

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred House Bill No. 184
3 entitled “An act relating to Executive Branch Fees” respectfully reports that it
4 has considered the same and recommends that the Senate propose to the House
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 * * * Secretary of State * * *

8 * * * Office of Professional Regulation * * *

9 * * * Osteopathy * * *

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

11 § 1794. FEES

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

14 (1) Application

15 (A) Licensure \$500.00

16 (B) Limited temporary license \$50.00

17 (2) Biennial license renewal ~~\$500.00~~ \$350.00

18 (3) Annual limited temporary license renewal \$100.00

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* * * Land Surveyors * * *

Sec. 4. 26 V.S.A. § 2597 is amended to read:

§ 2597. FEES

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

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|---------------------------------|-------------------------------------|
| (1) Application | \$200.00 |
| (2) Biennial renewal of license | \$400.00 <u>\$300.00</u> |

* * * Real Estate Appraisers * * *

Sec. 5. 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:

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|---|-------------------------------------|
| (1) Application | \$125.00 |
| (2) Initial license | \$150.00 |
| (3) Biennial renewal | \$315.00 <u>\$200.00</u> |
| (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 <u>\$400.00</u> |

* * * Agency of Education * * *

Sec. 6. 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

\$50.00 per application

(2) Issuance of ~~initial~~ Level I license \$40.00 \$50.00 per year

for the term of the license

(3) ~~Renewal~~ Issuance of Level II license \$40.00 \$50.00 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

\$50.00 per year for term of license

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

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

Sec. 7. 26 V.S.A. § 4459 is amended to read:

§ 4459. FEES

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

1 (1) ~~Initial processing~~ Processing of application ~~\$35.00~~ \$50.00

2 (2) Issuance of ~~initial~~ license ~~\$35.00~~ \$50.00 per year for the term of the
3 license

4 (3) ~~Renewal~~ Issuance of license ~~\$35.00~~ \$50.00 per year for the term of
5 the renewal

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

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

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

12 * * * Department of Health * * *

13 * * * X-ray Equipment Fees * * *

14 Sec. 8. 18 V.S.A. § 1652(e) is amended to read:

15 (e) Applicants for registration of X-ray equipment shall pay an annual
16 registration fee of ~~\$45.00~~ \$85.00 per piece of equipment.

17 * * * Food and Lodging Establishment Fees * * *

18 Sec. 9. 18 V.S.A. § 4353 is amended to read:

19 § 4353. FEES

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

- 1 (1) Restaurant I – Seating capacity of 0 to 25; ~~\$85.00~~ \$110.00
- 2 II — Seating capacity of 26 to 50; ~~\$145.00~~ \$200.00
- 3 III — Seating capacity of 51 to 100; ~~\$245.00~~ \$300.00
- 4 IV — Seating capacity of 101 to 200; ~~\$305.00~~ \$500.00
- 5 V — Seating capacity of over 200; ~~\$390.00~~ \$600.00
- 6 VI — Home Caterer; ~~\$95.00~~ \$150.00
- 7 VII — Commercial Caterer; ~~\$200.00~~ \$225.00
- 8 VIII — Limited Operations; ~~\$95.00~~ \$125.00
- 9 IX — Fair Stand; ~~\$70.00~~ \$125.00; if operating for four or
- 10 more days per year; ~~\$160.00~~ \$250.00
- 11 (2) Lodging I — Lodging capacity of 1 to 10; ~~\$80.00~~ \$135.00
- 12 II — Lodging capacity of 11 to 20; ~~\$135.00~~ \$230.00
- 13 III — Lodging capacity of 21 to 50; ~~\$200.00~~ \$340.00
- 14 IV — Lodging capacity of over 50; ~~\$340.00~~ \$530.00
- 15 (3) Food processor - a fee for any person or persons that process food
- 16 for resale to restaurants, stores, or individuals according to the following
- 17 schedule:
- 18 (A) - Gross receipts of \$10,001.00 to \$50,000.00; ~~\$115.00~~ \$175.00
- 19 (B) - Gross receipts of over \$50,000.00; ~~\$155.00~~ \$275.00
- 20 (4) Seafood vending facility – ~~\$125.00~~ \$175.00, unless operating
- 21 pursuant to another license issued by the ~~department of health~~ Department of

1 Health and generating less than \$40,000.00 in seafood gross receipts annually.
2 If generating more than \$40,000.00 in seafood gross receipts annually, the fee
3 is to be paid regardless of whether the facility is operating pursuant to another
4 license issued by the ~~department of health~~ Department of Health.

5 (5) Shellfish reshippers and repackers – ~~\$285.00~~ \$375.00.

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

8 * * *

9 Sec. 10. 18 V.S.A. § 4446 is amended to read:

10 § 4446. FEE

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

14 Bakery I – Home Bakery; ~~\$55.00~~ \$100.00

15 II – Small Commercial; ~~\$125.00~~ \$175.00

16 III – Large Commercial; ~~\$250.00~~ \$325.00

17 IV – Cams; ~~\$90.00~~ \$150.00

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

20 * * *

1 Sec. 11. REPORT TO GENERAL ASSEMBLY; COMBINATION

2 LICENSES FOR FOOD AND LODGING ESTABLISHMENTS

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

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

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

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

15 (b) Recommendations for combination licenses or fee changes shall be
16 included in the fiscal year 2017 Executive Branch Fee Bill.

1 * * * Board of Medical Practice Fees * * *

2 * * * Podiatry * * *

3 Sec. 12. 26 V.S.A. § 374 is amended to read:

4 § 374. FEES; LICENSES

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

7 (1) Application for licensure, ~~\$625.00~~ \$650.00; the ~~board~~ Board shall
8 use at least \$25.00 of this fee to support the cost of maintaining the Vermont
9 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
10 recovering chemically dependent licensees for the protection of the public.

11 (2) Biennial renewal, ~~\$500.00~~ \$525.00; the ~~board~~ Board shall use at
12 least \$25.00 of this fee to support the cost of maintaining the Vermont
13 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
14 recovering chemically dependent licensees for the protection of the public.

15 * * * Medicine * * *

16 Sec. 13. 26 V.S.A. § 1401a is amended to read:

17 § 1401a. FEES

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

20 (1) Application for licensure, ~~\$625.00~~ \$650.00; the ~~board~~ Board shall
21 use at least \$25.00 of this fee to support the cost of maintaining the Vermont

1 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
2 recovering chemically dependent licensees for the protection of the public.

3 (2) Biennial renewal, ~~\$500.00~~ \$525.00; the ~~board~~ Board shall use at
4 least \$25.00 of this fee to support the cost of maintaining the Vermont
5 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
6 recovering chemically dependent licensees for the protection of the public.

7 (3) Initial limited temporary license; annual renewal ~~\$70.00~~ \$75.00.

8 * * *

9 * * * Anesthesiologist Assistants * * *

10 Sec. 14. 26 V.S.A. § 1662 is amended to read:

11 § 1662. FEES

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

14 (1)(A)(i) Original application for certification, ~~\$115.00~~ \$120.00;

15 (ii) Each additional application, ~~\$50.00~~ \$55.00;

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

20 (2)(A)(i) Biennial renewal, ~~\$115.00~~ \$120.00;

21 (ii) Each additional renewal, ~~\$50.00~~ \$55.00;

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

8 (3) Transfer of certification, ~~\$15.00~~ \$20.00.

9 * * * Physician Assistants * * *

10 Sec. 15. 26 V.S.A. § 1740 is amended to read:

11 § 1740. FEES

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

14 (1) Original application for licensure, ~~\$170.00~~ \$225.00; the ~~board~~ Board
15 shall use at least \$10.00 of this fee to support the cost of maintaining the
16 Vermont ~~practitioner recovery network~~ Practitioner Recovery Network which
17 monitors recovering chemically dependent licensees for the protection of the
18 public.

19 (2) Biennial renewal, ~~\$170.00~~ \$215.00; the ~~board~~ Board shall use at
20 least \$10.00 of this fee to support the cost of maintaining the Vermont

1 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
2 recovering chemically dependent licensees for the protection of the public.

3 * * * Radiologist Assistants * * *

4 Sec. 16. 26 V.S.A. § 2862 is amended to read:

5 § 2862. FEES

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

8 (1)(A)(i) Original application for certification ~~\$115.00~~ \$120.00;

9 (ii) Each additional application ~~\$ 50.00~~ \$55.00;

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

14 (2)(A)(i) Biennial renewal ~~\$115.00~~ \$120.00;

15 (ii) Each additional renewal ~~\$ 50.00~~ \$55.00;

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

1 ARRT and is licensed as a radiologic technologist under chapter 51 of this
2 title.

3 (3) Transfer of certification ~~\$15.00~~ \$20.00.

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

5 **Sec. 17. 30 V.S.A. § 248b is added to read:**

6 § 248b. FEES; AGENCY OF NATURAL RESOURCES; PARTICIPATION
7 IN SITING PROCEEDINGS

8 (a) Establishment. This section establishes fees for the purpose of
9 supporting the role of the Agency of Natural Resources (the Agency) in
10 reviewing applications for in-state facilities under sections 248 and 248a of this
11 title.

12 (b) Payment. The applicant shall pay the fee into the State Treasury at the
13 time the application for a certificate of public good is filed with the Public
14 Service Board in an amount calculated in accordance with this section. The
15 fee shall be deposited into the Natural Resources Management Fund and
16 allocated to the Agency.

17 (c) Definitions. In this section:

18 (1) “kW,” “MW” and “plant capacity” shall have the same meaning as
19 in section 8002 of this title.

20 (2) “Natural gas facility” shall have the same meaning as in section 248
21 of this title.

1 (3) “Telecommunications facility” shall have the same meaning as in
2 section 248a of this title.

3 (d) Electric and natural gas facilities. This subsection sets fees for
4 applications under section 248 of this title.

5 (1) There shall be no fee for an electric generation facility less than or
6 equal to 139 kW in plant capacity or for an application filed under subsections
7 248(k), (l), or (n) of this title.

8 (2) The fee for electric generation facilities greater than 139 kW through
9 five MW in plant capacity shall be calculated as follows, except that in no
10 event shall the fee exceed \$15,000.00:

11 (A) An electric generation facility from 140 kW through 450 kW in
12 plant capacity, \$3.00 per kW.

13 (B) An electric generation facility from 451 kW through 2.2 MW in
14 plant capacity, \$4.00 per kW.

15 (C) An electric generation facility from 2,201 MW through five MW
16 in plant capacity, \$5.00 per kW.

17 (3) The fee shall be equal to \$2.50 for each \$1,000.00 of construction
18 costs, but in no event greater than \$100,000.00 per application, for a new
19 electric generation facility greater than five MW in capacity, and for a new
20 electric transmission facility or new natural gas facility not eligible for
21 treatment under section 248(j) of this title.

1 (4) The fee shall be \$2,500.00 for an application under section 248(j) of
2 this title for a facility that is not electric generation and for an application or
3 that portion of an application under section 248 of this title that consists of
4 upgrading an existing facility within its existing development footprint,
5 reconductoring of an electric transmission line on an existing structure, or the
6 addition of an electric transmission line to an existing structure.

7 (e) Telecommunications facilities. For an application under section 248a
8 of this title proposing a wireless telecommunications facility that includes a
9 new support structure, the fee shall be equal to \$2.50 for each \$1,000.00 of
10 construction costs, but in no event greater than \$15,000.00.

11 (f) Exercise of duties. The Agency of Natural Resources shall exercise its
12 duties under this title in a manner consistent with timely implementation of
13 state policy and goals under sections 202a and 202c and chapter 89 of this title.
14 In exercising its duties, the Agency shall establish procedures and work flow
15 goals for the review of each application. On or before the third Tuesday of
16 each annual legislative session, the Agency shall submit a report to the General
17 Assembly by electronic submission. The provisions of 2 V.S.A. § 20(d)
18 (expiration of required reports) shall not apply to this report. The report shall:
19 list the fees collected under this section during the preceding fiscal year;
20 discuss the Agency's performance in exercising its duties under this title
21 during that year; identify areas that hinder the Agency's effective performance

1 of these duties and summarize changes made to improve such performance;
2 and, with respect to the Agency's exercise of these duties, discuss the
3 Agency's staffing needs during the coming fiscal year and the future goals and
4 objectives of the Agency.

5 **Sec. 17a. 30 V.S.A. § 21 is amended to read:**

6 § 21. PARTICULAR PROCEEDINGS; ASSESSMENT OF COSTS

7 (a) The Board, the Department, or the Agency of Natural Resources may
8 allocate the portion of the expense incurred or authorized by it in retaining
9 additional personnel for the particular proceedings authorized in section 20 of
10 this title to the applicant or the public service company or companies involved
11 in those proceedings.

12 (1) The Board shall upon petition of an applicant or public service
13 company to which costs are proposed to be allocated, review and determine,
14 after opportunity for hearing, having due regard for the size and complexity of
15 the project, the necessity and reasonableness of such costs, and may amend or
16 revise such allocations. Nothing in this section shall confer authority on the
17 Board to select or decide the personnel, the expenses of whom are being
18 allocated, unless such personnel are retained by the Board. Prior to allocating
19 costs, the Board shall make a determination of the purpose and use of the funds
20 to be raised hereunder, identify the recipient of the funds, provide for
21 allocation of costs among companies to be assessed, indicate an estimated

1 duration of the proceedings, and estimate the total costs to be imposed. With
2 the approval of the Board, such estimates may be revised as necessary. From
3 time to time during the progress of the work of such additional personnel, the
4 Board, the Department, or the Agency of Natural Resources shall render to the
5 company detailed statements showing the amount of money expended or
6 contracted for in the work of such personnel, which statements shall be paid by
7 the applicant or the public service company into the State Treasury at such
8 time and in such manner as the Board, the Department, or the Agency of
9 Natural Resources may reasonably direct.

10 (2) In any proceeding under section 248 of this title, the Agency of
11 Natural Resources may allocate the cost of research, scientific, programmatic,
12 or engineering expertise provided by the Agency only if the following apply:

13 (A) the Agency does not have the expertise and the retention of such
14 expertise is required to fulfill the Agency's statutory obligations in the
15 proceeding; and

16 (B) the Agency allocates only that portion of the cost that exceeds the
17 fee paid by the applicant under section 248b of this title.

18 (b) When regular employees of the Board, the Department, or the Agency of
19 Natural Resources are employed in the particular proceedings described in
20 section 20 of this title, the Board, the Department, or the Agency of Natural
21 Resources may also allocate the portion of their costs and expenses to the

1 applicant or the public service company or companies involved in the
2 proceedings. The costs of regular employees shall be computed on the basis of
3 working days within the salary period. The manner of assessment and of
4 making payments shall otherwise be as provided for additional personnel in
5 subsection (a) of this section. However, with respect to proceedings under
6 section 248 of this title, the Agency shall not allocate the costs of regular
7 employees.

8 * * *

9 (d) The Agency of Natural Resources may allocate expenses under this
10 section only for costs in excess of the amount specified in 3 V.S.A. §
11 2809(d)~~(2)~~ (1)(A).

12 Sec. 18. 10 V.S.A. § 6083a is amended to read:

13 § 6083a. ACT 250 FEES

14 (a) All applicants for a land use permit under section 6086 of this title shall
15 be directly responsible for the costs involved in the publication of notice in a
16 newspaper of general circulation in the area of the proposed development or
17 subdivision and the costs incurred in recording any permit or permit
18 amendment in the land records. In addition, applicants shall be subject to the
19 following fees for the purpose of compensating the State of Vermont for the
20 direct and indirect costs incurred with respect to the administration of the Act
21 250 program:

1 (1) For projects involving construction, ~~\$5.40~~ \$6.65 for each \$1,000.00
2 of the first \$15,000,000.00 of construction costs, and ~~\$2.50~~ \$3.12 for each
3 \$1,000.00 of construction costs above \$15,000,000.00. An additional \$0.75
4 for each \$1,000.00 of the first \$15,000,000.00 of construction costs shall be
5 paid to the Agency of National Resources to account for the Agency of Natural
6 Resources' review of Act 250 applications.

7 (2) For projects involving the creation of lots, ~~\$100.00~~ \$125.00 for
8 each lot.

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

13 (4) For projects involving the extraction of earth resources, including
14 ~~but not limited to~~ sand, gravel, peat, topsoil, crushed stone, or quarried
15 material, the greater of: a fee as determined under subdivision (1) of this
16 subsection; or a fee equivalent to the rate of \$0.02 per cubic yard of the first
17 million cubic yards of the total volume of earth resources to be extracted over
18 the life of the permit, and \$.01 per cubic yard of any such earth resource
19 extraction above one million cubic yards. Extracted material that is not sold or
20 does not otherwise enter the commercial marketplace shall not be subject to the
21 fee. The fee assessed under this subdivision for an amendment to a permit

1 shall be based solely upon any additional volume of earth resources to be
2 extracted under the amendment.

3 (5) For projects involving the review of a master plan, a fee equivalent
4 to \$0.10 per ~~\$1,000~~ \$1,000.00 of total estimated construction costs in current
5 dollars in addition to the fee established in ~~subdivisions~~ subdivision (1) of this
6 subsection for any portion of the project seeing construction approval

7 (6) In no event shall a permit application fee exceed ~~\$150,000.00~~
8 \$165,000.00.

9 (b) Notwithstanding the provisions of subsection (a) of this section, there
10 shall be a minimum fee of ~~\$150.00~~ \$187.50 for original applications and
11 ~~\$50.00~~ \$62.50 for amendment applications, in addition to publication and
12 recording costs. These costs shall be in addition to any other fee established by
13 statute, unless otherwise expressly stated.

14 * * *

15 Sec. 19. 3 V.S.A. § 2809(d)(4) is amended to read:

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

1 * * * Department for Environmental Conservation * * *

2 Sec. 20. 3 V.S.A. § 2822 is amended to read:

3 § 2822. BUDGET AND REPORT; POWERS

4 * * *

5 **(i)** The Secretary shall not process an application for which the applicable
6 fee has not been paid unless the Secretary specifies that the fee may be paid at
7 a different time or unless the person applying for the permit is exempt from the
8 permit fee requirements pursuant to 32 V.S.A. § 710. ~~In addition, the persons
9 who are exempt under 32 V.S.A. § 710 are also exempt from the application
10 fees for stormwater operating permits specified in subdivisions (j)(2)(A)(iii)(I)
11 and (II) of this section if they otherwise meet the requirements of 32 V.S.A.
12 § 710.~~ Municipalities shall be exempt from the payment of fees under this
13 section except for those fees prescribed in subdivisions (j)(1), ~~(2)~~, (7), (8), (14),
14 and (15) of this section for which a municipality may recover its costs by
15 charging a user fee to those who use the permitted services. Municipalities
16 shall be subject to the payment of fees prescribed in subdivisions (j)(2), (10),
17 (11), (12) and (26), except that a municipality shall also be exempt from those
18 fees for ~~orphan~~ stormwater systems ~~prescribed in subdivisions (j)(2)(A)(iii)~~
19 ~~and (2)(B)(iv)(I) or (II) of this section when the municipality agrees to become~~
20 ~~an applicant or co-applicant for an orphan stormwater system under 10 V.S.A.~~

1 ~~§ 1264e~~ for which a municipality has assumed full legal responsibility for the
2 permit pursuant to 10 V.S.A. § 1264.

3 (j) In accordance with subsection (i) of this section, the following fees are
4 established for permits, licenses, certifications, approvals, registrations, orders,
5 and other actions taken by the Agency of Natural Resources.

6 (1) For air pollution control permits or registrations issued under
7 10 V.S.A. chapter 23:

8 * * *

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

15 ~~Registration: \$0.0335 per pound of emissions of any of these~~
16 ~~contaminants. Where the sum of a source's emission of these contaminants is~~
17 ~~greater than ten tons per year, provided that a plant producing renewable~~
18 ~~energy as defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding~~
19 ~~\$64,000.00:~~

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

1 (B) Annual registration. Any person required to register an air
2 contaminant source under 10 V.S.A. § 555(c) shall annually pay the following:

3 (i) base fee where the sum of a source’s emissions of sulfur
4 dioxide, particulate matter, carbon monoxide, nitrogen oxides, and
5 hydrocarbons is:

6 (I) ten tons or greater: \$1,500.00;

7 (II) less than ten tons but greater than or equal to five tons:
8 \$1,000.00; and

9 (III) less than five tons: \$500.00.

10 (ii) Where the sum of a source’s emissions of sulfur dioxide,
11 particulate matter, carbon monoxide, nitrogen oxides, and hydrocarbons is
12 greater than or equal to five tons: an annual registration fee that is 0.0335 per
13 pound of such emissions except that a plant producing renewable energy as
14 defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding \$64,000.00.

15 (2) For discharge permits issued under 10 V.S.A. chapter 47 and orders
16 issued under 10 V.S.A. § 1272, an administrative processing fee of \$120.00
17 shall be paid at the time of application for a discharge permit in addition to any
18 application review fee and any annual operating fee, except for permit
19 applications under subdivisions (2)(A)(iii)(III) and (V) of this subsection:

20 (A) Application review fee.

21 * * *

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

3 (I) ~~Sewage~~ Indirect discharge.

4 (aa) Individual permit: \$1,755.00 plus \$0.08

5 original application; per gallon of design

6 amendment for increased flows; capacity above

7 amendment for modification or 6,500 gpd.

8 replacement of system;

9 ~~(bb) Renewal, transfer, or minor~~ \$0.00

10 ~~amendment of individual permit.~~

11 ~~(cc) General permit.~~ \$0.00

12 (II) ~~Nonsewage~~ Underground

13 injection; original permit.

14 ~~(aa) Individual permit:~~ \$0.06 per gallon

15 ~~original application;~~ capacity design; minimum

16 ~~amendment for increased~~ \$400.00 per application.

17 ~~flows; amendment for~~

18 ~~modification or replacement~~

19 ~~of system.~~ For applications \$500.00 and \$0.10 for

20 where the discharge meets each gallon per day

21 groundwater enforcement over 2,000 gallons

1	<u>standards at the point of</u>	<u>per day.</u>
2	<u>discharge:</u>	
3	(bb) Renewal, transfer, or	\$0.00
4	minor amendment of	
5	individual permit	
6	<u>(bb) For applications where</u>	<u>\$1,500.00 and \$0.20 for</u>
7	<u>the discharge meets groundwater</u>	<u>each gallon per day</u>
8	<u>enforcement standards at the</u>	<u>over 2,000 gallons</u>
9	<u>point of compliance:</u>	<u>per day.</u>
10	(cc) General permit.	\$0.00.

11 (B) Annual operating fee.

12 * * *

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

16 (I) ~~Sewage~~ Indirect discharge.

17	(aa) Individual permit:	\$400.00 plus \$0.035 per
18		gallon of design capacity
19		above 6,500 gpd.

20		maximum \$27,500.00.
----	--	----------------------

21	(bb) Approval under	\$220.00.
----	---------------------	-----------

1 general permit;

2 (II) ~~Nonsewage~~ Underground injection control.

3 (aa) ~~Individual permit~~ \$0.013 per gallon of
4 For applications where the ~~design capacity. \$250.00~~
5 discharge meets groundwater ~~minimum; maximum~~
6 enforcement standards at the \$5,500.00 \$500.00 and
7 point of discharge: \$0.02 for each gallon per
8 day over 2,000 gallons
9 per day.

10 (bb) For applications where \$1,500.00 and \$0.02
11 the discharge meets for each gallon per day
12 groundwater enforcement over 2,000 gallons
13 standards at the point of per day.
14 compliance:

15 (cc) Approval under general \$220.00.
16 permit;

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

20 (3) [Repealed.]

1 (4) For potable water supply and wastewater permits issued under
2 10 V.S.A. chapter 64. Projects under this subdivision include: a wastewater
3 system, including a sewerage connection; and a potable water supply,
4 including a connection to a public water supply:

5 (A) Original applications, or major amendments for a project with the
6 following proposed design flows. In calculating the fee, the highest proposed
7 design flow whether wastewater or water shall be used:

8 (i) design flows 560 gpd or less: ~~\$245.00~~ \$306.25 per application.

9 (ii) design flows greater than 560 and less than or equal to 2,000
10 gpd: ~~\$580.00~~ \$870.00 per application.

11 (iii) design flows greater than 2,000 and less than or equal to
12 6,500 gpd: ~~\$2,000.00~~ \$3,000.00 per application.

13 (iv) design flows greater than 6,500 and less than or equal to
14 10,000 gpd: ~~\$5,000.00~~ \$7,500.00 per application.

15 (v) design flows greater than 10,000 gpd: ~~\$9,500.00~~ \$13,500.00
16 per application.

17 (B) Minor amendments: ~~\$100.00.~~ \$150.00.

18 ~~(C) Special fees~~

19 ~~(i) Original application or~~ ~~\$135.00~~

20 ~~amendment solely for con-~~

21 ~~struction of grease trap,~~

1 ~~due to change in use,~~
2 ~~no increase in design flow.~~
3 ~~(ii) Original application or \$135.00.~~
4 ~~amendment solely for con-~~
5 ~~struction of holding tank~~
6 ~~for nondomestic wastewater~~
7 ~~when nondomestic wastewater~~
8 ~~will be transported off site.~~
9 ~~(iii) Original application or \$50.00~~
10 ~~amendment for initial~~
11 ~~connection by an existing~~
12 ~~building or structure~~
13 ~~to a municipal water~~
14 ~~or wastewater system at~~
15 ~~the time is first con-~~
16 ~~structed where there is~~
17 ~~no increase in design~~
18 ~~flow and where the con-~~
19 ~~nection and system has~~
20 ~~been reviewed and ap-~~
21 ~~proved by the facilities~~

1 ~~engineering division of~~
2 ~~the agency or has been~~
3 ~~reviewed, approved, and~~
4 ~~certified by a licensed~~
5 ~~designer retained by~~
6 ~~the municipality.~~

7 ~~(iv)(D)(C)~~ Minor projects: \$180.00. \$270.00.

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

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

20 * * *

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

4 (A) For public water supply construction permit and permit
5 amendment applications:

6 ~~\$375.00 per application plus \$0.0055 per gallon of design capacity.~~

7 ~~Amendments \$150.00 per application.~~

8 (i) For public community and nontransient noncommunity water
9 supplies: \$900.00.

10 (ii) For transient noncommunity: \$500.00.

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

15 * * *

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

17 (i) Transient noncommunity: ~~\$50.00~~ \$100.00.

18 (ii) Nontransient, noncommunity: \$0.0355 per 1,000 gallons
19 of water produced
20 annually or \$70.00,
21 whichever is greater.

1 (iii) Community: ~~\$0.0439~~ \$0.05 per 1,000
2 gallons of water produced
3 annually.

4 (iv) Bottled water: \$1,390.00 per permitted facility.

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

7 (F) For facilities permitted to withdraw groundwater pursuant to
8 10 V.S.A. § 1418: \$2,300.00 annually per facility.

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

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

16 (8) For public water system operator certifications issued under
17 10 V.S.A. § 1674:

18 (A) For class IA and IB operators: \$45.00 per initial
19 certificate or renewal.

20 ~~Operators who are also~~
21 ~~permittees under the~~

1 ~~transient noncommunity~~
2 ~~water system general~~
3 ~~permit are not subject to~~
4 ~~this fee.~~

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

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

9 (i) \$50.00 per vehicle for small vehicles with two axels, including
10 pickup trucks, utility trailers, and stakebody trucks.

11 (ii) \$75.00 per vehicle for vehicles with three or four axels,
12 including packer trucks, dump trucks, and roll offs.

13 (iii) \$100.00 per vehicle for tractors and any number axel tandem
14 trailers.

15 (B) For a hazardous waste hauler: an annual operating fee of
16 \$125.00 per vehicle.

17 (10) For management of lakes and ponds permits issued under
18 29 V.S.A. chapter 11:

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

20 (B) Structural erosion control: \$250.00 per application

21 (C) All other encroachments: \$300.00 per application

1 plus one percent of
2 construction costs, not to
3 exceed \$20,000.00 per
4 application.

5 * * *

6 (12)(A) For dam permits issued under 10 V.S.A. chapter 43: ~~0.525~~ 1.00
7 percent of construction costs, minimum fee of ~~\$200.00~~ \$1,000.00.

8 (B) For all dams capable of impounding 500,000 or more cubic feet
9 of water or other liquid, an annual fee:

10 (i) For dams classified as low risk: \$200.00 per year.

11 (ii) For dams classified as significant risk: \$350.00 per year.

12 (iii) For dams classified as high risk: \$1,000.00 per year.

13 (iv) For dams that have not been classified by the Department:
14 \$0.00 per year.

15 * * *

16 (k) ~~Commencing with registration year 1993 and for each year thereafter,~~
17 ~~any person required to pay a fee to register an air contaminant source under~~
18 ~~10 V.S.A. § 555(c) in addition shall pay fees for any emissions of the~~
19 ~~following types of hazardous air contaminants. The following fees shall not be~~
20 ~~assessed for emissions resulting from the combustion of any fuels, except solid~~
21 ~~waste, in fuel burning or manufacturing process equipment. Any person~~

1 required to pay a fee to register an air contaminant source under 10 V.S.A.

2 § 555(c) and who emits five or more tons per year shall pay fees as follows:

3 (1) ~~Contaminants which cause short term irritant effects – \$0.012 per~~
4 ~~pound of emissions;~~ Where the emissions are resulting from the combustion of
5 any of the following fuels in fuel burning or manufacturing process equipment:

6 (A)(i) Wood - \$0.1915 per ton burned; or

7 (ii) Wood burned in electric utility units with advanced particulate
8 matter and nitrogen oxide reduction technologies - \$0.0607 per ton burned;

9 (B) No. 4, 5, 6 grade fuel oil and used oil - \$0.0015 per gallon
10 burned;

11 (C) No. 2 grade fuel oil - \$0.0005 per gallon burned;

12 (D) Propane - \$0.0003 per gallon burned;

13 (E) Natural gas - \$2.745 per million cubic feet burned;

14 (F) Diesel generator - \$0.0055 per gallon burned;

15 (G) Gas turbine using No. 2 grade fuel oil - \$0.0022 per gallon
16 burned.

17 (2) ~~Contaminants which cause chronic systemic toxicity (low potency)–~~
18 ~~\$0.0225 per pound of emissions;~~ For the emission of any hazardous air
19 contaminant not subject to subdivision (1) of this subsection:

20 (A) Contaminants which cause short-term irritant effects - \$0.02 per
21 pound of emissions;

1 (B) Contaminants which cause chronic systemic toxicity - \$0.04 per
2 pound of emissions;

3 (C) Contaminants known or suspected to cause cancer - \$0.95 per
4 pound of emissions.

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

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

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

11 ~~(1) Commencing with registration year 1993 and for each year thereafter,~~
12 ~~any person required to pay a fee to register an air contaminant source under~~
13 ~~10 V.S.A. § 555(c) in addition shall pay the following fees for emissions of~~
14 ~~hazardous air contaminants resulting from the combustion of any of the~~
15 ~~following fuels in fuel burning or manufacturing process equipment.~~

16 ~~(1) Coal — \$0.645 per ton burned;~~

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

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

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

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

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

4 * * *

5 Sec. 21. 10 V.S.A. § 6628(j) is amended to read:

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

10 (1) ~~\$350.00~~ \$400.00 per toxic chemical identified pursuant to
11 subdivision 6629(c)(4) of this title.

12 (2) ~~\$350.00~~ \$400.00 per hazardous waste stream identified pursuant to
13 subdivision 6629(c)(3) of this title.

14 (3) Up to a maximum amount of:

15 (A) ~~\$1,750.00~~ \$2,000.00 per plan for Class A generators.

16 (B) ~~\$350.00~~ \$400.00 per plan for Class B generators.

17 (C) ~~\$1,750.00~~ \$2,000.00 per plan for large users.

18 (D) ~~\$3,500.00~~ \$4,000.00 per plan for Class A generators that are
19 large users.

20 (E) ~~\$1,050.00~~ \$1,200.00 per plan for Class B generators that are large
21 users.

1 Sec. 22. 10 V.S.A. § 6607a is amended to read:

2 § 6607a. WASTE TRANSPORTATION

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

11 (b) As used in this section:

12 (1) “Commercial hauler” means:

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

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

17 (2) The commercial hauler required to obtain a permit under this section
18 is the legal or commercial entity that is transporting the waste, rather than the
19 individual employees and subcontractors of the legal or commercial entity. In
20 the case of a sole proprietorship, the sole proprietor is the commercial entity.

1 (3) The Secretary shall not require a commercial hauler to obtain a
2 permit under this section, comply with the disclosure requirements of this
3 section, comply with the reporting and registration requirements of section
4 6608 of this title, or pay the fee specified in 3 V.S.A. § 2822, if:

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

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

10 * * *

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

14 * * *

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

21 * * *

1 * * * Department of Fish and Wildlife * * *

2 Sec. 23. 10 V.S.A. § 4255 is amended to read:

3 § 4255. LICENSE FEES

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

6	(1) Fishing license	\$25.00 <u>\$26.00</u>
7	(2) Hunting license	\$25.00 <u>\$26.00</u>
8	(3) Combination hunting and fishing license	\$40.00 <u>\$41.00</u>
9	(4) Big game licenses (all require a hunting license)	
10	(A) archery license	\$23.00
11	(B) muzzle loader license	\$23.00
12	(C) turkey license	\$23.00
13	(D) second muzzle loader license	\$17.00
14	(E) second archery license	\$17.00
15	(F) moose license	\$100.00
16	(G) season bear tag	\$5.00
17	(H) additional deer archery tag	\$23.00
18	(5) Trapping license	\$20.00 <u>\$23.00</u>
19	(6) Hunting license for persons aged 17 years	
20	<u>of age</u> or under	\$8.00

1	(7) Trapping license for persons aged <u>17 years</u>	
2	<u>of age</u> or under	\$10.00
3	(8) Fishing license for persons aged 15 through 17	
4	<u>years of age</u>	\$8.00
5	(9) Super sport license	\$150.00
6	(10) Three-day fishing license	\$10.00 <u>\$11.00</u>
7	(11) Combination hunting and fishing license for	
8	persons aged <u>17 years of age</u> or under	\$12.00
9	(12) Mentored hunting license	\$10.00
10	(b) Nonresidents may apply for licenses on forms provided by the	
11	Commissioner. Fees for each license shall be:	
12	(1) Fishing license	\$50.00 <u>\$51.00</u>
13	(2) One-day fishing license	\$20.00 <u>\$21.00</u>
14	(3) [Repealed.]	
15	(4) Hunting license	\$100.00
16	(5) Combination hunting and fishing license	\$135.00
17	(6) Big game licenses (all require a hunting license)	
18	(A) archery license	\$38.00
19	(B) muzzle loader license	\$40.00
20	(C) turkey license	\$38.00
21	(D) [Repealed.]	

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

13 * * *

14 * * * Labor * * *

15 * * * Workers' Compensation Fund * * *

16 Sec. 24. WORKERS' COMPENSATION RATE OF CONTRIBUTION

17 For fiscal year 2016, after consideration of the formula in 21 V.S.A.
18 § 711(b) and historical rate trends, the General Assembly has established that
19 the rate of contribution for the direct calendar year premium for workers'
20 compensation insurance shall be set at the rate of 1.45 percent established in
21 2014 Acts and Resolves No. 191, Sec. 7, notwithstanding 21 V.S.A. § 711(a).

1 The contribution rate for self-insured workers' compensation losses and
2 workers' compensation losses of corporations approved under 21 V.S.A.
3 chapter 9 shall remain at one percent.

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

5 Sec. 25. 6 V.S.A. § 3022(b) is amended to read:

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

13 Sec. 26. 9 V.S.A. § 2632(b) is amended to read:

14 (b) Fees and reimbursements of costs collected by the Agency of
15 Agriculture, Food and Markets under the provisions of this chapter and
16 6 V.S.A. § 3022 shall be credited to a weights and measures special fund and
17 shall be available to the Agency to offset the costs of implementing this
18 chapter and 6 V.S.A. chapter 172.

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

2 Sec. 27. 10 V.S.A. § 128 is added to read:

3 § 128. VERMONT CENTER FOR GEOGRAPHIC INFORMATION

4 SPECIAL FUND

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

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

18 (c) Notwithstanding 32 V.S.A. § 603, the Secretary of Commerce and
19 Community Development is authorized to impose charges reasonably related
20 to the costs of the products and services of the Vermont Center for Geographic

1 Information, including the cost of personnel, equipment, supplies, and
2 intellectual property.

3 * * * Consumer Protection * * *

4 * * * Charitable Solicitations * * *

5 Sec. 28. 9 V.S.A. § 2473 is amended to read:

6 § 2473. NOTICE OF SOLICITATION

7 * * *

8 (f)(1) ~~In~~ For each calendar year in which a paid fundraiser solicits in this
9 State on behalf of a charitable organization, the paid fundraiser shall pay ~~an~~
10 ~~annual~~ a registration fee of \$500.00 to the Attorney General ~~with its first notice~~
11 ~~of~~ no later than ten days prior to its first solicitation in this State.

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

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

20 * * *

1 program ~~through an agreement with a qualified organization~~ consistent with
2 the applicable administrative rules.

3 * * * Judiciary * * *

4 **Sec. 32. 32 V.S.A. § 1434 is amended to read:**

5 § 1434. PROBATE CASES

6 (a) The following entry fees shall be paid to the Probate Division of the
7 Superior Court for the benefit of the State, except for subdivisions (18) and
8 (19) of this subsection which shall be for the benefit of the county in which the
9 fee was collected:

10	(1) Estates of \$10,000.00 or less	\$30.00 <u>\$50.00</u>
11	(2) Estates of more than \$10,000.00	\$80.00 <u>\$110.00</u>
12	to not more than \$50,000.00	
13	(3) Estates of more than \$50,000.00	\$210.00 <u>\$265.00</u>
14	to not more than \$150,000.00	
15	(4) Estates of more than \$150,000.00	\$395.00 <u>\$500.00</u>
16	to not more than \$500,000.00	
17	(5) Estates of more than \$500,000.00	\$660.00 <u>\$1,000.00</u>
18	to not more than \$1,000,000.00	
19	(6) Estates of more than \$1,000,000.00	\$1,050.00 <u>\$1,500.00</u>
20	to not more than \$5,000,000.00	
21	(7) Estates of more than \$5,000,000.00	\$1,575.00 <u>\$2,000.00</u>

1	to not more than \$10,000,000.00	
2	(8) Estates of more than \$10,000,000.00	\$1,840.00 <u>\$2,500.00</u>
3	(9) For all petitions, other	<u>\$160.00</u>
4	than those described in	
5	subdivision (11) of this	
6	subsection, where the corpus of	
7	the trust at the time the	
8	petition is filed is \$100,000.00	
9	or less, including petitions to	
10	modify or terminate a trust, to	
11	remove or substitute a trustee	
12	or trustees, or seeking remedies	
13	for breach of trust:	
14	<u>(A) Trusts of \$10,000.00 or less</u>	<u>\$50.00</u>
15	<u>(B) Trusts of \$10,001.00 to not more</u>	<u>\$110.00</u>
16	<u>than \$50,000.00</u>	
17	<u>(C) Trusts of \$50,001.00 to not more</u>	<u>\$265.00</u>
18	<u>than \$150,000.00</u>	
19	<u>(D) Trusts of \$150,001.00 to not more</u>	<u>\$500.00</u>
20	<u>than \$500,000.00</u>	
21	<u>(E) Trusts of \$500,001.00 to not more</u>	<u>\$1,000.00</u>

1	<u>than \$1,000,000.00</u>	
2	<u>(F) Trusts of \$1,000,001.00 to not more</u>	<u>\$1,500.00</u>
3	<u>than \$5,000,000.00</u>	
4	<u>(G) Trusts of \$5,000,001.00 to not more</u>	<u>\$2,000.00</u>
5	<u>than \$10,000,000.00</u>	
6	<u>(G) Trust of more than \$10,000,000.00</u>	<u>\$2,500.00</u>
7	(10) For all trust petitions, other	\$265.00
8	than those described in	
9	subdivision (11) of this	
10	subsection, where the corpus of	
11	the trust is more than	
12	\$100,000.00, including petitions	
13	to modify or terminate a trust,	
14	to remove or substitute a	
15	trustee or trustees, or seeking	
16	remedies for breach of trust	
17	<u>Petition for trust motion</u>	<u>\$105.00</u>
18	(11) Annual accounts on trusts	\$35.00 <u>\$85.00</u>
19	(12) Annual accounts on decedents'	\$30.00 <u>\$85.00</u>
20	estates filed for any period	
21	ending more than one year	

1	following the opening of the	
2	estate	
3	(13) Adoptions and relinquishments as	\$100.00 <u>\$150.00</u>
4	part of an adoption proceeding	
5	(14) Relinquishments, separate from	\$100.00
6	adoptions	
7	(15) Guardianships for minors	\$90.00 <u>\$150.00</u>
8	(16) Guardianships for adults	\$105.00 <u>\$150.00</u>
9	(17) Petitions for change of name	\$135.00 <u>\$150.00</u>
10	(18) Filing of a will for safekeeping	\$25.00 <u>\$30.00</u>
11	(19) Filing of subsequent will for	\$15.00 <u>\$30.00</u>
12	safekeeping, same probate	
13	division <u>Probate Division</u> or	
14	transfer to another	
15	probate division <u>Probate Division</u>	
16	(20) Corrections for vital records	\$30.00 <u>\$150.00</u>
17	(21) Orders of authorization pursuant	\$30.00 <u>\$50.00</u>
18	to 18 V.S.A. § 5144	
19	(22) Conveyances of title to real	\$55.00 <u>\$100.00</u>
20	estate pursuant to 14 V.S.A.	
21	§ 1801, including petitions to	

1	clear title and release or	
2	discharge of mortgage	
3	(23) Petitions concerning advance	\$80.00 <u>\$100.00</u>
4	directives pursuant to 18 V.S.A.	
5	§ 9718	
6	(24) Civil actions brought pursuant to	\$55.00 <u>\$100.00</u>
7	18 V.S.A. chapter 107, subchapter 3.	
8	(25) Petitions for partial decree	\$105.00
9	(26) Petitions for license to sell	\$55.00 <u>\$100.00</u>
10	real estate	
11	(27) <u>Petition for license to sell personal property</u>	<u>\$100.00</u>
12	<u>(28)</u> Petitions for minor settlement	\$30.00 <u>\$90.00</u>
13	pursuant to 14 V.S.A. § 2643	
14	(b) Pursuant to Rule 3.1 of the Vermont Rules of Civil Procedure, part of	
15	the filing fee may be waived if the Court finds the applicant is unable to pay it.	
16	The Court shall use procedures established in subsection 1431(h) of this title to	
17	determine the fee. No fee shall be charged for necessary documents pertaining	
18	to the opening of estates, trusts, and guardianships, including the issuance of	
19	two certificates of appointment and respective letters. No fee shall be charged	
20	for the issuance of two certified copies of adoption decree and two certified	
21	copies of instrument changing name.	

1 (c) A fee of \$5.00 shall be paid for each additional certification of
2 appointment of a fiduciary.

3 **Sec. 33. 32 V.S.A. § 1431 is amended to read:**

4 § 1431. FEES IN SUPREME AND SUPERIOR COURTS

5 (a) Prior to the entry of any cause in the Supreme Court, there shall be paid
6 to the clerk of the Court for the benefit of the State a fee of ~~\$265.00~~ \$295.00 in
7 lieu of all other fees not otherwise set forth in this section.

8 (b)(1) Except as provided in subdivisions (2)–(5) of this subsection, prior to
9 the entry of any cause in the Superior Court, there shall be paid to the clerk of
10 the Court for the benefit of the State a fee of ~~\$265.00~~ \$295.00 in lieu of all
11 other fees not otherwise set forth in this section.

12 (2) Prior to the entry of any divorce or annulment proceeding in the
13 Superior Court, there shall be paid to the clerk of the Court for the benefit of
14 the State a fee of ~~\$265.00~~ \$295.00 in lieu of all other fees not otherwise set
15 forth in this section. If the divorce or annulment complaint is filed with a
16 stipulation for a final order, the fee shall be ~~\$80.00~~ \$90.00 if one or both of the
17 parties are residents, and ~~\$160.00~~ \$180.00 if neither party is a resident, except
18 that if the stipulation is not acceptable to the Court or if a matter previously
19 agreed to becomes contested, the difference between the full fee and the
20 reduced fee shall be paid to the Court prior to the issuance of a final order.

1 (3) Prior to the entry of any parentage or desertion and support
2 proceeding brought under 15 V.S.A. chapter 5 in the Superior Court, there
3 shall be paid to the clerk of the Court for the benefit of the State a fee of
4 ~~\$105.00~~ \$120.00 in lieu of all other fees not otherwise set forth in this section.
5 If the parentage or desertion and support complaint is filed with a stipulation
6 for a final order acceptable to the Court, the fee shall be ~~\$30.00~~ \$35.00 except
7 that if the stipulation is not acceptable to the Court or if a matter previously
8 agreed to becomes contested, the difference between the full fee and the
9 reduced fee shall be paid to the Court prior to the issuance of a final order.

10 (4) Prior to the entry of any motion or petition to enforce a final order
11 for parental rights and responsibilities, parent-child contact, property division,
12 or maintenance in the Superior Court, there shall be paid to the clerk of the
13 Court for the benefit of the State a fee of ~~\$80.00~~ \$90.00 in lieu of all other fees
14 not otherwise set forth in this section. Prior to the entry of any motion or
15 petition to vacate or modify a final order for parental rights and
16 responsibilities, parent-child contact, or maintenance in the Superior Court,
17 there shall be paid to the clerk of the Court for the benefit of the State a fee of
18 ~~\$105.00~~ \$120.00 in lieu of all other fees not otherwise set forth in this section.
19 However, if the motion or petition is filed with a stipulation for an order, the
20 fee shall be ~~\$30.00~~ \$35.00 except that if the stipulation is not acceptable to the
21 Court or if a matter previously agreed to becomes contested, the difference

1 between the full fee and the reduced fee shall be paid to the Court prior to the
2 issuance of a final order. All motions or petitions filed by one party under this
3 subsection at one time shall be assessed one fee equal to the highest of the
4 filing fees associated with the motions or petitions involved. There are no
5 filing fees for prejudgment motions or petitions filed before a final divorce,
6 legal separation, dissolution of civil union, parentage, desertion, or nonsupport
7 judgment issued.

8 (5) Prior to the entry of any motion or petition to vacate or modify an
9 order for child support in the Superior Court, there shall be paid to the clerk of
10 the Court for the benefit of the State a fee of ~~\$40.00~~ \$45.00 in lieu of all other
11 fees not otherwise set forth in this section. If the motion or petition is filed
12 with a stipulation for an order, there shall be no fee except that if the
13 stipulation is not acceptable to the Court or if a matter previously agreed to
14 becomes contested, the difference between the full fee and the reduced fee
15 shall be paid to the Court prior to the issuance of a final order. A motion or
16 petition to enforce an order for child support shall require no fee. All motions
17 or petitions filed by one party at one time shall be assessed one fee; if a
18 simultaneous motion is filed by a party under subdivision (4) of this
19 subsection, the fee under subdivision (4) shall be the only fee assessed. There
20 are no filing fees for prejudgment motions or petitions filed before a final

1 divorce, legal separation, dissolution of civil union, parentage, desertion, or
2 nonsupport judgment has issued.

3 (6) Prior to the registration in Vermont of a child custody determination
4 issued by a court of another state, there shall be paid to the clerk of the Court
5 for the benefit of the State a fee of ~~\$80.00~~ \$90.00 unless the request for
6 registration is filed with a simultaneous motion for enforcement, in which
7 event the fee for registration shall be ~~\$35.00~~ \$40.00 in addition to the fee for
8 the motion as provided in subdivision (4) of this subsection.

9 (c)(1) Prior to the entry of a small claims action, there shall be paid to the
10 clerk in lieu of all other fees not otherwise set forth in this section, a fee of
11 ~~\$80.00~~ \$90.00 if the claim is for more than \$1,000.00 and ~~\$55.00~~ \$65.00 if the
12 claim is for \$1,000.00 or less. Prior to the entry of any postjudgment motion in
13 a small claims action, there shall be paid to the clerk a fee of ~~\$55.00~~ \$65.00.
14 The fee for every counterclaim in small claims proceedings shall be ~~\$30.00~~
15 \$35.00, payable to the clerk, if the counterclaim is for more than \$500.00, and
16 ~~\$20.00~~ \$25.00 if the counterclaim is for \$500.00 or less.

17 (2)(A) Except as provided in subdivision (B) of this subdivision (2), fees
18 paid to the clerk pursuant to this subsection shall be divided as follows:
19 50 percent of the fee shall be for the benefit of the county and 50 percent of the
20 fee shall be for the benefit of the State.

1 (B) In a county where court facilities are provided by the State, all
2 fees paid to the clerk pursuant to this subsection shall be for the benefit of the
3 State.

4 (d) Prior to the entry of any subsequent pleading which sets forth a claim
5 for relief in the Supreme Court or the Superior Court, there shall be paid to the
6 clerk of the Court for the benefit of the State a fee of ~~\$105.00~~ \$120.00 for
7 every appeal, cross-claim, or third-party claim and a fee of ~~\$80.00~~ \$90.00 for
8 every counterclaim in the Superior Court in lieu of all other fees not otherwise
9 set forth in this section. The fee for an appeal of a magistrate’s decision in the
10 Superior Court shall be ~~\$105.00~~ \$120.00. The filing fee for civil suspension
11 proceedings filed pursuant to 23 V.S.A § 1205 shall be ~~\$80.00~~ \$90.00, which
12 shall be taxed in the bill of costs in accordance with sections 1433 and 1471 of
13 this title. This subsection does not apply to filing fees in the Family Division,
14 except with respect to the fee for an appeal of a magistrate’s decision.

15 (e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or
16 Environmental Division of the Superior Court, including motions to reopen
17 civil suspensions and motions for sealing or expungement in the Criminal
18 Division pursuant to 13 V.S.A. § 7602, there shall be paid to the clerk of the
19 Court for the benefit of the State a fee of ~~\$80.00~~ \$90.00 except for small claims
20 actions. A filing fee of \$90.00 shall be paid to the clerk of the Court for a civil
21 petition for minor settlements.

1 (f) The filing fee for all actions filed in the Judicial Bureau shall be ~~\$55.00~~
2 \$65.00; the State or municipality shall not be required to pay the fee; however,
3 if the respondent denies the allegations on the ticket, the fee shall be taxed in
4 the bill of costs in accordance with sections 1433 and 1471 of this title and
5 shall be paid to the clerk of the Bureau for the benefit of the State.

6 (g) Prior to the filing of any postjudgment motion in the Judicial Bureau
7 there shall be paid to the clerk of the Bureau, for the benefit of the State, a fee
8 of ~~\$40.00~~ \$45.00. Prior to the filing of any appeal from the Judicial Bureau to
9 the Superior Court, there shall be paid to the ~~Clerk~~ clerk of the Court, for the
10 benefit of the State, a fee of ~~\$105.00~~ \$120.00.

11 (h) Pursuant to Vermont Rules of Civil Procedure 3.1 or Vermont Rules of
12 Appellate Procedure 24(a), part or all of the filing fee may be waived if the
13 Court finds that the applicant is unable to pay it. The clerk of the Court or the
14 clerk's designee shall establish the in forma pauperis fee in accordance with
15 procedures and guidelines established by administrative order of the Supreme
16 Court. The applicant shall pay a minimum in forma pauperis co-pay of \$10.00.
17 If, during the course of the proceeding and prior to a final judgment, the Court
18 determines that the applicant has the ability to pay all or a part of the waived
19 fee, the Court shall require that payment be made prior to issuing a final
20 judgment. If the applicant fails to pay the fee within a reasonable time, the
21 Court may dismiss the proceeding.

1 **Sec. 34. AGENCY OF NATURAL RESOURCES REPORT ON FEE FOR**
2 **MOORINGS**

3 On or before January 15, 2016, the Secretary of Natural Resources shall
4 submit to the House Committee on Ways and Means, the Senate Committee on
5 Finance, the House Committee on Fish, Wildlife and Water Resources, and the
6 Senate Committee on Natural Resources and Energy a report regarding
7 whether the State should charge a fee for moorings located in waters of the
8 State. The report shall:

9 (1) Provide a detailed estimate of the number of moorings located in
10 waters of the State and address whether other entities, public or private, are
11 collecting fees associated with those moorings.

12 (2) Recommend:

13 (A) whether a fee should be charged for moorings or subcategories of
14 moorings, such as private moorings versus commercial moorings;

15 (B) the amount the State should charge;

16 (C) how the fee should be charged, collected, and noncompliance
17 enforced; and

18 (D) what new or existing program the fee revenue would support.

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* * * Effective Dates * * *

Sec. 35. EFFECTIVE DATES

(a) This section and Secs. 25 (apiaries), and 28 (charitable solicitations)
shall take effect on passage.

(b) Sec. 23 (Department of Fish and Wildlife) shall take effect on
January 1, 2016.

(c) Notwithstanding 1 V.S.A. § 214, Sec. 27 (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.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE