

1 Introduced by Committee on Ways and Means

2 Date:

3 Subject: Executive Branch fees

4 Statement of purpose of bill as introduced: This bill proposes to adjust certain  
5 Executive Branch fees.

6 An act relating to Executive Branch fees

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

8 \* \* \* Agriculture \* \* \*

9 \* \* \* General Powers of Agency; Secretary of Agriculture,

10 Food and Markets \* \* \*

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

12 § 1. GENERAL POWERS OF AGENCY; SECRETARY OF

13 AGRICULTURE, FOOD AND MARKETS

14 \* \* \*

15 (a) The Agency of Agriculture, Food and Markets shall be administered by  
16 a Secretary of Agriculture, Food and Markets. The Secretary shall supervise  
17 and be responsible for the execution and enforcement of all laws relating to  
18 agriculture and standards of weight and measure. The Secretary may:

19 \* \* \*

1           (13) notwithstanding any law to the contrary in this title or Title 9 or 20,  
2           issue all licenses, permits, registrations, or certificates under a program  
3           administered by the Secretary for a term of up to three years; renew and issue  
4           such licenses, permits, registrations, and certificates on any calendar cycle;  
5           collect any annual fee set by law for such multiyear licensure, permit,  
6           registration, or certificate on a pro-rated basis which shall not exceed  
7           150 percent of the annual fee for an 18-month cycle, 200 percent of the annual  
8           fee for a two-year cycle, or 300 percent of the annual fee for a three-year cycle;  
9           and conduct inspections at regulated premises at least once every three years  
10          when inspection is required by law. The authority to mandate licenses,  
11          permits, registrations, or certificates for more than one year shall not extend to  
12          any program administered by the Secretary where the annual fee is more than  
13          \$125.00. The Secretary shall only provide refunds for overpayments of \$25.00  
14          or more on a license, permit, registration, or certificate issued by the Secretary.  
15          The Secretary may collect a fee of \$25.00 for all licenses, registrations, permits  
16          and certifications issued by the Secretary for which there is no fee authority  
17          otherwise prescribed by statute. The Secretary may assess a late fee of \$25.00  
18          for any license, registration, permit or certification that is renewed after a  
19          second renewal notice has been mailed by the Secretary to the applicant's last  
20          known address of record unless a higher late renewal fee is otherwise  
21          prescribed by statute;

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\* \* \*

\* \* \* Certificate of Free Sale \* \* \*

**Sec. 2.** 6 V.S.A. § 18 is amended to read:

§ 18. CERTIFICATE OF FREE SALE

(a) The ~~secretary~~ Secretary is hereby authorized to make available certificates of free sale ~~or manufacturing~~ to applicants who manufacture or produce Vermont food ~~or personal care products~~ regulated by the Agency for the limited purpose of facilitating the shipment of such products for sale in foreign countries.

(b) The ~~agency~~ Agency may adopt rules for the issuance of such certificates.

(c) The ~~agency~~ Agency shall assess a fee of ~~\$15.00~~ \$30.00 per certificate to offset administrative costs.

\* \* \* Commercial Feeds \* \* \*

**Sec. 3.** 6 V.S.A. § 324(b) is amended to read:

(b) A person shall not distribute in this State a commercial feed that has not been registered pursuant to the provisions of this chapter. Application shall be in a form and manner to be prescribed by rule of the Secretary. The application for registration of a commercial feed shall be accompanied by a registration fee of ~~\$85.00~~ \$105.00 per product. The registration fees, along with any surcharges collected under subsection (c) of this section, shall be

1 deposited in the special fund created by subsection 364(e) of this title. Funds  
2 deposited in this account shall be restricted to implementing and administering  
3 the provisions of this title and any other provisions of the law relating to  
4 fertilizer, lime, or seeds. If the Secretary so requests, the application for  
5 registration shall be accompanied by a label or other printed matter describing  
6 the product.

7 \* \* \* Fertilizer and Lime \* \* \*

8 **Sec. 4.** 6 V.S.A. § 364(d) is amended to read:

9 (d) Each separately identified agricultural lime product shall be registered  
10 before being distributed in this State. Registration shall be performed in the  
11 same manner as fertilizer registration except that each application shall be  
12 accompanied by a fee of ~~\$40.00~~ \$50.00 per product.

13 \* \* \* Tonnage Fees \* \* \*

14 **Sec. 5.** 6 V.S.A. § 366 is amended to read:

15 § 366. TONNAGE FEES

16 (a) ~~There shall be paid annually to the Secretary for all fertilizers~~  
17 ~~distributed to a nonregistrant consumer in this State an annual fee at a rate of~~  
18 ~~\$0.25 cents per ton. A person distributing fertilizer to a nonregistrant consumer~~  
19 in the State annually shall pay the following fees to the Secretary:

20 (1) a \$150.00 base fee;

21 (2) \$0.50 per ton of agricultural fertilizer distributed; and

1           (3) \$30.00 per ton of nonagricultural fertilizer distributed.

2           (b) Persons distributing fertilizer shall report annually ~~by~~ on or before  
3           January 15 for the previous year ending December 31 to the Secretary  
4           revealing the amounts of each grade of fertilizer and the form in which the  
5           fertilizer was distributed within this State. Each report shall be accompanied  
6           with payment and written permission allowing the Secretary to examine the  
7           person's books for the purpose of verifying tonnage reports.

8           (c) No information concerning tonnage sales furnished to the Secretary  
9           under this section shall be disclosed in such a way as to divulge the details of  
10          the business operation to any person unless it is necessary for the enforcement  
11          of the provisions of this chapter.

12          (d) [Repealed.]

13          (e) Agricultural limes, including agricultural lime mixed with wood ash,  
14          are exempt from the tonnage fees required in this section.

15          (f) Lime and wood ash mixtures may be registered as agricultural liming  
16          materials and guaranteed for potassium or potash provided that the wood ash  
17          totals less than 50 percent of the mixture.

18          (g)(1) All fees collected under ~~subsection (a)~~ subdivisions (a)(1) and (2)  
19          of this section shall be deposited in the ~~revolving~~ special fund created by  
20          subsection 364(e) of this title and used in accordance with its provisions.

1           (2) All fees collected under subdivision (a)(3) of this section shall be  
2           deposited in the Agricultural Water Quality Special Fund created under section  
3           4803 of this title.

4           ~~(h) There shall be paid annually to the Secretary for all nonagricultural~~  
5           ~~fertilizers distributed to a nonregistrant consumer in this State an annual fee at~~  
6           ~~a rate of \$30.00 per ton of nonagricultural fertilizer for the purpose of~~  
7           ~~supporting agricultural water quality programs in Vermont.~~

8           ~~(1) Persons distributing any fertilizer in the State shall report annually~~  
9           ~~on or before January 15 for the previous year ending December 31 to the~~  
10           ~~Secretary revealing the amounts of each grade of fertilizer and the form in~~  
11           ~~which the fertilizer was distributed within this State. Each report shall be~~  
12           ~~accompanied with payment of the fees under this section and written~~  
13           ~~permission allowing the Secretary to examine the person's books for the~~  
14           ~~purpose of verifying tonnage reports.~~

15           ~~(2) No information concerning tonnage sales furnished to the Secretary~~  
16           ~~under this section shall be disclosed in such a way as to divulge the details of~~  
17           ~~the business operation to any person unless it is necessary for the enforcement~~  
18           ~~of the provisions of this chapter.~~

19           ~~(3) A \$150.00 minimum tonnage fee shall be assessed on all distributors~~  
20           ~~who distribute nonagricultural fertilizers in this State.~~



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\* \* \* Seeds \* \* \*

**Sec. 7.** 6 V.S.A. § 616 is amended to read:

§ 616. FEES

(a) The ~~secretary~~ Secretary shall have authority to assess growers who apply for the certification privilege a fee per acre, to be paid in one or more installments.

(b) Growers shall be assessed ~~\$30.00~~ \$35.00 for the first five acres inclusive. Over five acres shall be assessed ~~\$30.00~~ \$35.00 plus ~~\$2.00~~ \$3.00 per acre over five acres.

\* \* \*

\* \* \* Seeds Standards \* \* \*

**Sec. 8.** 6 V.S.A. § 648(a) is amended to read:

(a) Inspection fees shall be paid to the ~~secretary~~ Secretary by a manufacturer or processor that distributes seed in the ~~state~~ State. Fees shall be established as follows:

(1) ~~thirty five cents per hundredweight~~ \$10.00 per ton for any seed sold in containers of more than ten pounds;

(2) a flat fee of ~~\$75.00~~ \$85.00 per company for any seed sold.





1 proper purchase, application, and disposal of household pesticides, and \$5.00  
2 from each product registration shall be used to collect and dispose of obsolete  
3 and unwanted pesticides. Of the registration fees collected under this  
4 subsection, \$15.00 of the amount collected shall be deposited in the  
5 Agricultural Water Quality Special Fund under section 4803 of this title. The  
6 annual registration year shall be from December 1 to November 30 of the  
7 following year.

8 \* \* \* Pesticides \* \* \*

9 **Sec. 12.** 6 V.S.A. § 1109 is amended to read:

10 § 1109. LICENSING RETAIL DEALERS

11 The ~~secretary~~ Secretary may adopt regulations requiring persons selling  
12 Class C pesticides at retail to be licensed under this chapter, and may establish  
13 reasonable requirements for obtaining licenses. The license fee for a retail  
14 dealer shall be ~~\$20.00~~ \$25.00 for one year or any part thereof for each store or  
15 place of business operated by the retail dealer. The license period shall be  
16 January 1 to December 31.

17 **Sec. 13.** 6 V.S.A. § 1112 is amended to read:

18 § 1112. LICENSING PESTICIDE APPLICATORS; PESTICIDE  
19 COMPANIES; DEALERS

20 (a) The ~~secretary~~ Secretary may adopt regulations requiring persons selling  
21 Class A and B pesticides to be licensed under this chapter. In addition, the

1 ~~secretary~~ Secretary may adopt regulations requiring companies which hire  
2 applicators or conduct pesticide applications to be licensed, and applicators  
3 who use pesticides to be certified under this chapter. The ~~secretary~~ Secretary  
4 may establish reasonable requirements for obtaining licenses and certificates.  
5 The fees for dealers, licensed companies, and applicator certificates under this  
6 chapter shall be as follows:

7 (1) Class A Dealer License—~~\$30.00~~ \$50.00;

8 (2) Class B Dealer License—~~\$30.00~~ \$50.00;

9 (3) Pesticide Company License—~~\$60.00~~ \$75.00;

10 (4) Commercial and Noncommercial Applicator Certification fee—~~\$25.00~~  
11 \$30.00 per category or subcategory with a maximum of \$100.00;

12 (5) Second and third time examination fee for dealer licenses and  
13 applicator certification—\$25.00.

14 (6) Private Applicator—\$25.00

15 (b) All license and certification fees shall be for one year or any part  
16 thereof for each dealer, licensed pesticide applicator company or certified  
17 commercial and noncommercial applicator. The license and certification  
18 period shall be January 1 to December 31. ~~The secretary shall exempt federal~~  
19 ~~and state agencies and municipalities and public education institutions from~~  
20 ~~certification and licensing fees.~~



1	<del>Over 500 but less than 1,000 pounds</del>	\$100.00
2	<u>Over 500 but less than 10,000 pounds</u>	<u>\$200.00</u>
3	<del>1,000 to 10,000 pounds per day</del>	\$175.00
4	<u>10,000 to 50,000 pounds</u>	<u>\$350.00</u>
5	<del>Over 10,000 to 25,000 pounds per day</del>	\$275.00
6	<u>Over 50,000 but less than 100,000 pounds</u>	<u>\$750.00</u>
7	<del>Over 25,000 pounds</del>	\$350.00
8	<u>100,000 to 500,000 pounds</u>	<u>\$1,000.00</u>
9	<u>Over 500,000 pounds</u>	<u>\$1,500.00</u>
10	Processor fee per pasteurizer	<del>\$50.00</del> <u>\$75.00</u>

11 (c) ~~[Deleted.]~~ [Repealed.]

12 **Sec. 15.** 6 V.S.A § 2722 is amended to read:

13 § 2722. APPLICATION

14 Applications shall be completely filled out and sworn to by the applicant or  
15 a partner or officer thereof and in case of renewal shall be filed

16 with the Secretary on or before July 15 of each year. New handlers may  
17 apply for a license at any time. Renewal applications not received on or before  
18 August 1 shall be assessed a late fee of ~~\$50.00~~ \$100.00. The application for a  
19 handler's license shall provide the following information and such other  
20 information as the Secretary by regulation shall reasonably require:

21 \* \* \*

1 **Sec. 16.** 6 V.S.A. § 2724(b) is amended to read:

2 (b) Any commercial enterprise that sells, installs, or repairs milking, milk  
3 cooling and storage, or dairy processing equipment shall register with the  
4 Secretary. The company shall apply for registration on a form made available  
5 by the Agency. The registration shall be valid for three years. Before  
6 registering a company, the Secretary shall determine that the company is  
7 qualified to sell, perform the installation, or repair milking and dairy  
8 processing equipment. The registration form shall be accompanied by a fee of  
9 ~~\$100.00~~ \$150.00. The Secretary may suspend or revoke registration for cause  
10 after giving the installer the opportunity to be heard. Registration shall  
11 terminate on December 31 of each year. Electricians or plumbers licensed  
12 pursuant to Title 26 doing only electrical or plumbing work within a farm or  
13 plant shall be exempt from this registration provided any work directly related  
14 to the processing of dairy products or milking of animals is performed under  
15 the supervision of a person that is registered. Any company that fails to renew  
16 on or before December 31 shall pay a \$25.00 late fee, and the registration shall  
17 lapse if it is more than 30 days late.



1 ~~within the state dealing in or handling the fluid milk shall be the handler within~~  
2 ~~the meaning of this chapter. [Repealed.]~~

3 \* \* \* Livestock and Poultry Products \* \* \*

4 **Sec. 19.** 6 V.S.A. § 3306(d) is amended to read:

5 (d) The annual fee for a license for a retail vendor is ~~\$15.00~~ \$25.00 for  
6 vendors without meat cutting operations, ~~\$30.00~~ \$50.00 for vendors with meat  
7 cutting space of less than 300 square feet or meat display space of less than  
8 20 linear feet, and ~~\$60.00~~ \$100.00 for vendors with 300 or more square feet of  
9 meat cutting space and 20 or more linear feet of meat display space. Fees  
10 collected under this section shall be deposited in a special fund managed  
11 pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the  
12 Agency to offset the cost of administering chapter 204 of this title. For all  
13 other plants, establishments, and related businesses listed under subsection (a)  
14 of this section, except for a public warehouse licensed under chapter 67 of this  
15 title, the annual license fee shall be ~~\$50.00~~ \$150.00.

16 \* \* \* Nursery Inspection \* \* \*

17 **Sec. 20.** 6 V.S.A. § 4024 is amended to read:

18 § 4024. NURSERY LICENSE

19 (a) No person shall operate as a nursery grower or nursery dealer in the  
20 ~~state~~ State without first obtaining a nursery license from the ~~secretary~~  
21 Secretary. A nursery grower or nursery dealer shall apply annually for a



1 nursery license on a form provided by the ~~secretary~~ Secretary. The ~~secretary~~  
2 Secretary shall establish by rule the conditions for the issuance, suspension, or  
3 revocation of a nursery license, and may place any restrictions or requirements  
4 upon the license which he or she deems necessary.

5 (b) A nursery dealer licensed under this section ~~4024 of this title~~ shall pay  
6 the following fee for a license:

7 (1) ~~\$50.00~~ \$60.00, if the nursery owns or controls:

8 (A) a nursery of one-half acre or more;

9 (B) greenhouse space of 25,000 square feet or more; or

10 (C) retail space of 25,000 square feet or more.

11 (2) ~~\$20.00~~ \$30.00 for all other nursery dealers.

12 \* \* \*

13 **Sec. 21.** 6 V.S.A. § 4031(d) is amended to read:

14 (d) The Secretary may collect a fee of ~~\$60.00~~ \$75.00 for a three-year  
15 permit to engage in commerce with plants described in subsection (a) of this  
16 section. The fee shall be credited to a special fund established and managed  
17 pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the  
18 Agency to offset the costs of implementing this section.



1 manure or nutrients to land, when the employees apply manure or nutrients to  
2 land. A certification fee of \$30.00 will be charged yearly to all persons  
3 meeting this definition.

4 \* \* \* Weights and Measures \* \* \*

5 **Sec. 24.** 9 V.S.A. § 2643 is amended to read:

6 § 2643. LICENSES; INSPECTIONS; PENALTIES

7 (a) No person shall operate a retail point-of-sale laser scanning check-out  
8 system ~~with more than three point-of-sale scanning points~~ without first  
9 obtaining a license from the Secretary.

10 \* \* \*

11 (2) The annual license fee shall be ~~\$10.00~~ \$25.00 per individual  
12 point-of-sale scanning point within a store. ~~All single retail units that have~~  
13 ~~three or fewer scanning points shall be exempt from this fee.~~

14 \* \* \*

15 **Sec. 25.** 9 V.S.A. Sec. 2721 is amended to read:

16 § 2721. LICENSED PUBLIC WEIGHMASTER-LICENSE

17 Any person, who is 18 years of age or older, wishing to be a licensed public  
18 weighmaster shall apply to the Secretary upon forms provided by the Agency,  
19 and remit a fee of ~~\$15.00~~ \$25.00. Upon approval, the Secretary shall issue to  
20 the applicant a license certificate which shall expire on June 30 unless sooner

1 suspended or revoked under section 2723 of this title. Renewal applications  
2 shall be in such form as the Secretary shall prescribe.

3 **Sec. 26** 9 V.S.A. § 2725(a) is amended to read:

4 (a) Any person wishing to be registered as a dealer or service person shall  
5 apply to the Secretary upon forms provided by the Agency and each  
6 application shall be accompanied by a fee of ~~\$50.00~~ \$60.00. Upon approval,  
7 the Secretary shall issue to the applicant a registration certificate which shall  
8 expire on June 30 unless sooner suspended or revoked under section 2726 of  
9 this title. Any service person who applies for a registration certificate must  
10 have obtained a hand seal which has a number registered with the Secretary.  
11 Any service person who has been granted a registration certificate shall, with  
12 the hand seal, seal all meters with a lead and wire seal at the time as he or she  
13 installs, repairs, or adjusts the meters.

14 **Sec. 27.** 9 V.S.A. § 2730(f)(1) is amended to read:

15 (f)(1) The Secretary shall charge, per unit, the following annual license  
16 fees:

17 (A) Retail motor fuel dispenser meter: ~~\$15.00~~ \$25.00.

18 (B) Vehicle tank meter: ~~\$100.00~~ \$125.00.

19 (C) Scales: ~~\$10.00~~ \$25.00.

20 (D) Vehicle and heavy duty scales: ~~\$150.00~~ \$175.00.

21 (E) ~~Taxi meter: \$10.00.~~ [Repealed.]

- 1 (F) Meter: ~~\$15.00~~ \$25.00.
- 2 (G) ~~Bulk plant meter: \$100.00. [Repealed.]~~
- 3 (H) Truck mounted propane meter: ~~\$150.00~~ \$175.00.
- 4 (I) Hopper scales: ~~\$100.00~~ \$125.00.
- 5 (J) Propane fill station: ~~\$50.00~~ \$60.00.
- 6 (K) Medium duty scales:
- 7 portable platform scales: ~~\$30.00~~ \$35.00.
- 8 all others: ~~\$30.00~~ \$35.00.

9 \* \* \* Welfare of Animals \* \* \*

10 **Sec. 28.** 20 V.S.A § 3903 is amended to read:

11 § 3903. REGISTRATION OF ANIMAL SHELTERS AND RESCUE

12 ORGANIZATIONS

13 (a) ~~No person may operate an animal shelter or rescue organization unless a~~  
14 ~~certificate of registration for the animal shelter or rescue organization has been~~  
15 ~~granted by the Secretary. Application for the certificate shall be made in the~~  
16 ~~manner provided by the Secretary. No fee shall be required for the certificate.~~  
17 ~~Certificates of registration shall be valid for a period of one year or until~~  
18 ~~revoked and may be renewed for like periods upon application in the manner~~  
19 ~~provided. [Repealed.]~~

20 (b) An animal shelter or rescue organization ~~registered~~ under this chapter  
21 shall not accept an animal unless the person transferring the animal to the

1 shelter provides the following information: the name and address of the person  
2 transferring the animal and, if known, the name of the animal, its vaccination  
3 history, and other information concerning the background, temperament, and  
4 health of the animal.

5 (c) A rescue organization ~~registered~~ under this chapter shall be recognized  
6 and approved as a nonprofit organization under ~~Section 501(c)(3) of the~~  
7 ~~Internal Revenue Code~~ 26 U.S.C. § 501(c)(3).

8 **Sec. 29.** 20 V.S.A. § 3906 is amended to read:

9 § 3906. LICENSING OF PET SHOPS

10 (a) No person may transact business as a pet shop, as defined in this  
11 chapter, unless a license for that purpose has been granted by the Secretary to  
12 that person. Application for the license shall be made in the manner provided  
13 by the Secretary. The license period shall be April 1 to March 31 and the  
14 license fee shall be ~~\$150.00~~ \$175.00 for each license period or part thereof.

15 (b) [Repealed.]

16 \* \* \* Financial Regulations \* \* \*

17 \* \* \* License Requirements \* \* \*

18 **Sec. 30.** 8 V.S.A. § 4791 is amended to read:

19 § 4791. DEFINITIONS

20 As used in this chapter:

21 \* \* \*

1           (8) “Business entity” means a corporation, association, partnership,  
2           limited liability company, limited liability partnership, or other legal entity.

3           (9) “Business entity limited lines producer” means a business entity, as  
4           defined in subdivision (8) of this section, that is also a limited lines producer,  
5           as defined in subdivision (7) of this section.

6           **Sec. 31.** 8 V.S.A. § 4800 is amended to read:

7           § 4800. LICENSE REQUIREMENTS

8           The Commissioner shall not issue, continue, or permit to continue any  
9           license of an insurance producer, surplus lines insurance broker, managing  
10           general agent, reinsurance intermediary, insurance consultant, limited lines  
11           producer, business entity limited lines producer, insurance adjuster, public  
12           adjuster, and appraiser except in compliance with the following:

13           (1) Application shall be made to the Commissioner by the applicant on a  
14           form prescribed by the Commissioner.

15           (2)(A) All license applications shall be accompanied by a \$30.00 fee  
16           plus the applicable fees as follows:

17           (i) Initial licensing and biennial renewal licensing fee for  
18           insurance producers and limited lines producers, \$30.00.

19           (ii) Initial licensing and biennial renewal licensing fee for a  
20           business entity limited lines producer, \$150.00.

1                    (iii) Except as provided in subdivisions (I) and (II) of this  
2                    subdivision, initial and biennial producer appointment fees for each  
3                    qualification set forth in section 4813g of subchapter 1A of this chapter for  
4                    resident and nonresident producers acting as agents of foreign insurers, \$60.00:

5                    (I) the Commissioner may charge one fee for a qualification in  
6                    “property and casualty” insurance; and

7                    (II) the Commissioner may charge one fee for a qualification in  
8                    “life and accident and health or sickness” insurance.

9                    ~~(iii)~~(iv) Initial 24-month appointment and biennial renewal  
10                    appointment fee for limited lines producers, \$60.00.

11                    ~~(iv)~~(v) Initial 24-month license and biennial renewal fee for  
12                    resident and nonresident adjusters, and appraisers licenses, \$60.00, and public  
13                    adjusters, \$200.00.

14                    ~~(v)~~(vi) The initial 24-month license fee and biennial renewal fee  
15                    for surplus lines brokers, \$400.00.

16                    ~~(vi)~~(vii) The initial 24-month license fee and biennial renewal fee  
17                    for consultants, \$200.00.

18                    ~~(vii)~~(viii) The initial 24-month license fee and biennial renewal  
19                    fee for reinsurance intermediaries, \$200.00.

20                    ~~(viii)~~(ix) The initial 24-month license fee and biennial renewal fee  
21                    for managing general agents, \$300.00.



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**Sec. 32.** 8 V.S.A. § 4813a is amended to read:

§ 4813a. DEFINITIONS

As used in this subchapter:

(1) “Business entity” ~~means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity~~  
shall have the same meaning as in subdivision 4791(8) of this title.

\* \* \*

**Sec. 33.** 9 V.S.A. § 5302 is amended to read:

§ 5302. NOTICE FILING

(a) With respect to a federal covered security, as defined in 15 U.S.C. § 77r(b)(2), that is not otherwise exempt under sections 5201 through 5203 of this title, a rule adopted or an order issued under this chapter may require the filing of any or all of the following records:

(1) before the initial offer of a federal covered security in this State, all records that are part of a federal registration statement filed with the Securities and Exchange Commission under 15 U.S.C. § 77a et seq. and a consent to service of process complying with section 5611 of this chapter signed by the issuer and the payment of a registration fee as set forth in subsection (e) or (f) of this section;

1           (2) after the initial offer of the federal covered security in this State, all  
2 records that are part of an amendment to a federal registration statement filed  
3 with the Securities and Exchange Commission under 15 U.S.C. § 77a et  
4 seq.; and

5           (3) to the extent necessary or appropriate to compute fees, a report of the  
6 value of the federal covered securities sold or offered to persons present in this  
7 State in such form and at such time as the Commissioner may prescribe if the  
8 State-specific sales data are not included and available in records filed with the  
9 Securities and Exchange Commission.

10          (b) A notice filing under subsection (a) of this section is effective for one  
11 year from the date the notice filing is accepted as complete by the Office of the  
12 Commissioner. On or before expiration, the issuer may renew a notice filing  
13 by filing a copy of those records filed by the issuer with the Securities and  
14 Exchange Commission that are required by rule or order under this chapter to  
15 be filed and by paying an annual renewal fee as set forth in subsection (e) or (f)  
16 of this section. A previously filed consent to service of process complying  
17 with section 5611 of this title may be incorporated by reference in a renewal.  
18 A renewed notice filing becomes effective upon the expiration of the filing  
19 being renewed.

20          (c) With respect to a security that is a federal covered security under  
21 15 U.S.C. § 77r(b)(4)~~(D)~~(E), a rule under this chapter may require a notice

1 filing by or on behalf of an issuer to include a copy of Form D, including the  
2 Appendix, as promulgated by the Securities and Exchange Commission, and a  
3 consent to service of process complying with section 5611 of this chapter  
4 signed by the issuer not later than 15 days after the first sale of the federal  
5 covered security in this State and the payment of a fee as set forth in subsection  
6 (e) of this section. The notice filing shall be effective for one year from the  
7 date the notice filing is accepted as complete by the Office of the  
8 Commissioner. On or before expiration, the issuer may annually renew a  
9 notice filing by filing a copy of those records filed by the issuer with the  
10 Securities and Exchange Commission that are required by rule or order under  
11 this chapter to be filed and by paying an annual renewal fee as set forth in  
12 subsection (e) of this section.

13 (d) Subject to the provisions of 15 U.S.C. § 77r(c)(2) and any rules adopted  
14 thereunder, with respect to any security that is a federal covered security under  
15 15 U.S.C. § 77r(b)(3) or (4)(A)-(C) and that is not otherwise exempt under  
16 sections 5201 through 5203 of this title, a rule adopted or order issued under  
17 this chapter may require any or all of the following with respect to such federal  
18 covered securities, at such time as the Commissioner may deem appropriate:

19 (1) The filing of documents as deemed appropriate by the  
20 Commissioner.

1           (2) The filing of a consent to service of process complying with section  
2           5611 of this chapter.

3           (3) The payment of fees as set forth in subsection (e) of this section,  
4           including fees for renewal of a notice filing, as appropriate. The notice filing  
5           shall be effective for one year from the date the notice filing is accepted as  
6           complete by the office of the Commissioner.

7           (e) At the time of the filing of the information prescribed in subsections (a),  
8           (b), (c), or (d) of this section, except investment companies subject to  
9           15 U.S.C. § 80a-1 et seq., the issuer shall pay to the Commissioner a fee of  
10          \$600.00. If the notice filing is withdrawn or otherwise terminated, the  
11          Commissioner shall retain the fee paid. ~~Open end investment companies~~  
12          ~~subject to 15 U.S.C. § 80a-1 et seq. shall pay an initial notice filing fee and~~  
13          ~~annual renewal fee for each portfolio or class of investment company securities~~  
14          ~~for which a notice filing is submitted.~~

15          (f) Investment companies subject to 15 U.S.C. § 80a-1 et seq. shall pay to  
16          the Commissioner an initial notice filing fee and annual renewal fee of  
17          \$1,200.00 for each portfolio or class of investment company securities for  
18          which a notice filing is submitted.

19          (g) Nothing in this section shall be construed to require the notice filing or  
20          payment of notice filing fees with respect to variable annuities or variable life  
21          insurance products.



1 (iv) Monies paid into an enterprise or internal service fund.

2 (v) A transfer between agencies of State government or between  
3 State government and a political subdivision, as compensation for a service, to  
4 support a regulatory activity, or to account for surplus property.

5 (vi) Monies from interest and premium payments, rent or lease  
6 payments, proceeds of fair market or negotiated sales, or sales of commercially  
7 available items.

8 (vii) Except for the purposes of section 605 of this title, motor  
9 vehicle and other highway user fees authorized by the General Assembly for  
10 the support of the Transportation Fund.

11 (viii) Any other charge exempt by law.

12 (ix) A charge established by the Department of Financial  
13 Regulation as authorized by Title 8.

14 \* \* \* Vermont Center for Crime Victim Services \* \* \*

15 \* \* \* Marriage License Fee \* \* \*

16 **Sec. 35.** 32 V.S.A. § 1712 is amended to read:

17 § 1712. TOWN CLERKS

18 Town clerks shall receive the following fees in the matter of vital  
19 registration:

20 (1) For issuing and recording a civil marriage or civil union license,  
21 ~~\$45.00~~ \$60.00 to be paid by the applicant, \$10.00 of which sum shall be

1 retained by the town clerk as a fee, ~~\$20.00~~ \$35.00 of which shall be deposited  
2 in the Domestic and Sexual Violence Special Fund created by 13 V.S.A.  
3 § 5360, and \$15.00 of which sum shall be paid by the town clerk to the State  
4 Treasurer in a return filed quarterly upon forms furnished by the State  
5 Treasurer and specifying all fees received by him or her during the quarter.  
6 Such quarterly period shall be as of the first day of January, April, July, and  
7 October.

8 \* \* \*

9 \* \* \* Public Safety \* \* \*

10 \* \* \* Emergency Management \* \* \*

11 **Sec. 36.** 20 V.S.A. § 39(a) is amended to read:

12 (a) Every person required to report the use or storage of hazardous  
13 chemicals or substances pursuant to EPCRA shall pay the following annual  
14 fees for each hazardous chemical or substance, as defined by the ~~state~~  
15 ~~emergency response commission~~ State Emergency Response Commission, that  
16 is present at the facility:

17 (1) ~~\$35.00~~ \$40.00 for quantities between 100 and 999 pounds.

18 (2) ~~\$55.00~~ \$60.00 for quantities between 1,000 and 9,999 pounds.

19 (3) ~~\$90.00~~ \$100.00 for quantities between 10,000 and 99,999 pounds.

20 (4) ~~\$265.00~~ \$290.00 for quantities between 100,000 and 999,999

21 pounds.

1 (5) ~~\$800.00~~ \$880.00 for quantities exceeding 999,999 pounds.

2 (6) An additional fee of ~~\$175.00~~ \$250.00 will be assessed for each  
3 extremely hazardous chemical or substance as defined in 42 U.S.C. § 11002.

4 \* \* \* Fire Prevention/Building Inspection \* \* \*

5 **Sec. 37.** 20 V.S.A. § 2731(c) is amended to read:

6 (c) The following fire prevention and building code fees are established:

7 (1) The permit application fee for a construction plan approval shall be  
8 based on ~~\$5.50~~ \$8.00 per each \$1,000.00 of the total valuation of the  
9 construction work proposed to be done for all buildings, but in no event shall  
10 the permit application fee exceed \$185,000.00 nor be less than \$50.00.

11 \* \* \*

12 \* \* \* Corporation Taxes \* \* \*

13 \* \* \* Vermont Fire Service Training Council \* \* \*

14 **Sec. 38.** 32 V.S.A § 8557 is amended to read:

15 § 8557. VERMONT FIRE SERVICE TRAINING COUNCIL

16 (a) Sums for the expenses of the operation of training facilities and  
17 curriculum of the Vermont Fire Service Training Council not to exceed  
18 ~~\$950,000.00~~ \$1,200,000.00 per year shall be paid to the Fire Safety Special  
19 Fund created by 20 V.S.A. § 3157 by insurance companies, including surplus  
20 lines companies, writing fire, homeowners multiple peril, allied lines, farm  
21 owners multiple peril, commercial multiple peril (fire and allied lines), private



1 passenger and commercial auto, and inland marine policies on property and  
2 persons situated within the State of Vermont within 30 days after notice from  
3 the Commissioner of Financial Regulation of such estimated expenses.  
4 Captive companies shall be excluded from the effect of this section. The  
5 Commissioner shall annually, on or before July 1, apportion such charges  
6 among all such companies and shall assess them for the same on a fair and  
7 reasonable basis as a percentage of their gross direct written premiums on such  
8 insurance written during the second prior calendar year on property situated in  
9 the State. An amount not less than \$100,000.00 shall be specifically allocated  
10 to the provision of what are now or formerly referred to as Level I, units I, II,  
11 and III (basic) courses for entry level firefighters. An amount not less than  
12 \$150,000.00 shall be specifically allocated to the Emergency Medical Services  
13 Special Fund established under 18 V.S.A. § 908 for the provision of training  
14 programs for emergency medical technicians, advanced emergency medical  
15 technicians, and paramedics. The Department of Health shall present a plan to  
16 the Joint Fiscal Committee which shall review the plan prior to release of any  
17 funds.

18 (b) [Repealed.]

19 \* \* \* Liquor Control \* \* \*

20 \* \* \* Licensing \* \* \*

21 **Sec. 39.** 7 V.S.A. § 231 is amended to read:

1 § 231. FEES FOR LICENSES AND PERMITS; DISPOSITION OF FEES

2 (a) The following fees shall be paid:

3 (1) For a manufacturer's or rectifier's license to manufacture or rectify  
4 malt beverages and vinous beverages or to manufacture or rectify spirits and  
5 fortified wines, ~~\$285.00~~ \$310.00 for either license.

6 (2) For a bottler's license, ~~\$1,705.00~~ \$1,865.00.

7 (3) For a wholesale dealer's license, ~~\$1,140.00~~ \$1,245.00 for each  
8 location.

9 (4) For a first-class license, ~~\$230.00~~ \$250.00.

10 (5) For a second-class license, ~~\$140.00~~ \$155.00.

11 (6) For a third-class license, ~~\$1,000.00~~ \$1,095.00 for an annual license  
12 and ~~\$500.00~~ \$550.00 for a six-month license.

13 (7) For a shipping license for vinous beverages:

14 (A) In-state consumer shipping license, initial and renewal, ~~\$300.00~~  
15 \$330.00.

16 (B) Out-of-state consumer shipping license, initial and renewal,  
17 ~~\$300.00~~ \$330.00.

18 (C) Retail shipping license, ~~\$230.00~~ \$250.00.

19 (8)(A) For a caterer's license, ~~\$230.00~~ \$250.00.

20 (B) For a commercial catering license, ~~\$200.00~~ \$220.00.

21 (C) For a request to cater permit, \$20.00.



1 § 239. LICENSEE EDUCATION

2 (a) A new first-class, second-class, third-class, fourth-class, or farmers'  
3 market license, or manufacturer's license shall not be granted until the  
4 applicant has ~~met with a liquor control investigator or training specialist~~  
5 attended a Department of Liquor Control in-person seminar or completed the  
6 appropriate Department of Liquor Control online training program for the  
7 purpose of being informed of the Vermont liquor laws, rules, and regulations  
8 pertaining to the purchase, storage, and sale of alcohol beverages. A  
9 corporation, partnership, or association shall designate a director, partner, or  
10 manager who shall comply with the terms of this subsection.

11 (b) Every first-class, second-class, third-class, fourth-class, or farmers'  
12 market licensee, and every holder of a manufacturer's license shall complete  
13 the Department of Liquor Control in-person licensee training seminar or the  
14 appropriate Department of Liquor Control online training program at least  
15 once every two years. A corporation, partnership, or association shall  
16 designate a director, partner, or manager who shall comply with the terms of  
17 this subsection. A first-class, second-class, third-class, fourth-class, or  
18 farmers' market license, or manufacturer's license shall not be renewed unless  
19 the records of the Department of Liquor Control show that the licensee has  
20 complied with the terms of this subsection.

1 (c) Each licensee shall ensure that every employee who is involved in the  
2 sale or serving of alcohol beverages completes a training program approved by  
3 the Department of Liquor Control before the employee begins serving or  
4 selling alcoholic beverages and at least once every 24 months thereafter. Each  
5 licensee shall maintain written documentation, signed by each employee  
6 trained, of each training program conducted. A licensee may comply with this  
7 requirement by ~~conducting its own training program on its premises, using~~  
8 ~~information and materials furnished or approved by the Department of Liquor~~  
9 ~~Control.~~ A licensee who fails to comply with the requirements of this  
10 subsection shall be subject to a suspension of no less than one day of the  
11 license issued under this title.

12 (d) The following fees for Department of Liquor Control in-person or  
13 online seminars will be paid:

14 (1) For a first-class or first- and third-class licensee seminar either in  
15 person or online, \$25.00 per person.

16 (2) For a second-class licensee seminar either in person or online,  
17 \$25.00 per person.

18 (3) For a combination first-class, first- and third-class, and second-class  
19 licensee seminar either in person or online, \$25.00 per person.

20 (4) For a manufacturer's or fourth-class or farmers' market licensee  
21 seminar either in person or online, \$10.00 per person.

1           (5) For common carrier seminars either in person or online, \$10.00 per  
2 person.

3           (6) For all special event, festival, educational sampling, art gallery,  
4 bookstore, museum and library permit holders for either in-person or online  
5 seminar, \$10.00 per person.

6           (e) Fees for all seminars listed in this section and under other sections of  
7 this title with regards to in-person or online training shall be deposited directly  
8 in the Liquor Control Enterprise Fund.

9 **Sec 41.** 7 V.S.A. § 1002 is amended to read:

10 § 1002. LICENSE REQUIRED; APPLICATION; FEE; ISSUANCE

11 \* \* \*

12           (d) A person applying simultaneously for a tobacco license and a liquor  
13 license shall apply to the legislative body of the municipality and shall pay to  
14 the Department only the fee required to obtain the liquor license. A person  
15 applying for a tobacco license shall submit a fee of ~~\$100.00~~ \$110.00 to the  
16 legislative body of the municipality for each tobacco license or renewal. The  
17 municipal clerk shall forward the application to the Department, and the  
18 Department shall issue the tobacco license. The tobacco license fee shall be  
19 forwarded to the Commissioner for deposit in the Liquor Control Enterprise  
20 Fund.

21 \* \* \*

1 **Sec. 42.** 7 V.S.A. § 1002a is amended to read:

2 § 1002a. LICENSEE EDUCATION

3 (a) An applicant for a tobacco license that does not hold a liquor license  
4 issued under this title shall be granted a tobacco license pursuant to section  
5 1002 of this title only after the applicant has ~~met with a liquor control~~  
6 ~~investigator~~ attended a Department of Liquor Control in-person seminar or  
7 completed the appropriate Department of Liquor Control online training  
8 program for the purpose of being informed about the Vermont tobacco laws  
9 pertaining to the purchase, storage, and sale of tobacco products. A  
10 corporation, partnership or association shall designate a director, partner, or  
11 manager to comply with the requirements of this subsection.

12 (b) The holder of a tobacco license that does not also hold a liquor license  
13 issued pursuant to this title for the same premises shall:

14 (1) Complete the ~~department's~~ Department's in-person or online  
15 enforcement seminar at least once every ~~three~~ two years. A corporation,  
16 partnership, or association shall designate a director, partner, or manager to  
17 comply with this subdivision.

18 (2) Ensure that every employee involved in the sale of tobacco products  
19 completes a Department of Liquor Control in-person or online training  
20 program or other training programs approved by the ~~department of liquor~~  
21 ~~control~~ Department before the employee begins selling or providing tobacco

1 products, and at least once every 24 months thereafter. ~~A licensee may comply~~  
2 ~~with this subdivision by conducting its own training program on its premises~~  
3 ~~using information and materials furnished by the department of liquor control.~~

4 A licensee who fails to comply with the requirements of this subsection shall  
5 be subject to suspension of the tobacco license for no less than one day.

6 (3) Fees for Department of Liquor Control in-person and online  
7 seminars for tobacco only will be \$10.00 per person.

8 \* \* \* Alcoholic Beverages \* \* \*

9 \* \* \* Prohibited Acts \* \* \*

10 **Sec. 43.** 7 V.S.A. § 66(f) is amended to read:

11 (f) A common carrier shall not deliver vinous beverages or malt beverages  
12 until it has complied with the training provisions in subsections 239(a) and (b)  
13 and subdivision 239(d)(5) of this title and been certified by the Department of  
14 Liquor Control. No employee of a certified common carrier may deliver  
15 vinous beverages or malt beverages until that employee completes the training  
16 provisions in subsection 239(c) of this title. A common carrier shall deliver  
17 only vinous beverages or malt beverages that have been shipped by the holder  
18 of a license issued under this section or a vinous beverage storage license  
19 issued under section 68 of this title.

20 \* \* \* General Provisions \* \* \*

21 **Sec. 44.** 7 V.S.A. § 2(29) is amended to read:





1 **Sec. 45.** 10 V.S.A. § 4255 is amended to read:

2 § 4255. LICENSE FEES

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

5 (1) Fishing license \$26.00

6 (2) Hunting license \$26.00

7 (3) Combination hunting and fishing license ~~\$41.00~~ \$42.00

8 (4) Big game licenses (all require a hunting license)

9 (A) archery license \$23.00

10 (B) muzzle loader license \$23.00

11 (C) turkey license \$23.00

12 (D) ~~second muzzle loader license~~ \$17.00

13 [Repealed.]

14 (E) ~~second archery license~~ \$17.00

15 [Repealed.]

16 (F) moose license \$100.00

17 (G) ~~season~~ bear tag \$5.00

18 (H) additional deer archery tag \$23.00

19 (5) Trapping license \$23.00

20 (6) Hunting license for persons 17 years of age or under \$8.00

21 (7) Trapping license for persons 17 years of age or under \$10.00

1	(8) Fishing license for persons 15 through 17 years of age	\$8.00
2	(9) Super sport license	\$150.00
3	(10) Three-day fishing license	\$11.00
4	(11) Combination hunting and fishing license for persons	
5	17 years of age or under	\$12.00
6	(12) Mentored hunting license	\$10.00
7	(b) Nonresidents may apply for licenses on forms provided by the	
8	Commissioner. Fees for each license shall be:	
9	(1) Fishing license	<del>\$51.00</del> <u>\$52.00</u>
10	(2) One-day fishing license	\$21.00
11	(3) [Repealed.]	
12	(4) Hunting license	\$100.00
13	(5) Combination hunting and fishing license	<del>\$135.00</del> <u>\$138.00</u>
14	(6) Big game licenses (all require a hunting license)	
15	(A) archery license	\$38.00
16	(B) muzzle loader license	\$40.00
17	(C) turkey license	\$38.00
18	(D) [Repealed.]	
19	(E) [Repealed.]	
20	(F) moose license	\$350.00
21	(G) <del>early season</del> bear tag	\$15.00

1	(H) additional deer archery tag	\$38.00
2	(7) Small game licenses	
3	(A) all season	\$50.00
4	(B) [Repealed.]	
5	(8) Trapping license	\$305.00
6	(9) Hunting licenses for persons 17 years of age or under	\$25.00
7	(10) Three-day fishing license	\$23.00
8	(11) Seven-day fishing license	\$31.00
9	(12) Archery-only license (does not require hunting license)	\$75.00
10	(13) Fishing license for persons <del>aged</del> 15 through 17 <u>years</u>	
11	<u>of age</u>	\$15.00
12	(14) Super sport license	\$250.00
13	(15) Combination hunting and fishing license for persons	
14	<del>aged</del> 17 <u>years of age</u> or under	\$30.00
15	(16) Mentored hunting license	\$10.00

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

18 (1) ~~For \$50.00, a~~ A Vermont resident ~~65~~ 70 years of age or older may  
19 ~~purchase~~ receive one or all of the following licenses at no cost:

20 (A) a permanent fishing license;

1 (B) if the person qualifies for a hunting license, a combination fishing  
2 and hunting license, which shall include all big game licenses, except for a  
3 moose license;

4 (C) if the person qualifies for a trapping license, a trapping  
5 license; and

6 (D) if the person qualifies for an archery license, an archery license.

7 \* \* \*

8 \* \* \* Vermont Web Portal \* \* \*

9 **Sec. 46.** WEB PORTAL FEES; CREDIT CARD PROCESSING

10 In accordance with the provisions of 22 V.S.A. § 953(c), the General  
11 Assembly approves the fees proposed by the Web Portal Board for payment  
12 processing by VIC, as follows:

13 (1) New service costs will be three percent of the total amount paid by  
14 credit card for the service, or \$1.50 for each transaction paid for by ACH  
15 (electronic checks).

16 (2) This fee structure is intended for the use of any State or quasi-state  
17 entity that wishes to enter into a payment processing agreement with VIC.

18 \* \* \* Labor \* \* \*

19 \* \* \* Workers' Compensation Fund \* \* \*

20 **Sec. 47.** WORKERS' COMPENSATION RATE OF CONTRIBUTION

