~~ \$73.00.

* * *

* * * Anesthesiologist Assistants * * *

Sec. 13. 26 V.S.A. § 1662 is amended to read:

§ 1662. FEES

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

(1)(A)(i) Original application for certification, ~~\$115.00~~ \$119.00;

(ii) Each additional application, ~~\$50.00~~ \$52.00;

(B) The ~~board~~ Board shall use at least \$10.00 of these fees to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(2)(A)(i) Biennial renewal, ~~\$115.00~~ \$119.00;

(ii) Each additional renewal, ~~\$50.00~~ \$52.00;

(B) The ~~board~~ Board shall use at least \$10.00 of these fees to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public. In addition to the fee, an applicant for certification renewal shall submit evidence in a manner acceptable to the ~~board~~ Board that he or she continues to meet the certification requirements of the

NCCAA.

(3) Transfer of certification, ~~\$15.00~~ \$16.00.

* * * Physician Assistants * * *

Sec. 14. 26 V.S.A. § 1740 is amended to read:

§ 1740. FEES

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

(1) Original application for licensure, ~~\$170.00~~ \$176.00; the ~~board~~ Board shall use at least \$10.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(2) Biennial renewal, ~~\$170.00~~ \$176.00; the ~~board~~ Board shall use at least \$10.00 of this fee to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

* * * Radiologist Assistants * * *

Sec. 15. 26 V.S.A. § 2862 is amended to read:

§ 2862. FEES

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

(1)(A)(i) Original application for certification ~~\$115.00~~ \$119.00;

(ii) Each additional application ~~\$ 50.00~~ \$52.00;

(B) The ~~board~~ Board shall use at least \$10.00 of these fees to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public.

(2)(A)(i) Biennial renewal ~~\$115.00~~ \$119.00;

(ii) Each additional renewal ~~\$ 50.00~~ \$52.00;

(B) The ~~board~~ Board shall use at least \$10.00 of these fees to support the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which monitors recovering chemically dependent licensees for the protection of the public. In addition to the fee, an applicant for certification renewal shall submit evidence in a manner acceptable to the ~~board~~

Board that he or she continues to meet the certification requirements of the ARRT and is licensed as a radiologic technologist under chapter 51 of this title.

(3) Transfer of certification ~~\$15.00~~ \$16.00.

* * * Agency of Natural Resources/Natural Resource Board * * *

Sec. 16. 10 V.S.A. § 6083a is amended to read:

§ 6083a. ACT 250 FEES

(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, ~~\$5.40~~ \$5.60 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and ~~\$2.50~~ \$2.60 for each \$1,000.00 of construction costs above \$15,000,000.00

(2) For projects involving the creation of lots, ~~\$100.00~~ \$103.00 for each lot.

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

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

(5) For projects involving the review of a master plan, a fee equivalent to \$0.10 per ~~\$1,000~~ \$1,000.00 of total estimated construction costs in current dollars in addition to the fee established in ~~subdivisions~~ subdivision (1) of this

subsection for any portion of the project seeing construction approval.

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

(b) Notwithstanding the provisions of subsection (a) of this section, there shall be a minimum fee of ~~\$150.00~~ \$155.00 for original applications and ~~\$50.00~~ \$52.00 for amendment applications, in addition to publication and recording costs. These costs shall be in addition to any other fee established by statute, unless otherwise expressly stated.

* * *

Sec. 17. 3 V.S.A. § 2809(d)(4) is amended to read:

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

* * * Department for Environmental Conservation * * *

Sec. 18. 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:

* * *

(B) Any person required to register an air contaminant source under 10 V.S.A. § 555(c) 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: ~~\$0.0335~~ \$0.0345 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, provided that a plant producing renewable energy as defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding ~~\$64,000.00~~ \$65,920.00:

Base registration fee ~~\$1,500.00~~ \$1,545.00; and ~~\$0.0335~~ \$0.0345 per pound of emissions of any of these contaminants.

(2) For discharge permits issued under 10 V.S.A. chapter 47 and orders issued under 10 V.S.A. § 1272, an administrative processing fee of \$120.00 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 (V) of this subsection:

(A) Application review fee.

* * *

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

(I) Sewage

(aa) Individual permit: ~~\$1,755.00~~ \$1,807.00 plus
~~\$0.08~~ \$0.0824

original application; per gallon of design
amendment for increased flows; capacity above
amendment for modification or 6,500 gpd.
replacement of system.

(bb) Renewal, transfer, or minor \$0.00
amendment of individual permit.

(cc) General permit. \$0.00

(II) Nonsewage

(aa) Individual permit: ~~\$0.06~~ \$0.0618 per gallon
original application; capacity design; minimum
amendment for increased ~~\$400.00~~ \$412.00 per
flows; amendment for application.
modification or replacement
of system.

(bb) Renewal, transfer, or \$0.00
minor amendment of
individual permit.

(cc) General permit. \$0.00.
(B) Annual operating fee.

* * *

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

(I) Sewage

(aa) Individual permit: ~~\$400.00~~ \$412.00 plus
~~\$0.035~~ \$0.036 per
gallon of design capacity
above 6,500 gpd.
maximum ~~\$27,500.00~~
\$28,325.00.

(bb) Approval under ~~\$220.00~~ \$226.60.
general permit.

(II) Nonsewage

(aa) Individual permit: ~~\$0.013~~ \$0.0139 per gallon
of design capacity.
~~\$250.00~~ \$257.50
minimum; maximum
~~\$5,500.00~~ \$5665.00

(bb) Approval under general ~~\$220.00~~ \$226.60.
permit;

(C) The Secretary shall bill all persons who hold discharge permits for the required annual operating fee. Annual operating fees may be divided into semiannual or quarterly billings.

(3) [Repealed.]

(4) For potable water supply and wastewater permits issued under 10 V.S.A. chapter 64. Projects under this subdivision include: a wastewater system, including a sewerage connection; and a potable water supply, including a connection to a public water supply:

(A) Original applications, or major amendments for a project with the

following proposed design flows. In calculating the fee, the highest proposed design flow whether wastewater or water shall be used:

(i) design flows 560 gpd or less: ~~\$245.00~~ \$253.00 per application.

(ii) design flows greater than 560 and less than or equal to 2,000 gpd: ~~\$580.00~~ \$598.00 per application.

(iii) design flows greater than 2,000 and less than or equal to 6,500 gpd: ~~\$2,000.00~~ \$2,060.00 per application.

(iv) design flows greater than 6,500 and less than or equal to 10,000 gpd: ~~\$5,000.00~~ \$5,150.00 per application.

(v) design flows greater than 10,000 gpd: ~~\$9,500.00~~ \$9,785.00 per application.

(B) Minor amendments: ~~\$100.00.~~ \$103.00.

(C) Special fees

(i) Original application or amendment solely for construction of grease trap, due to change in use, no increase in design flow. ~~\$135.00~~ \$140.00

(ii) Original application or amendment solely for construction of holding tank for nondomestic wastewater when nondomestic wastewater will be transported off site. ~~\$135.00.~~ \$140.00

(iii) Original application or amendment for initial connection by an existing building or structure to a municipal water or wastewater system at the time is first constructed ~~\$50.00~~ \$52.00

where there is no increase in design flow and where the connection and system has been reviewed and approved by the facilities engineering division of the agency or has been reviewed, approved, and certified by a licensed designer retained by the municipality.

(iv)(I) Minor projects: ~~\$180.00.~~ \$186.00.

(II) As used in this subdivision (j)(4)(C), “minor project” means a project that meets the following: there is an increase in design flow but no construction is required; there is no increase in design flow, but construction is required, excluding replacement potable water supplies and wastewater systems; or there is no increase in design flow and no construction is required, excluding applications that contain designs that require technical review.

(D) Notwithstanding the other provisions of this subdivision, when a project is located in a Vermont neighborhood, as designated under 24 V.S.A. chapter 76A, the fee shall be no more than \$50.00 in situations in which the application has received an allocation for sewer capacity from an approved municipal system. This limitation shall not apply in the case of fees charged as part of a duly delegated municipal program.

* * *

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

(A) For public water supply construction permit applications: ~~\$375.00~~ \$387.00 per application plus ~~\$0.0055~~ \$0.0057 per gallon of design capacity. Amendments ~~\$150.00~~ \$155.00 per application.

(B) For water treatment plant applications, except those applications submitted by a municipality as defined in 1 V.S.A. § 126 or a consolidated water district established under 24 V.S.A. § 3342: ~~\$0.003~~ \$0.0031 per gallon of design capacity. Amendments ~~\$150.00~~ \$155.00 per application.

* * *

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

- (i) Transient noncommunity: ~~\$50.00~~ \$52.00.
- (ii) Nontransient, noncommunity: ~~\$0.0355~~ \$0.0365 per 1,000 gallons of water produced annually or ~~\$70.00~~ \$72.00, whichever is greater.
- (iii) Community: ~~\$0.0439~~ \$0.0453 per 1,000 gallons of water produced annually.
- (iv) Bottled water: ~~\$1,390.00~~ \$1,432.00 per permitted facility.

(E) Amendment to bottled water facility permit, ~~\$150.00~~ \$155.00 per application.

(F) For facilities permitted to withdraw groundwater pursuant to 10 V.S.A. § 1418: ~~\$2,300.00~~ \$2,370.00 annually per facility.

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

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

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

- (A) For class IA and IB operators: ~~\$45.00~~ \$46.00 per initial certificate or renewal.
Operators who are also permittees under the transient noncommunity water system general permit are not subject to this fee.

(B) For all other classes: ~~\$80.00~~ \$83.00 per initial certificate or renewal.

(9)(A) For a solid waste hauler: an annual operating fee of ~~\$50.00~~ \$52.00 per vehicle.

(B) For a hazardous waste hauler: an annual operating fee of ~~\$125.00~~ \$129.00 per vehicle.

* * *

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

(1) Contaminants which cause short-term irritant effects — ~~\$0.012~~ \$0.0124 per pound of emissions;

(2) Contaminants which cause chronic systemic toxicity (low potency) — ~~\$0.0225~~ \$0.0232 per pound of emissions;

(3) Contaminants which cause chronic systemic toxicity (high potency) — ~~\$0.03~~ \$0.0309 per pound of emissions;

(4) Contaminants known or suspected to cause cancer (low potency) — ~~\$0.825~~ \$0.8498 per pound of emissions;

(5) Contaminants known or suspected to cause cancer (high potency) — ~~\$15.00~~ \$16.00 per pound of emissions.

(l) 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 — \$0.645 per ton burned;

(2)(A) Wood — ~~\$0.155~~ \$0.1597 per ton burned; or

(B) Wood burned with an operational electrostatic precipitator and NOx reduction technologies — ~~\$0.0375~~ \$0.0387 per ton burned;

(3) No. 6 grade fuel oil — ~~\$0.00075~~ \$0.00078 per gallon burned;

(4) No. 4 grade fuel oil — ~~\$0.0006~~ \$0.000618 per gallon burned;

- (5) No. 2 grade fuel oil — ~~\$0.0003~~ \$0.00031 per gallon burned;
- (6) Liquid propane gas — ~~\$0.0003~~ \$0.00031 per gallon burned;
- (7) Natural gas — ~~\$1.305~~ \$1.3442 per million cubic feet burned.

* * *

Sec. 19. 10 V.S.A. § 6628(j) is amended to read:

(j) Fees shall be submitted annually on March 31. Fees shall be submitted to the Secretary and deposited into the hazardous waste management account of the Waste Management Assistance Fund established under section 6618 of this title. Fees shall be computed according to the following:

(1) ~~\$350.00~~ \$361.00 per toxic chemical identified pursuant to subdivision 6629(c)(4) of this title.

(2) ~~\$350.00~~ \$361.00 per hazardous waste stream identified pursuant to subdivision 6629(c)(3) of this title.

(3) Up to a maximum amount of:

(A) ~~\$1,750.00~~ \$1,803.00 per plan for Class A generators.

(B) ~~\$350.00~~ \$361.00 per plan for Class B generators.

(C) ~~\$1,750.00~~ \$1,803.00 per plan for large users.

(D) ~~\$3,500.00~~ \$3,605.00 per plan for Class A generators that are large users.

(E) ~~\$1,050.00~~ \$1,082.00 per plan for Class B generators that are large users.

* * * Department of Fish and Wildlife * * *

Sec. 20. 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 <u>\$26.00</u> |
| (2) Hunting license | \$25.00 <u>\$26.00</u> |
| (3) Combination hunting and fishing license | \$40.00 <u>\$41.00</u> |
| (4) Big game licenses (all require a hunting license) | |
| (A) archery license | \$23.00 |
| (B) muzzle loader license | \$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) season bear tag	\$5.00
(H) additional deer archery tag	\$23.00
(5) Trapping license	\$20.00 <u>\$23.00</u>
(6) Hunting license for persons aged <u>17 years</u> of age or under	\$8.00
(7) Trapping license for persons aged <u>17 years</u> of age or under	\$10.00
(8) Fishing license for persons aged <u>15 through 17</u> <u>years of age</u>	\$8.00
(9) Super sport license	\$150.00
(10) Three-day fishing license	\$10.00 <u>\$11.00</u>
(11) Combination hunting and fishing license for persons aged <u>17 years of age</u> 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	\$50.00 <u>\$51.00</u>
(2) One-day fishing license	\$20.00 <u>\$21.00</u>
(3) [Repealed.]	
(4) Hunting license	\$100.00
(5) Combination hunting and fishing license	\$135.00
(6) Big game licenses (all require a hunting license)	
(A) archery license	\$38.00
(B) muzzle loader license	\$40.00
(C) turkey license	\$38.00
(D) [Repealed.]	

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

* * *

* * * Labor * * *

* * * Workers' Compensation Fund * * *

Sec. 21. WORKERS' COMPENSATION RATE OF CONTRIBUTION

For fiscal year 2016, after consideration of the formula in 21 V.S.A. § 711(b) and historical rate trends, the General Assembly has established that the rate of contribution for the direct calendar year premium for workers' compensation insurance shall be set at the rate of 1.45 percent established in 2014 Acts and Resolves No. 191, Sec. 7, notwithstanding 21 V.S.A. § 711(a). The contribution rate for self-insured workers' compensation losses and workers' compensation losses of corporations approved under 21 V.S.A. chapter 9 shall remain at one percent.

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

Sec. 22. 6 V.S.A. § 3022(b) is amended to read:

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

Sec. 23. 9 V.S.A. § 2632(b) is amended to read:

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

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

Sec. 24. 10 V.S.A. § 128 is added to read:

§ 128. VERMONT CENTER FOR GEOGRAPHIC INFORMATION

SPECIAL FUND

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

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

(c) Notwithstanding 32 V.S.A. § 603, the Secretary of Commerce and Community Development is authorized to impose charges reasonably related to the costs of the products and services of the Vermont Center for Geographic Information, including the cost of personnel, equipment, supplies, and intellectual property.

* * * Consumer Protection * * *

* * * Charitable Solicitations * * *

Sec. 25. 9 V.S.A. § 2473 is amended to read:

§ 2473. NOTICE OF SOLICITATION

* * *

(f)(1) ~~In~~ For each calendar year in which a paid fundraiser solicits in this State on behalf of a charitable organization, the paid fundraiser shall pay ~~an annual~~ a registration fee of \$500.00 to the Attorney General ~~with its first notice~~

~~of no later than ten days prior to its first solicitation in this State.~~

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

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

* * *

* * * Motor Vehicles * * *

* * * All-terrain Vehicles * * *

Sec. 26. 23 V.S.A. § 3504 is amended to read:

§ 3504. REGISTRATION FEES AND PLATES

(a) The registration fee for all-terrain vehicles other than as provided for in subsection (b) of this section is ~~\$25.00~~ \$26.00. Duplicate registration certificates may be obtained upon payment of \$5.00 to the Department.

* * *

* * * Effective Dates * * *

Sec. 27. EFFECTIVE DATES

(a) This section and Sec. 22 (apiaries) shall take effect on passage.

(b) Sec. 20 (Department of Fish and Wildlife) shall take effect on January 1, 2016.

(c) Notwithstanding 1 V.S.A. § 214, Sec. 24 (VCGI Special Fund) shall take effect on passage and apply retroactively as of February 8, 2015.

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

Amendment to be offered by Reps. Shaw of Pittsford Carr of Brandon, Marcotte of Coventry, Russell of Rutland City, and Russell of Rutland City, to H. 184

By adding a Sec. 29a to read:

Sec. 29a. UNIFORM DISPATCH FEES

(a) On or before January 15, 2016, the Commissioner of Public Safety shall propose a specific dispatch service fee schedule for use under 20 V.S.A. § 1871(i), including a fee schedule for dispatching functions at the four

State-operated public safety answering points in Derby, Rockingham, Rutland, and Williston, which shall remain open and staffed at current staffing levels. The dispatch fees shall cover the cost of dispatching services at these locations, less any other sources of revenue to defray the cost of those public service answering points and dispatching services, including revenue from the Universal Service Fund. The fee schedule shall be comparable to nonstate public service answering points and dispatching locations around the State, including in Hartford, Shelburne, St. Albans, and Lamoille County.

(b) The Commissioner shall present his or her proposed fee schedule on or before January 15, 2016, to the House Committee on Ways and Means and the Senate Committee on Finance. Based on the Commissioner's proposal, uniform statewide fees for dispatch services provided by or under the direction of the Department of Public Safety shall be set by the General Assembly under the provisions of 32 V.S.A. § 603 on or before July 1, 2017. Fees collected by the Commissioner shall be deposited in a special fund called the Dispatch Fee Fund, created in accordance with 32 V.S.A. chapter 7, subchapter 5, and shall be available to offset the costs of operating the four public service answering points and dispatch centers.

Amendment to be offered by Rep. Olsen of Londonderry to H. 184

By adding a Sec. 21a to read as follows:

Sec. 21a. 10 V.S.A. § 6607a is amended to read:

§ 6607a. WASTE TRANSPORTATION

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

(b) As used in this section:

(1) "Commercial hauler" means:

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

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

(2) The commercial hauler required to obtain a permit under this section

is the legal or commercial entity that is transporting the waste, rather than the individual employees and subcontractors of the legal or commercial entity. In the case of a sole proprietorship, the sole proprietor is the commercial entity.

(3) The Secretary shall not require a commercial hauler to obtain a permit under this section, comply with the disclosure requirements of this section, comply with the reporting and registration requirements of section 6608 of this title, or pay the fee specified in 3 V.S.A. § 2822, if:

(A) the commercial hauler does not transport more than four cubic yards of solid waste at any time; and

(B) the solid waste transportation services performed are incidental to other nonwaste transportation-related services performed by the commercial hauler.

* * *

(g)(1) Except as set forth in subdivisions (2) and (3) of this subsection, a ~~transporter certified under this section~~ commercial hauler that offers the collection of municipal solid waste shall:

* * *

(2) In a municipality that has adopted a solid waste management ordinance addressing the collection of mandated recyclables, leaf and yard residuals, or food residuals, a ~~transporter~~ commercial hauler in that municipality is not required to comply with the requirements of subdivision (1) of this subsection and subsection (h) of this section for the material addressed by the ordinance if the ordinance:

* * *

(3) A ~~transporter~~ commercial hauler is not required to comply with the requirements of subdivision (1)(A), (B), or (C) of this subsection in a specified area within a municipality if:

* * *

(h) A ~~transporter~~ commercial hauler certified under this section that offers the collection of municipal solid waste may not charge a separate line item fee on a bill to a residential customer for the collection of mandated recyclables, provided that a ~~transporter~~ commercial hauler may charge a fee for all service calls, stops, or collections at a residential property and a ~~transporter~~ commercial hauler may charge a tiered or variable fee based on the size of the collection container provided to a residential customer or the amount of waste collected from a residential customer. A ~~transporter~~ commercial hauler certified under this section may incorporate the cost of the collection of

mandated recyclables into the cost of the collection of solid waste and may adjust the charge for the collection of solid waste. A ~~transporter~~ commercial hauler certified under this section that offers the collection of solid waste may charge a separate fee for the collection of leaf and yard residuals or food residuals from a residential customer.

Amendment to be offered by Rep. Sibia of Dover to H. 184

First: In Sec. 9, 18 V.S.A. § 4353, by striking out subdivision (a)(1) in its entirety and inserting in lieu thereof a new subdivision (a)(1) to read:

- (1) Restaurant I – Seating capacity of 0 to 25; ~~\$85.00~~ \$94.00
 - II — Seating capacity of 26 to 50; ~~\$145.00~~ \$160.00
 - III — Seating capacity of 51 to 100; ~~\$245.00~~ \$270.00
 - IV — Seating capacity of 101 to 200; ~~\$305.00~~ \$335.00
 - V — Seating capacity of over 200; ~~\$390.00~~ \$430.00
 - VI — Home Caterer; ~~\$95.00~~ \$105.00
 - VII — Commercial Caterer; ~~\$200.00~~ \$220.00
 - VIII — Limited Operations; ~~\$95.00~~ \$105.00
 - IX — Fair Stand; ~~\$70.00~~ \$77.00; if operating for four or more days per year; ~~\$160.00~~ \$176.00

Second: In Sec. 9, 18 V.S.A. § 4353, by striking out subdivision (a)(2) in its entirety and inserting in lieu thereof a new subdivision (a)(2) to read:

- (2) Lodging I — Lodging capacity of 1 to 10; ~~\$80.00~~ \$88.00
 - II — Lodging capacity of 11 to 20; ~~\$135.00~~ \$149.00
 - III — Lodging capacity of 21 to 50; ~~\$200.00~~ \$220.00
 - IV — Lodging capacity of over 50; ~~\$340.00~~ \$374.00

Third: In Sec. 9, 18 V.S.A. § 4353, by adding subdivisions (a)(6) and (7) to read:

(6) In addition to fees required under this subsection, restaurants and similar food establishments part of a chain with 20 or more locations doing business under the same name and offering for sale substantially the same menu items — \$1,400.00.

(7) In addition to fees required under this subsection, lodging establishments part of a chain with 20 or more locations doing business under the same name and offering for sale substantially the same overnight accommodations — \$1,000.00.

Fourth: In Sec. 10, 18 V.S.A. § 4446, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read:

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

Bakery I – Home Bakery; ~~\$55.00~~ \$61.00

II – Small Commercial; ~~\$125.00~~ \$138.00

III – Large Commercial; ~~\$250.00~~ \$275.00

IV – Camps; ~~\$90.00~~ \$99.00

NOTICE CALENDAR

Committee Bill for Second Reading

H. 206

An act relating to regulating notaries public.

(Rep. Sweaney of Windsor will speak for the Committee on Government Operations.)

Consent Calendar

Concurrent Resolutions for Adoption Under Joint Rule 16a

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before today's adjournment. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar of 2/12/2015.

H.C.R. 28

House concurrent resolution designating February 6, 2015, as Wear Red Day in Vermont

H.C.R. 29

House concurrent resolution congratulating the Vermont Jazz Center of Brattleboro on winning a 2014 Chamber Music America Acclaim Award

H.C.R. 30

House concurrent resolution honoring Deborah and Wayne Granquist of Weston for their leadership in the public and nonprofit sectors

H.C.R. 31

House concurrent resolution designating February 12, 2015, as Alzheimer's Awareness Day in Vermont

H.C.R. 32

House concurrent resolution congratulating Iva Fisher on her 100th birthday

H.C.R. 33

House concurrent resolution honoring Peter Mello for his outstanding contributions to public education, including his leadership of the Rutland City School Board

H.C.R. 34

House concurrent resolution congratulating Barbara G. Rhoad as the winner of the 2014 Vermont Tree Steward Award for the Unsung Steward

H.C.R. 35

House concurrent resolution in memory of master fiddler Harold Luce

H.C.R. 36

House concurrent resolution honoring Barry and Wendy Rowland for their leadership in secondary education and their philanthropic community support

Public Hearings

February 18, 2015 - Room 11 - 7:00 to 8:30 PM - Judicial retention of judges - Joint Committee on Judicial Retention

Tuesday, February 24, 2015 - 2:30 p.m.-3:30 p.m. and Wednesday, February 25, 2015 -9:30 a.m. - 10:30 a.m. - Room 11 - House committee on Appropriations - Public hearings for the Governor's proposed FY 2016 budget. Sign up with Theresa Utton-Jerman at (802)828-5767 or tutton@leg.state.vt.us or in Room 40

Governor's Proposed Budget: http://finance.vermont.gov/state_budget/rec

Individual department proposed budgets:

http://www.leg.state.vt.us/jfo/dept_budgets_fy_2016.aspx

Information Notice

HOUSE BILL INTRODUCTION DEADLINES

To All House Members:

Request Deadline - All requests for introduction of bills drafted in standard form must be submitted to the Legislative Council by Friday, January 30,

2015.

During the first year of the biennium, a member may request introduction of a bill drafted in short form and submitted to the Legislative Council anytime during the session.

Introduction Deadline - Except with prior consent of the Committee on Rules, all bills drafted in standard form, shall be introduced by February 27, 2015.

During the first year of the biennium Committee bills may be introduced at anytime.

Concurrent Resolution Introduction Deadline for Town Meeting

Representatives wanting to have resolutions for Town Meeting need to submit all information to Michael Chernick in Legislative Council no later than Friday, February 13.