

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

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

2 * * * Real Estate Appraisers * * *

3 Sec. 5. 26 V.S.A. § 3316 is amended to read:

4 § 3316. LICENSING AND REGISTRATION FEES

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

7 (1) Application \$125.00

8 (2) Initial license \$150.00

9 (3) Biennial renewal ~~\$315.00~~ \$200.00

10 (4) Temporary license \$150.00

11 (5) Prelicensing course review \$100.00

12 (6) Continuing education course review \$100.00

13 (7) Appraiser trainee annual registration \$100.00

14 (8) Appraisal management company registration application \$125.00

15 (9) Appraisal management company registration renewal ~~\$500.00~~ \$400.00

16 * * * Agency of Education * * *

17 Sec. 6. 16 V.S.A. § 1697 is amended to read:

18 § 1697. FEES

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

21 (1) ~~Initial processing~~ Processing of application \$40.00

- 1 \$50.00 per application
- 2 (2) Issuance of ~~initial~~ Level I license ~~\$40.00~~ \$50.00 per year
- 3 for the term of the license
- 4 (3) ~~Renewal~~ Issuance of Level II license ~~\$40.00~~ \$50.00 per year
- 5 for the term of the renewal
- 6 (4) ~~Replacement of license~~ Official copy of licenses \$10.00
- 7 (5) [Repealed.]
- 8 (6) Issuance of provisional, emergency, or apprenticeship license
- 9 \$50.00 per year for term of license
- 10 ~~(6)~~(7) Peer review process \$1,200.00 one-time fee
- 11 * * *
- 12 * * * Speech–Language Pathologists and Audiologists * * *
- 13 Sec. 7. 26 V.S.A. § 4459 is amended to read:
- 14 § 4459. FEES
- 15 (a) Each applicant and licensee shall be subject to the following fees:
- 16 (1) ~~Initial processing~~ Processing of application ~~\$35.00~~ \$50.00
- 17 (2) Issuance of ~~initial~~ license ~~\$35.00~~ \$50.00 per year for the term of the
- 18 license
- 19 (3) ~~Renewal~~ Issuance of license ~~\$35.00~~ \$50.00 per year for the term of
- 20 the renewal
- 21 (4) ~~Replacement~~ Official copy of license \$10.00

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

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

6 * * * Department of Health * * *

7 * * * X-ray Equipment Fees * * *

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

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

11 * * * Food and Lodging Establishment Fees * * *

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

13 § 4353. FEES

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

16 (1) Restaurant I – Seating capacity of 0 to 25; ~~\$85.00~~ \$110.00

17 II — Seating capacity of 26 to 50; ~~\$145.00~~ \$200.00

18 III — Seating capacity of 51 to 100; ~~\$245.00~~ \$300.00

19 IV — Seating capacity of 101 to 200; ~~\$305.00~~ \$500.00

20 V — Seating capacity of over 200; ~~\$390.00~~ \$600.00

21 VI — Home Caterer; ~~\$95.00~~ \$150.00

- 1 VII — Commercial Caterer; ~~\$200.00~~ \$225.00
- 2 VIII — Limited Operations; ~~\$95.00~~ \$125.00
- 3 IX — Fair Stand; ~~\$70.00~~ \$125.00; if operating for four or
- 4 more days per year; ~~\$160.00~~ \$250.00
- 5 (2) Lodging I — Lodging capacity of 1 to 10; ~~\$80.00~~ \$135.00
- 6 II — Lodging capacity of 11 to 20; ~~\$135.00~~ \$230.00
- 7 III — Lodging capacity of 21 to 50; ~~\$200.00~~ \$340.00
- 8 IV — Lodging capacity of over 50; ~~\$340.00~~ \$530.00
- 9 (3) Food processor - a fee for any person or persons that process food
- 10 for resale to restaurants, stores, or individuals according to the following
- 11 schedule:
- 12 (A) - Gross receipts of \$10,001.00 to \$50,000.00; ~~\$115.00~~ \$175.00
- 13 (B) - Gross receipts of over \$50,000.00; ~~\$155.00~~ \$275.00
- 14 (4) Seafood vending facility – ~~\$125.00~~ \$175.00, unless operating
- 15 pursuant to another license issued by the ~~department of health~~ Department of
- 16 Health and generating less than \$40,000.00 in seafood gross receipts annually.
- 17 If generating more than \$40,000.00 in seafood gross receipts annually, the fee
- 18 is to be paid regardless of whether the facility is operating pursuant to another
- 19 license issued by the ~~department of health~~ Department of Health.
- 20 (5) Shellfish reshippers and repackers – ~~\$285.00~~ \$375.00.

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

3 * * *

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

5 § 4446. FEE

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

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

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

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

12 IV – Camps; ~~\$90.00~~ \$150.00

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

15 * * *

16 Sec. 11. REPORT TO GENERAL ASSEMBLY; COMBINATION

17 LICENSES FOR FOOD AND LODGING ESTABLISHMENTS

18 (a) On or before January 15, 2016, the Commissioner of Health shall
19 submit to the House Committee on Human Services, the House Committee on
20 Ways and Means, and the Senate Committee on Finance a report with
21 recommendations designed to achieve licensing efficiencies, including

1 risk-based inspections and combination licenses for food retailers and food and
2 lodging establishments. The report shall include:

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

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

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

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

11 * * * Board of Medical Practice Fees * * *

12 * * * Podiatry * * *

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

14 § 374. FEES; LICENSES

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

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

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

5 * * * Medicine * * *

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

7 § 1401a. FEES

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

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

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

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

19 * * *

20 * * * Anesthesiologist Assistants * * *

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

1 § 1662. FEES

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

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

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

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

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

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

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

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

20 * * * Physician Assistants * * *

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

1 § 1740. FEES

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

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

9 (2) Biennial renewal, ~~\$170.00~~ \$215.00; the ~~board~~ Board shall use at
10 least \$10.00 of this fee to support the cost of maintaining the Vermont
11 ~~practitioner recovery network~~ Practitioner Recovery Network which monitors
12 recovering chemically dependent licensees for the protection of the public.

13 * * * Radiologist Assistants * * *

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

15 § 2862. FEES

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

18 (1)(A)(i) Original application for certification ~~\$115.00~~ \$120.00;
19 (ii) Each additional application ~~\$50.00~~ \$55.00;

20 (B) The ~~board~~ Board shall use at least \$10.00 of these fees to support
21 the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner

1 Recovery Network which monitors recovering chemically dependent licensees
2 for the protection of the public.

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

4 (ii) Each additional renewal \$50.00 \$55.00;

5 (B) The ~~board~~ Board shall use at least \$10.00 of these fees to support
6 the cost of maintaining the Vermont ~~practitioner recovery network~~ Practitioner
7 Recovery Network which monitors recovering chemically dependent licensees
8 for the protection of the public. In addition to the fee, an applicant for
9 certification renewal shall submit evidence in a manner acceptable to the ~~board~~
10 Board that he or she continues to meet the certification requirements of the
11 ARRT and is licensed as a radiologic technologist under chapter 51 of this
12 title.

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

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

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

16 § 248b. FEES; AGENCY OF NATURAL RESOURCES; PARTICIPATION
17 IN SITING PROCEEDINGS

18 (a) Establishment. This section establishes fees for the purpose of
19 supporting the role of the Agency of Natural Resources (the Agency) in
20 reviewing applications for in-state facilities under sections 248 and 248a of this
21 title.

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

6 (c) Definitions. In this section:

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

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

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

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

15 (1) There shall be no fee for an electric generation facility less than or
16 equal to 139 kW in plant capacity or for an application filed under subsections
17 248(k), (l), or (n) of this title.

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

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

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

5 (C) An electric generation facility from 2.201 MW through five MW
6 in plant capacity, \$5.00 per kW.

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

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

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

1 (f) Exercise of duties. The Agency of Natural Resources shall exercise its
2 duties under this title in a manner consistent with implementation of state
3 policy and goals under sections 202a and 202c and chapter 89 of this title. In
4 exercising its duties, the Agency shall establish procedures and work flow
5 goals for the timely review of applications under 248 and 248a of this title. On
6 or before the third Tuesday of each annual legislative session, the Agency shall
7 submit a report to the General Assembly by electronic submission. The
8 provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply
9 to this report. The report shall: list the fees collected under this section during
10 the preceding fiscal year; discuss the Agency’s performance in exercising its
11 duties under this title during that year; identify areas that hinder the Agency’s
12 effective performance of these duties and summarize changes made to improve
13 such performance; and, with respect to the Agency’s exercise of these duties,
14 discuss the Agency’s staffing needs during the coming fiscal year and the
15 future goals and objectives of the Agency.

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

17 § 21. PARTICULAR PROCEEDINGS; ASSESSMENT OF COSTS

18 (a) The Board, the Department, or the Agency of Natural Resources may
19 allocate the portion of the expense incurred or authorized by it in retaining
20 additional personnel for the particular proceedings authorized in section 20 of

1 this title to the applicant or the public service company or companies involved
2 in those proceedings.

3 (1) The Board shall upon petition of an applicant or public service
4 company to which costs are proposed to be allocated, review and determine,
5 after opportunity for hearing, having due regard for the size and complexity of
6 the project, the necessity and reasonableness of such costs, and may amend or
7 revise such allocations. Nothing in this section shall confer authority on the
8 Board to select or decide the personnel, the expenses of whom are being
9 allocated, unless such personnel are retained by the Board. Prior to allocating
10 costs, the Board shall make a determination of the purpose and use of the funds
11 to be raised hereunder, identify the recipient of the funds, provide for
12 allocation of costs among companies to be assessed, indicate an estimated
13 duration of the proceedings, and estimate the total costs to be imposed. With
14 the approval of the Board, such estimates may be revised as necessary. From
15 time to time during the progress of the work of such additional personnel, the
16 Board, the Department, or the Agency of Natural Resources shall render to the
17 company detailed statements showing the amount of money expended or
18 contracted for in the work of such personnel, which statements shall be paid by
19 the applicant or the public service company into the State Treasury at such
20 time and in such manner as the Board, the Department, or the Agency of
21 Natural Resources may reasonably direct.

1 (2) In any proceeding under section 248 of this title, the Agency of
2 Natural Resources may allocate the portion of the expense incurred in
3 retaining additional staff authorized in section 21(a) of this title only if the
4 following apply:

5 (A) the Agency does not have the expertise and the retention of such
6 expertise is required to fulfill the Agency’s statutory obligations in the
7 proceeding; and

8 (B) the Agency allocates only that portion of the cost for such
9 expertise that exceeds the fee paid by the applicant under section 248b of this
10 title.

11 (b) When regular employees of the Board, the Department, or the Agency of
12 Natural Resources are employed in the particular proceedings described in
13 section 20 of this title, the Board, the Department, or the Agency of Natural
14 Resources may also allocate the portion of their costs and expenses to the
15 applicant or the public service company or companies involved in the
16 proceedings. The costs of regular employees shall be computed on the basis of
17 working days within the salary period. The manner of assessment and of
18 making payments shall otherwise be as provided for additional personnel in
19 subsection (a) of this section. However, with respect to proceedings under
20 section 248 of this title, the Agency shall not allocate the costs of regular
21 employees.

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* * *

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

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

§ 6083a. ACT 250 FEES

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

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

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

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

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

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

1 (6) In no event shall a permit application fee exceed ~~\$150,000.00~~
2 \$165,000.00.

3 (b) Notwithstanding the provisions of subsection (a) of this section, there
4 shall be a minimum fee of ~~\$150.00~~ \$187.50 for original applications and
5 ~~\$50.00~~ \$62.50 for amendment applications, in addition to publication and
6 recording costs. These costs shall be in addition to any other fee established by
7 statute, unless otherwise expressly stated.

8 * * *

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

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

15 **Sec. 20. AGENCY OF NATURAL RESOURCES REPORT ON FEE FOR**

16 **MOORINGS**

17 On or before January 15, 2016, the Secretary of Natural Resources shall
18 submit to the House Committee on Ways and Means, the Senate Committee on
19 Finance, the House Committee on Fish, Wildlife and Water Resources, and the
20 Senate Committee on Natural Resources and Energy a report regarding

1 whether the State should charge a fee for moorings located in waters of the
2 State. The report shall:

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

6 (2) Recommend:

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

9 (B) the amount the State should charge;

10 (C) how the fee should be charged, collected, and noncompliance
11 enforced; and

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

13 * * * Department for Environmental Conservation * * *

14 **Sec. 21. 3 V.S.A. § 2822 is amended to read:**

15 § 2822. BUDGET AND REPORT; POWERS

16 * * *

17 (i) The Secretary shall not process an application for which the applicable
18 fee has not been paid unless the Secretary specifies that the fee may be paid at
19 a different time or unless the person applying for the permit is exempt from the
20 permit fee requirements pursuant to 32 V.S.A. § 710. ~~In addition, the persons~~
21 ~~who are exempt under 32 V.S.A. § 710 are also exempt from the application~~

1 ~~fees for stormwater operating permits specified in subdivisions (j)(2)(A)(iii)(I)~~
2 ~~and (II) of this section if they otherwise meet the requirements of 32 V.S.A.~~
3 ~~§ 710.~~ Municipalities shall be exempt from the payment of fees under this
4 section except for those fees prescribed in subdivisions (j)(1), ~~(2)~~, (7), (8), (14),
5 and (15) of this section for which a municipality may recover its costs by
6 charging a user fee to those who use the permitted services. Municipalities
7 shall be subject to the payment of fees prescribed in subdivisions (j)(2), (10),
8 (11), (12) and (26), except that a municipality shall also be exempt from those
9 fees for ~~orphan~~ stormwater systems prescribed in subdivisions (j)(2)(A)(iii)(I,
10 (II), or (VI) and (2)(B)(iv)(I, or (II), or (V) of this section ~~when a municipality~~
11 ~~agrees to become an applicant or co-applicant for an orphan stormwater system~~
12 ~~under 10 V.S.A. § 1264e~~ for which a municipality has assumed full legal
13 responsibility for the permit pursuant to 10 V.S.A. § 1264(d)(2), pursuant to a
14 permit issued under 10 V.S.A. § 1264(c)(3).

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

18 (1) For air pollution control permits or registrations issued under
19 10 V.S.A. chapter 23:

20 * * *

1 ~~(B) Any person required to register an air contaminant source under~~
2 ~~10 V.S.A. § 555(c) shall submit an annual registration fee in accordance with~~
3 ~~the following registration fee schedule, where the sum of a source's emissions~~
4 ~~of the following air contaminants is greater than five tons per year: sulfur~~
5 ~~dioxide, particulate matter, carbon monoxide, nitrogen oxides, and~~
6 ~~hydrocarbons:~~

7 ~~Registration: \$0.0335 per pound of emissions of any of these~~
8 ~~contaminants. Where the sum of a source's emission of these contaminants is~~
9 ~~greater than ten tons per year, provided that a plant producing renewable~~
10 ~~energy as defined in 30 V.S.A. § 8002 shall pay an annual fee not exceeding~~
11 ~~\$64,000.00:~~

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

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

16 (i) base fee where the sum of a source's emissions of sulfur
17 dioxide, particulate matter, carbon monoxide, nitrogen oxides, and
18 hydrocarbons is:

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

20 (II) less than ten tons but greater than or equal to five tons:

21 \$1,000.00; and

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

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

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

12 (A) Application review fee.

13 (i) Municipal, industrial,
14 noncontact cooling water, and
15 thermal discharges.

16 (I) Individual permit: original	\$0.0023 <u>\$0.003</u> per gallon
17 application; amendment for	design flow; minimum
18 increased flows; amendment	\$50.00 <u>\$100.00</u> per
19 for change in treatment process;	outfall; maximum
20	<u>\$30,000.00</u> per
21	application.

1	(II) Renewal, transfer, or minor	\$0.00 <u>\$0.002</u> per gallon
2	amendment of individual permit;	<u>design flow; minimum</u>
3		<u>\$50.00 per outfall;</u>
4		<u>maximum \$5,000.00 per</u>
5		<u>application.</u>
6	(III) General permit;	\$0.00.
7	(ii) Pretreatment discharges.	
8	(I) Individual permit: original	\$0.12 <u>\$0.20</u> per gallon
9	application; amendment for	design flow; minimum
10	increased flows; amendment	\$50.00 <u>\$100.00</u> per
11	for change in treatment process;	<u>outfall; maximum \$30,000</u>
12		<u>per application.</u>
13	(II) Renewal, transfer, or minor	\$0.00 <u>\$0.002</u> per gallon
14	amendment of individual permit;	<u>design flow; minimum</u>
15		<u>\$50.00 per outfall.</u>
16	(iii) Stormwater discharges.	
17	(I) Individual operating permit	\$430.00 <u>\$860.00</u> per acre
18	or application to operate under	impervious area;
19	general operating permit for	minimum <u>\$220.00</u>
20	collected stormwater runoff	<u>\$440.00</u> per application.
21	which is discharged to Class B	

1 waters: original application;
2 amendment for increased flows;
3 amendment for change in
4 treatment process;

5 (II) Individual operating permit \$1,400.00 per acre
6 or application to operate under impervious area;
7 general operating permit for minimum \$1,400.00
8 collected stormwater runoff which per application.
9 is discharged to Class A waters;
10 original application; amendment
11 for increased flows; amendment
12 for change in treatment process.

13 (III) Individual permit or
14 application to operate under
15 general permit for construction
16 activities; original application;
17 amendment for increased acreage.

18 (aa) Projects with low risk to ~~\$50.00~~ five acres or
19 waters of the State; less: \$100.00 per project;
20 original application.
21 (bb) Projects with low risk to \$220.00 per project.

1 waters of the State; greater than
2 five acres:
3 (cc) Projects with moderate risk \$~~360.00~~; five acres
4 to waters of the State-; or less: \$480.00 per
5 project original
6 application.
7 ~~(cc) Projects that require an \$720.00 per project~~
8 ~~individual permit. original application.~~
9 (dd) Projects with moderate risk \$640.00.
10 to waters of the State; greater
11 than five acres:
12 (ee) Projects that require an \$1,200.00.
13 individual permit; ten acres
14 or less:
15 (ff) Projects that require an \$1,800.00.
16 individual permit; greater than
17 10 acres:
18 (IV) Individual permit or \$~~220.00~~ \$440.00 per
19 application to operate under facility.
20 general permit for stormwater
21 runoff associated with industrial

1 activities with specified SIC
2 codes; original application;
3 amendment for change in activities-;
4 (V) Individual permit or \$~~1,200.00~~ \$2,400.00
5 application to operate under per system.
6 general permit for stormwater
7 runoff associated with
8 municipal separate storm sewer
9 systems; original application; amendment
10 for change in activities-;
11 (VI) Individual operating permit or application to operate
12 under a general permit for a ~~residually designated~~ stormwater discharge
13 designated pursuant to 10 V.S.A. § 1264(e), original application; amendment;
14 for increased flows amendment; for change in treatment process.
15 (aa) For discharges to Class B water; ~~\$430.00~~ \$860.00 per
16 acre of impervious area, minimum ~~\$220.00~~ \$280.00.
17 (bb) For discharges to Class A water; ~~\$1,400.00~~ \$1,700.00
18 per acre of impervious area, minimum ~~\$1,400.00~~ \$1,700.00.
19 (VII) Renewal, transfer, or \$0.00_
20 minor amendment of individual
21 permit ~~or approval under~~

- 1 ~~general permit:~~
- 2 (VIII) Application for coverage \$400.00 per application.
- 3 under the municipal roads
- 4 stormwater general permit:
- 5 (IX) Application for coverage \$1,200.00.
- 6 under the State roads stormwater
- 7 general permit:
- 8 (iv) Indirect discharge or underground injection control, excluding
- 9 stormwater discharges.
- 10 (I) Sewage Indirect discharge.
- 11 (aa) Individual permit: \$1,755.00 plus \$0.08
- 12 original application; per gallon of design
- 13 amendment for increased flows; capacity above
- 14 amendment for modification or 6,500 gpd.
- 15 replacement of system;:
- 16 ~~(bb) Renewal, transfer, or minor~~ \$0.00
- 17 ~~amendment of individual permit.~~
- 18 ~~(cc) General permit.~~ \$0.00
- 19 (II) ~~Nonsewage~~ Underground
- 20 injection; original permit.
- 21 (aa) ~~Individual permit:~~ \$0.06 per gallon

1	original application;	capacity design; minimum
2	amendment for increased	\$400.00 per application.
3	flows; amendment for	
4	modification or replacement	
5	of system. <u>For applications</u>	<u>\$500.00 and \$0.10 for</u>
6	<u>where the discharge meets</u>	<u>each gallon per day</u>
7	<u>groundwater enforcement</u>	<u>over 2,000 gallons</u>
8	<u>standards at the point of</u>	<u>per day.</u>
9	<u>discharge:</u>	
10	(bb) <u>Renewal, transfer, or</u>	<u>\$0.00</u>
11	<u>minor amendment of</u>	
12	<u>individual permit</u>	
13	(bb) <u>For applications where</u>	<u>\$1,500.00 and \$0.20 for</u>
14	<u>the discharge meets groundwater</u>	<u>each gallon per day</u>
15	<u>enforcement standards at the</u>	<u>over 2,000 gallons</u>
16	<u>point of compliance:</u>	<u>per day.</u>
17	(cc) <u>General permit.</u>	<u>\$0.00.</u>
18	(B) Annual operating fee.	
19	(i) Industrial, noncontact cooling	\$0.001 \$0.0015 per gallon
20	water and thermal discharges.:	design capacity. \$150.00
21		<u>\$200.00</u> minimum;

1 maximum \$210,000.00.

2 (ii) Municipal:; \$0.003 per gallon of ~~actual~~

3 permitted flows. ~~\$150.00~~

4 \$200.00 minimum;

5 maximum \$12,500.00.

6 (iii) Pretreatment discharges:; ~~\$0.0385~~ \$0.04 per gallon

7 design capacity. ~~\$150.00~~

8 \$200.00 minimum;

9 maximum \$27,500.00.

10 (iv) Stormwater.

11 (I) Individual operating permit ~~\$255.00~~ \$310.00 per acre

12 or approval under general operating impervious area; ~~\$235.00~~

13 permit for collected stormwater \$310.00 minimum.

14 runoff which is discharged to

15 class A waters:;

16 (II) Individual operating permit ~~\$80.00~~ \$160.00 per acre

17 or approval under general operating impervious area; ~~\$80.00~~

18 permit for collected stormwater \$160.00 minimum.

19 runoff which is discharged to

20 Class B waters:;

21 (III) Individual permit or ~~\$80.00~~ \$160.00

1 approval under general permit per facility.
2 for stormwater runoff from
3 industrial facilities with
4 specified SIC codes:;
5 (IV) Individual permit or ~~\$80.00 per system~~
6 application to operate under \$10.00 per acre of
7 general permit for stormwater impervious surface within
8 runoff associated with municipal the municipality; annually.
9 separate storm sewer systems:;
10 (V) Individual permit or approval under general permit for
11 ~~residually designated~~ stormwater discharges designated pursuant to 10 V.S.A.
12 § 1264(e).
13 (aa) For discharges to Class A water; ~~\$255.00~~ \$310.00 per
14 acre of impervious area, minimum ~~\$255.00~~ \$310.00.
15 (bb) For discharges to Class B water; ~~\$80.00~~ \$160.00 per
16 acre of impervious area, minimum ~~\$80.00~~ \$160.00.
17 (VI) Application to operate under a general permit for
18 stormwater runoff associated with municipal roads: \$2,000.00 per
19 authorization annually.

1 (VII) Application to operate under a general permit for
2 stormwater runoff associated with State roads: \$90,000.00 per authorization
3 annually.

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

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

8 (aa) Individual permit: \$400.00 plus \$0.035 per
9 gallon of design capacity
10 above 6,500 gpd.
11 maximum \$27,500.00.

12 (bb) Approval under \$220.00.
13 general permit;

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

15 (aa) Individual permit \$0.013 per gallon of
16 ~~design capacity.~~ \$250.00
17 ~~minimum; maximum~~
18 enforcement standards at the \$5,500.00 \$500.00 and
19 point of discharge: \$0.02 for each gallon per
20 day over 2,000 gallons
21 per day.

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

6 (cc) Approval under general \$220.00.
7 permit:

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

11 (3) [Repealed.]

12 (4) For potable water supply and wastewater permits issued under
13 10 V.S.A. chapter 64. Projects under this subdivision include: a wastewater
14 system, including a sewerage connection; and a potable water supply,
15 including a connection to a public water supply:

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

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

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

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

3 (iv) design flows greater than 6,500 and less than or equal to
4 10,000 gpd: ~~\$5,000.00~~ \$7,500.00 per application.

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

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

8 ~~(C) Special fees~~

9 ~~(i) Original application or~~ ~~\$135.00~~
10 ~~amendment solely for con-~~
11 ~~struction of grease trap,~~
12 ~~due to change in use,~~
13 ~~no increase in design flow.~~

14 ~~(ii) Original application or~~ ~~\$135.00.~~
15 ~~amendment solely for con-~~
16 ~~struction of holding tank~~
17 ~~for nondomestic wastewater~~
18 ~~when nondomestic wastewater~~
19 ~~will be transported off site.~~

20 ~~(iii) Original application or~~ ~~\$50.00~~
21 ~~amendment for initial~~

1 ~~connection by an existing~~
2 ~~building or structure~~
3 ~~to a municipal water~~
4 ~~or wastewater system at~~
5 ~~the time is first con-~~
6 ~~structed where there is~~
7 ~~no increase in design~~
8 ~~flow and where the con-~~
9 ~~nection and system has~~
10 ~~been reviewed and ap-~~
11 ~~proved by the facilities~~
12 ~~engineering division of~~
13 ~~the agency or has been~~
14 ~~reviewed, approved, and~~
15 ~~certified by a licensed~~
16 ~~designer retained by~~
17 ~~the municipality.~~

18 ~~(iv)(I)(C)~~ Minor projects: \$180.00. \$270.00.

19 ~~(H)~~ As used in this subdivision (j)(4)(C), “minor project” means a
20 project that meets the following: there is an increase in design flow but no
21 construction is required; there is no increase in design flow, but construction is

1 required, excluding replacement potable water supplies and wastewater
2 systems; or there is no increase in design flow and no construction is required,
3 excluding applications that contain designs that require technical review.

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

10 * * *

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

14 (A) For public water supply construction permit and permit
15 amendment applications:

16 ~~\$375.00 per application plus \$0.0055 per gallon of design capacity.~~

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

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

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

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

5 * * *

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

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

8 (ii) Nontransient, noncommunity: \$0.0355 per 1,000 gallons

9 of water produced

10 annually or \$70.00,

11 whichever is greater.

12 (iii) Community: ~~\$0.0439~~ \$0.05 per 1,000

13 gallons of water produced

14 annually.

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

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

18 (F) For facilities permitted to withdraw groundwater pursuant to
19 10 V.S.A. § 1418: \$2,300.00 annually per facility.

20 (G) In calculating flow-based fees under this subsection, the
21 Secretary will use metered production flows where available. When metered

1 production flows are not available, the Secretary shall estimate flows based on
2 the standard design flows for new construction.

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

6 (8) For public water system operator certifications issued under
7 10 V.S.A. § 1674:

8 (A) For class IA and IB operators: \$45.00 per initial
9 certificate or renewal.
10 ~~Operators who are also~~
11 ~~permittees under the~~
12 ~~transient noncommunity~~
13 ~~water system general~~
14 ~~permit are not subject to~~
15 ~~this fee.~~

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

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

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

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

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

5 (B) For a hazardous waste hauler: an annual operating fee of
6 \$125.00 per vehicle.

7 (10) For management of lakes and ponds permits issued under
8 29 V.S.A. chapter 11:

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

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

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

12 plus one percent of
13 construction costs, not to
14 exceed \$20,000.00 per
15 application.

16 * * *

17 (11) For stream alteration and flood hazard area permits issued under 10
18 V.S.A. ~~chapter~~ chapters 41 and 32: \$225.00 per application.

19 (A) Stream alteration; individual permit: \$350.00.

20 (B) Stream alteration; general permit; reporting category; excluding
21 low risk stream equilibrium restoration projects: \$200.00.

1 (C) Stream alteration; individual permit; municipal bridge, culvert,
2 and unimproved property protection: \$350.00.

3 (D) Stream alteration; general permit; municipal bridge, culvert, and
4 unimproved property protection: \$200.00.

5 (E) Stream alteration; Agency of Transportation reviews; bridges,
6 culvert, and high risk projects: \$350.00.

7 (F) Flood hazard area and river corridor; individual permit; hydraulic
8 and hydrologic modeling, compensatory storage, or river equilibrium review
9 required: \$350.00.

10 (G) Flood hazard area and river corridor; individual permit or general
11 permit reporting with application category; all other permits: \$200.00.

12 (H) Flood hazard area and river corridor; municipal reviews; reviews
13 requiring hydraulic and hydrologic modeling, compensatory storage analysis,
14 or river corridor equilibrium: \$350.00.

15 (I) Flood hazard area and river corridor; municipal review; all other
16 projects: \$200.00.

17 (J) River corridor; major map amendments: \$350.00.

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

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

1 an administrative processing fee assessed under subdivision (2) of this
2 subsection (j) and an application fee of:

3 (A) \$0.75 per square foot of proposed impact to Class I or II
4 wetlands;

5 (B) \$0.25 per square foot of proposed impact to Class I or II wetland
6 buffers;

7 (C) maximum fee, for the conversion of Class II wetlands or wetland
8 buffers to cropland use, \$200.00 per application. ~~For purposes of~~ As used in
9 this subdivision, “cropland” means land that is used for the production of
10 agricultural crops, including row crops, fibrous plants, pasture, fruit-bearing
11 bushes, trees, or vines and the production of Christmas trees;

12 (D) \$0.25 per square foot of proposed impact to Class I or II wetlands
13 or Class I or II wetland buffer for utility line, pipeline, and ski trail projects
14 when the proposed impact is limited to clearing forested wetlands in a corridor
15 and maintaining a cleared condition in that corridor for the project life;

16 (E) \$1.50 per square foot of impact to Class I or II wetlands when the
17 permit is sought after the impact has taken place;

18 (F) \$100.00 per revision to an application for an individual wetland
19 permit or authorization under a general permit when the supplement is due to a
20 change to the project that was not requested by the Secretary; and

21 (G) minimum fee, \$50.00 per application.

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(33) \$10.00 per 1,000 gallons based on the rated capacity of the tank being pumped rounded to the nearest 1,000 gallon.

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

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

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

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

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

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

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

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

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

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

6 ~~(2) Contaminants which cause chronic systemic toxicity (low potency)-~~
7 ~~\$0.0225 per pound of emissions; For the emission of any hazardous air~~
8 ~~contaminant not subject to subdivision (1) of this subsection:~~

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

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

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

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

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

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

1 ~~(1) Commencing with registration year 1993 and for each year thereafter,~~
2 ~~any person required to pay a fee to register an air contaminant source under~~
3 ~~10 V.S.A. § 555(c) in addition shall pay the following fees for emissions of~~
4 ~~hazardous air contaminants resulting from the combustion of any of the~~
5 ~~following fuels in fuel burning or manufacturing process equipment.~~

- 6 ~~(1) Coal—\$0.645 per ton burned;~~
7 ~~(2)(A) Wood—\$0.155 per ton burned; or~~
8 ~~(B) Wood burned with an operational electrostatic precipitator and~~
9 ~~NOx reduction technologies—\$0.0375 per ton burned;~~
10 ~~(3) No. 6 grade fuel oil—\$0.00075 per gallon burned;~~
11 ~~(4) No. 4 grade fuel oil—\$0.0006 per gallon burned;~~
12 ~~(5) No. 2 grade fuel oil—\$0.0003 per gallon burned;~~
13 ~~(6) Liquid propane gas—\$0.0003 per gallon burned;~~
14 ~~(7) Natural gas—\$1.305 per million cubic feet burned.~~

15 * * *

16 **Sec. 21a. ASSESSMENT OF DEC FEES ON STATE AGENCIES AND**
17 **MUNICIPALITIES**

18 When applicable, the Agency of Natural Resources shall assess fees
19 established under 3 V.S.A. § 2822(j)(2)(A)(iii), (j)(7)(A) and (B), (j)(10),
20 (j)(11), and (j)(26) on municipalities at the end of the most recent applicable

1 municipal fiscal year in order to avoid potential effects on approved municipal
2 budgets.

3 **Sec. 22. 32 V.S.A. § 710 is amended to read:**

4 § 710. PAYMENT OF STATE AGENCY FEES

5 (a) Notwithstanding any other provision of law, the Agency of
6 Transportation, any cooperating municipalities, and their contractors or agents
7 shall be exempt from the payment of fee charges for reviews, inspections, or
8 nonoperating permits issued by the Department of Public Safety, a District
9 Environmental Commission, and the Agency of Natural Resources for any
10 projects undertaken by or for the Agency and any cooperating municipalities
11 for which all or a portion of the funds are authorized by a legislatively
12 approved transportation construction, rehabilitation, or paving program within
13 a general appropriation act introduced pursuant to section 701 of this title
14 except for those fees established under 3 V.S.A. § 2822(j)(2)(A)(iii), (j)(10),
15 (j)(11), and (j)(26).

16 (b) Notwithstanding any other provision of law, no fees shall be charged
17 for reviews, inspections, or nonoperating permits issued by the Department of
18 Public Safety, a District Environmental Commission, and the Agency of
19 Natural Resources for:

20 (1) Any project undertaken by the Department of Buildings and General
21 Services, the Agency of Natural Resources, or the Agency of Transportation

1 which is authorized or funded in whole or in part by the capital construction
2 act introduced pursuant to section 701a of this title except for those fees
3 established under 3 V.S.A. § 2822(j)(2)(A)(iii), (j)(10), (j)(11), and (j)(26).

4 (2) Any project undertaken by a municipality, which is funded in whole
5 or in part by a grant or loan from the Agency of Natural Resources or the
6 Agency of Transportation financed by an appropriation of a capital
7 construction act introduced pursuant to section 701a of this title except for
8 those fees established under 3 V.S.A. § 2822(j)(2)(A)(iii), (j)(7)(A) and (B),
9 (j)(10), (j)(11), and (j)(26). However, all such fees shall be paid for reviews,
10 inspections, or permits required by municipal solid waste facilities developed
11 by a solid waste district which serves, or is expected to serve, in whole or in
12 part, parties located outside its own district boundaries pursuant to 10 V.S.A.
13 chapter 159.

14 Sec. 23. 10 V.S.A. § 6628(j) is amended to read:

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

19 (1) ~~\$350.00~~ \$400.00 per toxic chemical identified pursuant to
20 subdivision 6629(c)(4) of this title.

1 (2) ~~\$350.00~~ \$400.00 per hazardous waste stream identified pursuant to
2 subdivision 6629(c)(3) of this title.

3 (3) Up to a maximum amount of:

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

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

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

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

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

11 Sec. 24. 10 V.S.A. § 6607a is amended to read:

12 § 6607a. WASTE TRANSPORTATION

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

21 (b) As used in this section:

1 (1) “Commercial hauler” means:

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

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

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

10 (3) The Secretary shall not require a commercial hauler to obtain a
11 permit under this section, comply with the disclosure requirements of this
12 section, comply with the reporting and registration requirements of section
13 6608 of this title, or pay the fee specified in 3 V.S.A. § 2822, if:

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

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

19 * * *

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

4 * * *

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

11 * * *

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

15 * * *

16 (h) A ~~transporter~~ commercial hauler certified under this section that offers
17 the collection of municipal solid waste may not charge a separate line item fee
18 on a bill to a residential customer for the collection of mandated recyclables,
19 provided that a ~~transporter~~ commercial hauler may charge a fee for all service
20 calls, stops, or collections at a residential property and a ~~transporter~~
21 commercial hauler may charge a tiered or variable fee based on the size of the

1 collection container provided to a residential customer or the amount of waste
2 collected from a residential customer. A ~~transporter~~ commercial hauler
3 certified under this section may incorporate the cost of the collection of
4 mandated recyclables into the cost of the collection of solid waste and may
5 adjust the charge for the collection of solid waste. A ~~transporter~~ commercial
6 hauler certified under this section that offers the collection of solid waste may
7 charge a separate fee for the collection of leaf and yard residuals or food
8 residuals from a residential customer.

9 * * * Department of Fish and Wildlife * * *

10 Sec. 25. 10 V.S.A. § 4255 is amended to read:

11 § 4255. LICENSE FEES

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

14	(1) Fishing license	\$25.00 <u>\$26.00</u>
15	(2) Hunting license	\$25.00 <u>\$26.00</u>
16	(3) Combination hunting and fishing license	\$40.00 <u>\$41.00</u>
17	(4) Big game licenses (all require a hunting license)	
18	(A) archery license	\$23.00
19	(B) muzzle loader license	\$23.00
20	(C) turkey license	\$23.00
21	(D) second muzzle loader license	\$17.00

1	(E) second archery license	\$17.00
2	(F) moose license	\$100.00
3	(G) season bear tag	\$5.00
4	(H) additional deer archery tag	\$23.00
5	(5) Trapping license	\$20.00 <u>\$23.00</u>
6	(6) Hunting license for persons aged 17 years	
7	<u>of age</u> or under	\$8.00
8	(7) Trapping license for persons aged 17 years	
9	<u>of age</u> or under	\$10.00
10	(8) Fishing license for persons aged 15 through 17	
11	<u>years of age</u>	\$8.00
12	(9) Super sport license	\$150.00
13	(10) Three-day fishing license	\$10.00 <u>\$11.00</u>
14	(11) Combination hunting and fishing license for	
15	persons aged 17 years of age or under	\$12.00
16	(12) Mentored hunting license	\$10.00
17	(b) Nonresidents may apply for licenses on forms provided by the	
18	Commissioner. Fees for each license shall be:	
19	(1) Fishing license	\$50.00 <u>\$51.00</u>
20	(2) One-day fishing license	\$20.00 <u>\$21.00</u>
21	(3) [Repealed.]	

1	(4) Hunting license	\$100.00
2	(5) Combination hunting and fishing license	\$135.00
3	(6) Big game licenses (all require a hunting license)	
4	(A) archery license	\$38.00
5	(B) muzzle loader license	\$40.00
6	(C) turkey license	\$38.00
7	(D) [Repealed.]	
8	(E) [Repealed.]	
9	(F) moose license	\$350.00
10	(G) early season bear tag	\$15.00
11	(H) additional deer archery tag	\$38.00
12	(7) Small game licenses	
13	(A) all season	\$50.00
14	(B) [Repealed.]	
15	(8) Trapping license	\$300.00 <u>\$305.00</u>
16	(9) Hunting licenses for persons aged 17 <u>aged 17 years of age</u>	
17	or under	\$25.00
18	(10) Three-day fishing license	\$22.00 <u>\$23.00</u>
19	(11) Seven-day fishing license	\$30.00 <u>\$31.00</u>

20 * * *

1 * * * Labor * * *

2 * * * Workers' Compensation Fund * * *

3 Sec. 26. WORKERS' COMPENSATION RATE OF CONTRIBUTION

4 For fiscal year 2016, after consideration of the formula in 21 V.S.A.
5 § 711(b) and historical rate trends, the General Assembly has established that
6 the rate of contribution for the direct calendar year premium for workers'
7 compensation insurance shall be set at the rate of 1.45 percent established in
8 2014 Acts and Resolves No. 191, Sec. 7, notwithstanding 21 V.S.A. § 711(a).
9 The contribution rate for self-insured workers' compensation losses and
10 workers' compensation losses of corporations approved under 21 V.S.A.
11 chapter 9 shall remain at one percent.

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

13 Sec. 27. 6 V.S.A. § 3022(b) is amended to read:

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

1 Sec. 28. 9 V.S.A. § 2632(b) is amended to read:

2 (b) Fees and reimbursements of costs collected by the Agency of
3 Agriculture, Food and Markets under the provisions of this chapter and
4 6 V.S.A. § 3022 shall be credited to a weights and measures special fund and
5 shall be available to the Agency to offset the costs of implementing this
6 chapter and 6 V.S.A. chapter 172.

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

8 Sec. 29. 10 V.S.A. § 128 is added to read:

9 § 128. VERMONT CENTER FOR GEOGRAPHIC INFORMATION

10 SPECIAL FUND

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

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

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

9 * * * Consumer Protection * * *

10 * * * Charitable Solicitations * * *

11 Sec. 30. 9 V.S.A. § 2473 is amended to read:

12 § 2473. NOTICE OF SOLICITATION

13 * * *

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

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

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

5 * * *

6 * * * Motor Vehicles * * *

7 * * * All-terrain Vehicles * * *

8 Sec. 31. 23 V.S.A. § 3504 is amended to read:

9 § 3504. REGISTRATION FEES AND PLATES

10 (a) The registration fee for all-terrain vehicles other than as provided for in
11 subsection (b) of this section is ~~\$25.00~~ \$35.00. Duplicate registration
12 certificates may be obtained upon payment of \$5.00 to the Department.

13 * * *

14 * * * Department for Children and Families * * *

15 * * * Dog, Cat and Wolf Hybrid Spaying and Neutering Program * * *

16 **Sec. 32. 20 V.S.A. § 3581(c)(1) is amended to read:**

17 (c)(1) A mandatory license fee surcharge of ~~\$3.00~~ \$4.00 per license shall
18 be collected by each city, town, or village for the purpose of funding the dog,
19 cat, and wolf-hybrid spaying and neutering program established in
20 subchapter 6 of chapter 193 of this title.

1 **Sec. 33. 20 V.S.A. § 3815(a) is amended to read:**

2 (a) The ~~agency of human services~~ Agency of Human Services shall
3 administer a dog, cat, and wolf-hybrid spaying and neutering program
4 providing reduced-cost spaying and neutering services and presurgical
5 immunization for dogs, cats, and wolf-hybrids owned or cared for by ~~low~~
6 ~~income~~ individuals with low income. The ~~agency~~ Agency shall implement the
7 program ~~through an agreement with a qualified organization~~ consistent with
8 the applicable administrative rules.

9 * * * Judiciary * * *

10 **Sec. 34. 32 V.S.A. § 1434 is amended to read:**

11 § 1434. PROBATE CASES

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

- | | |
|---|-------------------------------------|
| 16 (1) Estates of \$10,000.00 or less | \$30.00 <u>\$50.00</u> |
| 17 (2) Estates of more than \$10,000.00 | \$80.00 <u>\$110.00</u> |
| 18 to not more than \$50,000.00 | |
| 19 (3) Estates of more than \$50,000.00 | \$210.00 <u>\$265.00</u> |
| 20 to not more than \$150,000.00 | |

1	(4) Estates of more than \$150,000.00	\$395.00 <u>\$500.00</u>
2	to not more than \$500,000.00	
3	(5) Estates of more than \$500,000.000	\$660.00 <u>\$1,000.00</u>
4	to not more than \$1,000,000.00	
5	(6) Estates of more than \$1,000,000.00	\$1,050.00 <u>\$1,750.00</u>
6	to not more than \$5,000,000.00	
7	(7) Estates of more than \$5,000,000.00	\$1,575.00 <u>\$2,500.00</u>
8	to not more than \$10,000,000.00	
9	(8) Estates of more than \$10,000,000.00	\$1,840.00 <u>\$3,250.00</u>
10	(9) For all petitions, other	\$160.00
11	than those described in	
12	subdivision (11) of this	
13	subsection, where the corpus of	
14	the trust at the time the	
15	petition is filed is \$100,000.00	
16	or less, including petitions to	
17	modify or terminate a trust, to	
18	remove or substitute a trustee	
19	or trustees, or seeking remedies	
20	for breach of trust;	
21	<u>(A) Trusts of \$10,000.00 or less</u>	<u>\$50.00</u>

1	<u>(B) Trusts of \$10,001.00 to not more</u>	<u>\$110.00</u>
2	<u>than \$50,000.00</u>	
3	<u>(C) Trusts of \$50,001.00 to not more</u>	<u>\$265.00</u>
4	<u>than \$150,000.00</u>	
5	<u>(D) Trusts of \$150,001.00 to not more</u>	<u>\$500.00</u>
6	<u>than \$500,000.00</u>	
7	<u>(E) Trusts of \$500,001.00 to not more</u>	<u>\$1,000.00</u>
8	<u>than \$1,000,000.00</u>	
9	<u>(F) Trusts of \$1,000,001.00 to not more</u>	<u>\$1,750.00</u>
10	<u>than \$5,000,000.00</u>	
11	<u>(G) Trusts of \$5,000,001.00 to not more</u>	<u>\$2,500.00</u>
12	<u>than \$10,000,000.00</u>	
13	<u>(G) Trust of more than \$10,000,000.00</u>	<u>\$3,250.00</u>
14	(10) For all trust petitions, other	\$265.00
15	than those described in	
16	subdivision (11) of this	
17	subsection, where the corpus of	
18	the trust is more than	
19	\$100,000.00, including petitions	
20	to modify or terminate a trust,	
21	to remove or substitute a	

1	trustee or trustees, or seeking	
2	remedies for breach of trust <u>[Repealed.]</u>	
3	(11) Annual accounts on trusts	\$35.00 <u>\$85.00</u>
4	(12) Annual accounts on decedents'	\$30.00 <u>\$85.00</u>
5	estates filed for any period	
6	ending more than one year	
7	following the opening of the	
8	estate	
9	(13) Adoptions and relinquishments as	\$100.00 <u>\$150.00</u>
10	part of an adoption proceeding	
11	(14) Relinquishments, separate from	\$100.00
12	adoptions	
13	(15) Guardianships for minors	\$90.00 <u>\$150.00</u>
14	(16) Guardianships for adults	\$105.00 <u>\$150.00</u>
15	(17) Petitions for change of name	\$135.00 <u>\$150.00</u>
16	(18) Filing of a will for safekeeping	\$25.00 <u>\$30.00</u>
17	(19) Filing of subsequent will for	\$15.00 <u>\$30.00</u>
18	safekeeping, same probate	
19	division <u>Probate Division</u> or	
20	transfer to another	
21	probate division <u>Probate Division</u>	

1	(20) Corrections for vital records	\$30.00 <u>\$150.00</u>
2	(21) Orders of authorization pursuant	\$30.00 <u>\$50.00</u>
3	to 18 V.S.A. § 5144	
4	(22) Conveyances of title to real	\$55.00 <u>\$100.00</u>
5	estate pursuant to 14 V.S.A.	
6	§ 1801, including petitions to	
7	clear title and release or	
8	discharge of mortgage	
9	(23) Petitions concerning advance	\$80.00 <u>\$100.00</u>
10	directives pursuant to 18 V.S.A.	
11	§ 9718	
12	(24) Civil actions brought pursuant to	\$55.00 <u>\$100.00</u>
13	18 V.S.A. chapter 107, subchapter 3.	
14	(25) Petitions for partial decree	\$105.00
15	(26) Petitions for license to sell	\$55.00 <u>\$100.00</u>
16	real estate	
17	(27) <u>Petition for license to sell personal property</u>	<u>\$100.00</u>
18	(28) <u>Petitions for minor settlement</u>	\$30.00 <u>\$90.00</u>
19	pursuant to 14 V.S.A. § 2643	
20	(b) Pursuant to Rule 3.1 of the Vermont Rules of Civil Procedure, part of	
21	the filing fee may be waived if the Court finds the applicant is unable to pay it.	

1 The Court shall use procedures established in subsection 1431(h) of this title to
2 determine the fee. No fee shall be charged for necessary documents pertaining
3 to the opening of estates, trusts, and guardianships, including the issuance of
4 two certificates of appointment and respective letters. No fee shall be charged
5 for the issuance of two certified copies of adoption decree and two certified
6 copies of instrument changing name.

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

9 **Sec. 35. 32 V.S.A. § 1431 is amended to read:**

10 § 1431. FEES IN SUPREME AND SUPERIOR COURTS

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

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

18 (2) Prior to the entry of any divorce or annulment proceeding in the
19 Superior Court, there shall be paid to the clerk of the Court for the benefit of
20 the State a fee of ~~\$265.00~~ \$295.00 in lieu of all other fees not otherwise set
21 forth in this section. If the divorce or annulment complaint is filed with a

1 stipulation for a final order, the fee shall be ~~\$80.00~~ \$90.00 if one or both of the
2 parties are residents, and ~~\$160.00~~ \$180.00 if neither party is a resident, except
3 that if the stipulation is not acceptable to the Court or if a matter previously
4 agreed to becomes contested, the difference between the full fee and the
5 reduced fee shall be paid to the Court prior to the issuance of a final order.

6 (3) Prior to the entry of any parentage or desertion and support
7 proceeding brought under 15 V.S.A. chapter 5 in the Superior Court, there
8 shall be paid to the clerk of the Court for the benefit of the State a fee of
9 ~~\$105.00~~ \$120.00 in lieu of all other fees not otherwise set forth in this section.

10 If the parentage or desertion and support complaint is filed with a stipulation
11 for a final order acceptable to the Court, the fee shall be ~~\$30.00~~ \$35.00 except
12 that if the stipulation is not acceptable to the Court or if a matter previously
13 agreed to becomes contested, the difference between the full fee and the
14 reduced fee shall be paid to the Court prior to the issuance of a final order.

15 (4) Prior to the entry of any motion or petition to enforce a final order
16 for parental rights and responsibilities, parent-child contact, property division,
17 or maintenance in the Superior Court, there shall be paid to the clerk of the
18 Court for the benefit of the State a fee of ~~\$80.00~~ \$90.00 in lieu of all other fees
19 not otherwise set forth in this section. Prior to the entry of any motion or
20 petition to vacate or modify a final order for parental rights and
21 responsibilities, parent-child contact, or maintenance in the Superior Court,

1 there shall be paid to the clerk of the Court for the benefit of the State a fee of
2 ~~\$105.00~~ \$120.00 in lieu of all other fees not otherwise set forth in this section.
3 However, if the motion or petition is filed with a stipulation for an order, the
4 fee shall be ~~\$30.00~~ \$35.00 except that if the stipulation is not acceptable to the
5 Court or if a matter previously agreed to becomes contested, the difference
6 between the full fee and the reduced fee shall be paid to the Court prior to the
7 issuance of a final order. All motions or petitions filed by one party under this
8 subsection at one time shall be assessed one fee equal to the highest of the
9 filing fees associated with the motions or petitions involved. There are no
10 filing fees for prejudgment motions or petitions filed before a final divorce,
11 legal separation, dissolution of civil union, parentage, desertion, or nonsupport
12 judgment issued.

13 (5) Prior to the entry of any motion or petition to vacate or modify an
14 order for child support in the Superior Court, there shall be paid to the clerk of
15 the Court for the benefit of the State a fee of ~~\$40.00~~ \$45.00 in lieu of all other
16 fees not otherwise set forth in this section. If the motion or petition is filed
17 with a stipulation for an order, there shall be no fee except that if the
18 stipulation is not acceptable to the Court or if a matter previously agreed to
19 becomes contested, the difference between the full fee and the reduced fee
20 shall be paid to the Court prior to the issuance of a final order. A motion or
21 petition to enforce an order for child support shall require no fee. All motions

1 or petitions filed by one party at one time shall be assessed one fee; if a
2 simultaneous motion is filed by a party under subdivision (4) of this
3 subsection, the fee under subdivision (4) shall be the only fee assessed. There
4 are no filing fees for prejudgment motions or petitions filed before a final
5 divorce, legal separation, dissolution of civil union, parentage, desertion, or
6 nonsupport judgment has issued.

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

13 (c)(1) Prior to the entry of a small claims action, there shall be paid to the
14 clerk in lieu of all other fees not otherwise set forth in this section, a fee of
15 ~~\$80.00~~ \$90.00 if the claim is for more than \$1,000.00 and ~~\$55.00~~ \$65.00 if the
16 claim is for \$1,000.00 or less. Prior to the entry of any postjudgment motion in
17 a small claims action, there shall be paid to the clerk a fee of ~~\$55.00~~ \$65.00.
18 The fee for every counterclaim in small claims proceedings shall be ~~\$30.00~~
19 \$35.00, payable to the clerk, if the counterclaim is for more than \$500.00, and
20 ~~\$20.00~~ \$25.00 if the counterclaim is for \$500.00 or less.

1 (2)(A) Except as provided in subdivision (B) of this subdivision (2), fees
2 paid to the clerk pursuant to this subsection shall be divided as follows:
3 50 percent of the fee shall be for the benefit of the county and 50 percent of the
4 fee shall be for the benefit of the State.

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

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

19 (e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or
20 Environmental Division of the Superior Court, including motions to reopen
21 civil suspensions and motions for sealing or expungement in the Criminal

1 Division pursuant to 13 V.S.A. § 7602, there shall be paid to the clerk of the
2 Court for the benefit of the State a fee of ~~\$80.00~~ \$90.00 except for small claims
3 actions. A filing fee of \$90.00 shall be paid to the clerk of the Court for a civil
4 petition for minor settlements.

5 (f) The filing fee for all actions filed in the Judicial Bureau shall be ~~\$55.00~~
6 \$65.00; the State or municipality shall not be required to pay the fee; however,
7 if the respondent denies the allegations on the ticket, the fee shall be taxed in
8 the bill of costs in accordance with sections 1433 and 1471 of this title and
9 shall be paid to the clerk of the Bureau for the benefit of the State.

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

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

1 determines that the applicant has the ability to pay all or a part of the waived
2 fee, the Court shall require that payment be made prior to issuing a final
3 judgment. If the applicant fails to pay the fee within a reasonable time, the
4 Court may dismiss the proceeding.

5 * * * Agricultural Water Quality; Permit Fees * * *

6 **Sec. 36. 6 V.S.A. § 4851(i) is added to read:**

7 (i) A person required to obtain a permit under this section shall submit an
8 annual operating fee of \$2,500.00 to the Secretary. The fees collected under
9 this section shall be deposited in the Agricultural Water Quality Special Fund
10 under 6 V.S.A. § 4803.

11 **Sec. 37. 6 V.S.A. § 4858(e) is added to read:**

12 (e) A person required to obtain a permit or coverage under this section shall
13 submit an annual operating fee of \$1,500.00 to the Secretary. The fees
14 collected under this section shall be deposited in the Agricultural Water
15 Quality Special Fund under 6 V.S.A. § 4803.

16 **Sec. 38. 6 V.S.A. § 324 is amended to read:**

17 § 324. REGISTRATION AND FEES

18 (a) No person shall manufacture a commercial feed in this State unless that
19 person has first filed with the Vermont Agency of Agriculture, Food and
20 Markets, in a form and manner to be prescribed by rules by the Secretary:

21 (1) the name of the manufacturer;

- 1 (2) the manufacturer's place of business;
- 2 (3) the location of each manufacturing facility; and
- 3 (4) any other information which the Secretary considers to be necessary.

4 (b) A person shall not distribute in this State a commercial feed that has not
5 been registered pursuant to the provisions of this chapter. Application shall be
6 in a form and manner to be prescribed by rule of the Secretary. The
7 application for registration of a commercial feed shall be accompanied by a
8 registration fee of ~~\$85.00~~ \$100.00 per product. ~~The~~ Of the registration fees
9 collected, \$85.00 of each collected fee, along with any surcharges collected
10 under subsection (c) of this section, shall be deposited in the special fund
11 created by subsection 364(e) of this title. Funds deposited in this account shall
12 be restricted to implementing and administering the provisions of this title and
13 any other provisions of the law relating to fertilizer, lime, or seeds. Of the
14 registration fees collected, \$15.00 of each collected fee shall be deposited in
15 the Agricultural Water Quality Special Fund under 6 V.S.A. § 4803. If the
16 Secretary so requests, the application for registration shall be accompanied by
17 a label or other printed matter describing the product.

18 (c) No person shall distribute in this State any feed required to be registered
19 under this chapter upon which the Secretary has placed a withdrawal from
20 distribution order because of nonregistration. A surcharge of \$10.00, in
21 addition to the registration fee required by subsection (b) of this section, shall

1 accompany the application for registration of each product upon which a
2 withdrawal from distribution order has been placed for reason of
3 nonregistration, and must be received before removal of the withdrawal from
4 distribution order.

5 **Sec. 39. 6 V.S.A. § 366 is amended to read:**

6 § 366. TONNAGE FEES

7 (a) There shall be paid annually to the ~~secretary~~ Secretary for all fertilizers
8 distributed to a nonregistrant consumer in this ~~state~~ State an annual ~~inspection~~
9 fee at a rate of \$0.25 cents per ton.

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

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

20 (d) ~~A \$50.00 minimum tonnage fee shall be assessed on all distributors~~
21 ~~who distribute fertilizers in this state.~~ [Repealed.]

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

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

6 (g) All fees collected under subsection (a) of this section shall be deposited
7 in the revolving fund created by section 364(e) of this title and used in
8 accordance with its provisions.

9 (h) There shall be paid annually to the Secretary for all fertilizers
10 distributed to a nonregistrant consumer in this State an annual fee at a rate of
11 \$30.00 per ton on nonagricultural fertilizer for the purpose of supporting
12 agricultural water quality programs in Vermont.

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

20 (2) No information concerning tonnage sales furnished to the Secretary
21 under this section shall be disclosed in such a way as to divulge the details of

1 the business operation to any person unless it is necessary for the enforcement
2 of the provisions of this chapter.

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

5 (4) Agricultural limes, including agricultural lime mixed with wood ash,
6 are exempt from the tonnage fees required under this subsection.

7 (5) All fees collected under this subsection shall be deposited in the
8 Agricultural Water Quality Special Fund created under section 4803 of
9 this title.

10 **Sec. 40. 6 V.S.A. § 918 is amended to read:**

11 § 918. REGISTRATION

12 (a) Every economic poison which is distributed, sold, or offered for sale
13 within this State or delivered for transportation or transported in intrastate
14 commerce or between points within this State through any point outside this
15 State shall be registered in the Office of the Secretary, and such registration
16 shall be renewed annually; provided, that products which have the same
17 formula, are manufactured by the same person, the labeling of which contains
18 the same claims, and the labels of which bear a designation identifying the
19 product as the same economic poison may be registered as a single economic
20 poison; and additional names and labels shall be added by supplement
21 statements during the current period of registration. It is further provided that

1 any economic poison imported into this State, which is subject to the
2 provisions of any federal act providing for the registration of economic poisons
3 and which has been duly registered under the provisions of this chapter, may,
4 in the discretion of the Secretary, be exempted from registration under this
5 chapter, when sold or distributed in the unbroken immediate container in
6 which it was originally shipped. The registrant shall file with the Secretary a
7 statement including:

8 (1) The name and address of the registrant and the name and address of
9 the person whose name will appear on the label, if other than the registrant.

10 (2) The name of the economic poison.

11 (3) A complete copy of the labeling accompanying the economic poison
12 and a statement of all claims to be made for it, including directions for use.

13 (4) If requested by the Secretary, a full description of the tests made and
14 the results thereof upon which the claims are based. In the case of renewal of
15 registration, a statement shall be required only with respect to information
16 which is different from that furnished when the economic poison was
17 registered or last ~~re-registered~~ reregistered.

18 (b) The registrant shall pay an annual fee of ~~\$110.00~~ \$125.00 for each
19 product registered, and \$110.00 of that amount shall be deposited in the special
20 fund created in section 929 of this title, of which \$5.00 from each product
21 registration shall be used for an educational program related to the proper

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

7 * * *

8 **Sec. 41. 6 V.S.A. § 4803 is added to read:**

9 § 4803. AGRICULTURAL WATER QUALITY SPECIAL FUND

10 (a) There is created an Agricultural Water Quality Special Fund to be
11 administered by the Secretary of Agriculture, Food and Markets. Fees
12 collected under this chapter, including fees for permits or certifications issued
13 under the chapter, shall be deposited in the Fund.

14 (b) The Secretary may use monies deposited in the Fund for the Secretary's
15 implementation and administration of agricultural water quality programs or
16 requirements established by this chapter, including to pay salaries of Agency
17 staff necessary to implement the programs and requirements of this chapter.

18 (c) Notwithstanding the requirements of 32 V.S.A. § 588(3), interest earned
19 by the Fund shall be retained in the Fund from year to year.

20
21

1 Sec. 42. 6 V.S.A. subchapter 5A is added to read:

2 Subchapter 5A. Small Farm Certification

3 § 4872. SMALL FARM ANNUAL OPERATING FEE

4 (a) The owner or operator of a small farm required to submit a certification
5 under this subchapter or rules adopted under this subchapter shall submit to the
6 Secretary an annual operating fee of \$250.00.

7 (b) The fees collected under this section shall be deposited in the
8 Agricultural Water Quality Special Fund under 6 V.S.A. § 4803.

9 * * * Effective Dates * * *

10 Sec. 43. EFFECTIVE DATES

11 (a) This section and Secs. 27 (apiaries), and 30 (charitable solicitations)
12 shall take effect on passage.

13 (b) Sec. 25 (Department of Fish and Wildlife) shall take effect on
14 January 1, 2016.

15 (c) Notwithstanding 1 V.S.A. § 214, Sec. 29 (VCGI Special Fund) shall
16 take effect on passage and apply retroactively as of February 8, 2015.

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

18
19
20
21 (Committee vote: _____)

1

2

Senator _____

3

FOR THE COMMITTEE