SECTION BY SECTION SUMMARY
H.489 Proposal of Amendment from Senate Finance
An act relating to revenue

FEE PROVISIONS	
OFFICE OF PROFESSIONAL REGULATION	
SECTION	
1 Osteopathy	• Reduce fee for osteopathy biennial license renewal ○ $500.00 → $350.00
2 Real Estate Brokers and Salespersons	• Education Course Review – New Fee ○ $100.00
3 Veterinary Medicine	• Reduce biennial license renewal fee ○ $250.00 → $200.00
4 Land Surveyors	• Reduce biennial license renewal fee ○ $400.00 → $300.00

5
Real Estate Appraisers
	• Reduce biennial license renewal fee
	  ○ $315.00 → $200.00
	• Reduce appraisal management company registration renewal
	  ○ $500.00 → $400.00

6
Agency of Education
	• Increase in fee for teacher application processing
	  ○ $40.00 → $50.00
	• Increase in fee for Level I teacher license (3-year license)
	  ○ $40.00/year → $50.00/year
	• Increase in fee for Level II teacher license (5-year license)
	  ○ $40.00/year → $50.00/year
	• Fee for issuance of provisional, emergency, or apprenticeship license
	  ○ $50.00/year

AGENCY OF EDUCATION	

7
Speech-Language Pathologists and Audiologists
	• Increase in application processing fee
	  ○ $35.00 → $50.00
	• Increase in initial license fee for term of license
	  ○ $35.00 → $50.00
	• Increase in issuance of licenses per term of renewal
	  ○ $35.00 → $50.00

7a Speech-Language Pathologists and Audiologists	• Clarifying language to ensure that if OPR takes over administration of SPL, Sec. 7 will not go into effect.
DEPARTMENT OF HEALTH	
8 X-Ray Equipment Fees	• Increase in registration fee for x-ray equipment (per piece of equipment) ○ $45.00 → $85.00
9 Food and Lodging Establishments	• Increase in fees for restaurants, lodging, food processors, and seafood vending facilities.
10 Fees for Bakeries	• Increase in fees for bakeries.
11 Report on combination license Commissioner of Health	• Requires Commissioner of Health to submit a report with recommendations for combination licenses for food and lodging by January 15, 2016.
BOARD OF MEDICAL PRACTICE	

12
Podiatry
	• Increase for license
	  ○ $625.00 → $650.00
	• Increase in biennial renewal
	  ○ $500.00 → $525.00

13
Medicine
	• Increase for licensure
	  ○ $625.00 → $650.00
	• Increase for biennial renewal
	  ○ $500.00 → $525.00
	• Increase for temp license annual renewal
	  ○ $70.00 → $75.00

14
Anesthesiologist Assistant
	• Increase in fee for application certification
	  ○ $115.00 → $120.00
	• Increase in fee for additional application
	  ○ $50.00 → $55.00
	• Increase in fee for biennial renewal
	  ○ $115.00 → $120.00
	• Increase in fee for each additional renewal
	  ○ $50.00 → $55.00
	• Increase in fee for certification
	  ○ $15.00 → $20.00

15
Physician Assistants
	• Increase in fee for original application for licensure
	  ○ $170.00 → $225.00
	• Increase in fee for biennial renewal
	  ○ $170.00 → $215.00

16
Radiologists Assistants
	• Increase in fee for original certification
	  o $115.00 → $120.00
	• Increase in fee for additional application
	  o $50.00 → $55.00
	• Increase in fee for biennial renewal
	  o $115.00 → $120.00
	• Increase in fee for certification transfer
	  o $15.00 → $20.00

AGENCY OF NATURAL RESOURCES/NATURAL RESOURCES BOARD	
17 Resources Board	• New fees for compensating the State's review of 248 applications/certificate of public good.
17a Resources Board	• Bill-back language for 248 applications.

18
Act 250 Fees
	• Increase in fee for projects involving construction
	  o $5.40 → $6.65 for each $1,000.00 of the first $15,000,000.00 AND $2.50 → $3.12 for each $1,000.00 of construction costs above $15,000,000.00
	  o An additional $0.75 for each $1,000.00 of the first $15,000,000.00 of constructions costs paid to ANR for their review of Act 250 applications.

	• Increase in fee for creation of lots o $100.00 → $125.00
	• Increase in fee limit of permit application fee o $150,000.00 → $165,000.00
	• Increase in minimum fee original application fee o $150.00 → $187.50
	• Increase in minimum fee for amendment applications o $50.00 → $62.50
19 Directing Funds	• Payments related to agency costs made under 3V.S.A. § 2809(a) shall be paid into the Environmental Permit Fund. • Funds collected pursuant to 10 V.S.A. § 2805 shall be paid into the Natural Resources Management Fund.
20 Fee Report	• Report on whether a fee should be charged for moorings located within State waters.

AGENCY OF NATURAL RESOURCES/DEC	
21 Budget and Report; Powers	Please see spreadsheet for individual fees and changes.
	This section makes various changes to the language and fee structures within the Agency of Natural Resources to reflect new policies and operations within the Agency.

22
Waste Management; toxic use reduction
	• Increase in fees for toxic chemicals identified in the toxics use and hazardous waste reduction plan – see: 6629(c)(4)
	  o $350.00 → $400.00
	• Increase in fees for hazardous waste streams identified in the toxics use and hazardous waste reduction plans – see: 6629(c)(3)
	  o $350.00 → $400.00
	• Increases in maximum fee amounts for waste generators.

23
Waste Transportation
	• Creating an exemption to the commercial hauler definition
	  o Does not transport more than 4 cubic, and
	  o Waste transportation is incidental to other non-waste transportation.

DEPARTMENT OF FISH AND WILDLIFE	
24 Hunting/Licensing Fees	• Select license fees for hunting and fishing, residential and nonresidential, have been increased.
LABOR	
25 Labor Workers' Compensation Fund	• Sets the workers' compensation rate of contribution for workers' compensation insurance at 1.45%. • Sets contribution rate for self-insured workers' compensation losses and workers' compensation losses of corporation at 1%. Same rate as the previous year.
AGENCY OF AGRICULTURE	
26–27 Apiaries	• Technical language changes for apiaries.
AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT	
28 VCGI	• Establishes a special fund for VCGI.
CONSUMER PROTECTION	
29 Charitable Solicitations	• Clarifying language to require paid fundraisers to pay fee on annual basis.

MOTOR VEHICLES	
30 All-Terrain Vehicles	• Increase registration fee for all-terrain vehicles o $25.00 → $35.00
DCF	
31-32 VSNIP	• Increase in license fee surcharge for VSNIP o $3.00 → $4.00 • Technical language change.
JUDICIARY	
33 Probate Fees	• Increases probate fees. • Creates new tiered fee structure for trusts.

34
Fees in Supreme and Superior Courts
	• Increase fees in Superior and Supreme Courts of Vermont.
	• New fee for minor settlements
	  o $90.00
	• New co-pay for in forma pauperis applications
	  o $10.00

REVENUE PROVISIONS	
ADMINISTRATIVE	
35	• Defines "semiweekly" to mean twice per week.
36	• Eliminates the requirement that manufacturers and distributors of malt or vinous beverages report to the Department of Taxes on sales they make to wholesalers. The Department uses reports of distributor-to-retailer sales, but does not need or use this report of manufacturer-to-wholesaler sales.
37 & 97	• Repeals the administrative responsibilities of Property Valuation and Review in connection with property mapping done by the Vermont Center for Geographic Information (VCGI), and transfers those responsibilities to ACCD.
38	• Allows the Secretary of Natural Resources to share proprietary information obtained in the course of regulating solid waste with the Department of Taxes for purposes of enforcing the solid waste tax.
39	• Raises certain prize limits for nonprofits charitable gaming.
40	• Deleted.
41	• Allows the Director of Property Valuation and Review to certify courses presented by the International Association of Assessing Officials, the

	Vermont Assessors and Listers Association, and the Vermont League of Cities and Towns, in addition to those taught by PVR, for lister training.
Local Option Taxes	
42	• Permits any town to impose a local option tax.
Collections	
43-45	• Gives the Department of Taxes authority to collect delinquent tax debts by garnishing wages and attaching property prior to a court hearing.
46-47	• Establishes a Collections Unit within the Department of Taxes and establishes a procedure by which other agencies, branches, or subdivisions of State government can refer debts to the Department of Taxes for collection.
48	• Makes it clear that the Department of Taxes may intercept payments to Medicaid providers who are delinquent on their taxes.
Current Use	
49	• Technical change making it clear that use value appraisal application does not need to be recorded with the lien.
50	• Requires PVR to conduct annual audits of three towns to determine the accuracy of local assessments for enrolled parcels. • Where an audit reveals that a townwide appraisal reached by local assessors is more than 10% higher than PVR's townwide assessment, the Director shall substitute his or her values for that of the town.
51	• Requires owners of agricultural land to certify that their land complies with the statutory requirements.
52	• Requires ANR to report on whether the current number of county foresters is sufficient to oversee the compliance of forestland with current use requirements.
Statewide Education Tax	
53	• Clarifies an amendment made last session to allow a homeowner whose home is leased out on April 1 to nevertheless declare it as homestead property, provided the property is owned on April 1 and is not leased for more than 182 days out of the calendar year.
54	• Currently qualified rental units, such as Section 8 housing and Section 515 rural housing, are entitled to an exemption from the statewide education property tax exemption of 10% of the property value. • VHFA issues exemption certificates to taxpayers/owners of the property who present them to the town.

	• This section permits VHFA to renew the exemption certificates after 10 years if the property continues to meet the requirements of the exemption.
Tax Increment Financing Districts	
55	• Technical change to TIF statutes. • Clarifies that certain reporting requirements apply to municipalities that use certified or public accountants as well as those who have a town auditor. • The date change will allow PVR and VEPC to use data reported to PVR in January in the annual report forms sent to municipalities, and save municipalities from having to reenter the same data on additional reports.
56	• Certain special assessments do not count as property taxes for purposes of calculating the tax increment of a TIF.
Income Tax	
57	• Eliminates the itemized deduction for State and local income taxes. • Caps the itemized deduction for home mortgage interest at $12,000, but indexes that amount. • Limits the itemized deduction for charitable contributions to contributions made to a charity that provides a direct benefit to a charitable cause in this State.
58	• Imposes a minimum tax of 3% of federal adjusted gross income for taxpayers with more than $150,000 in federal adjusted gross income.
59	• Annual update of the income tax link to the Internal Revenue Code.
60	• Requires income tax withholders to report aggregate cost of applicable employer-sponsored coverage to Department of Taxes.
61	• Requires payment of withholding tax on a semiweekly basis if the taxpayer is a semiweekly filer for federal withholding. Under current law, semiweekly filing status is triggered by a dollar amount.
62	• Requires trusts and estates to make estimated payments of income tax liability in the same manner as individuals.
63	• Provides that a publicly traded partnership is not liable for withholding and paying income taxes for its members if it provides the Department with certain information about its partners.
Downtown Tax Credits	
64	• Expands credit for “qualified code of technology improvement project” to apply to limited use limited application elevators.

65	• Limits the new elevator credit to $40,000 and increases the total cap for awarded code improvement credits from $25,000 to $50,000.
Cigarette and Tobacco Taxes	
66-79	• These sections amend tobacco and cigarette statutes in Titles 32 and 33 to conform to 2013 Acts and Resolves No. 14, which made definitional changes, eliminated redundant terms, and made numerous other technical changes to the cigarette and tobacco tax statutes, and required certain nonparticipating manufacturers to post bond. These amendments are all in the nature of housekeeping changes.
Corporation Taxes	
80	• Incorporates the administrative provisions of chapters 103 (administration) and 151 (income tax), including interest and penalty, appeal, and collection provisions into chapter 211 which imposes various franchise taxes, including insurance and telephone taxes.
Employer Assessment	
81	• Creates a tiered employer assessment based on the number of full-time equivalent employees.
Meals and Rooms Tax - FY2016	
82-83	• Extends meals and rooms tax to vending machine sales and clarifies that vending machine operators do not need a separate license for each machine.
84	• Provides that interest paid on a meals and rooms tax refund shall begin to run from 45 days after the refund request was made. This conforms to the calculation of both income tax and sales tax refunds.
Sales and Use Tax - FY2016	
85	• Adds definitions for “bottled water,” “soft drink,” and “candy.” Excludes those same items from the definition of “food and food ingredients” which has the effect of excluding those items from the current exemption for “food.”
86	• Updates language for current law “food” exemption to reflect Streamlined Sales and Use Tax language and current law references to SNAP program.
87	• Requires Department of Taxes to report on and develop rules for implementing the application of the sales and use tax to select consumer services. • Requires State economists to analysis economic impact of implementing the application of the sales and use tax to consumer services.
Satellite Programming Tax	

88	• Creates a five percent gross receipts tax on providers of satellite television programing.
Tax Expenditures	
89	• Requires JFO to develop a strategy for the evaluation of tax expenditures.
Repeals	
90	• Repeals statute outlining responsibility of PVR for mapping. • Repeals obsolete cross-reference in statute.
Effective Dates	
91	Effective Dates.