

H. 872 – FEE BILL AMENDMENTS: EXPLANATION

AS OF 4/20/16

Secretary of Agriculture, Food and Markets		
<i>Sec #</i>	<i>As Passed House</i>	<i>Proposed Change</i>
Sec. 1	<p>General Powers; Secretary of Agriculture, Food and Markets</p> <p>Creates a new \$27.00 late fee for licenses, registrations, permits, and certifications renewed after the second renewal notice has been mailed.</p>	<p>Page 2, Lines 16 & 17</p> <p>Remove the 2nd notice requirement for assessing the late fee, because the AAFM does not send 2nd notices for all product registrations.</p> <p>Insert “<u>The Secretary may assess a late fee of \$27.00 for any license, registration, permit or certification renewal that is received more than 30 days past expiration unless a higher late renewal fee is otherwise prescribed by statute</u>”</p>
Sec. 5	<p>Fertilizer Tonnage Fees</p> <p>Increases the annual tonnage fee on distributors of fertilizer from \$0.25 to \$0.50, and limits it to agricultural fertilizer. Imposes a \$150.00 base fee on both agricultural and nonagricultural fertilizer, rather than on nonagricultural fertilizer alone.</p>	<p>Page 4, Line 19</p> <p>Remove “(1) a \$150.00 base fee”</p> <p>Insert (from struck out subsec. (d)) “(1) a <u>\$150.00 minimum tonnage fee</u>”</p>
Sec. 13	<p>Pesticides</p> <p>Increases licensing and certification fees for pesticide dealers, companies, and applicators. Eliminates exemption from certification and licensing requirements and fee for federal and state agencies and municipalities and public education institutions. Creates a new \$25.00 fee for private pesticide applicators.</p>	<p>Page 11, Line 11</p> <p>Change maximum of “\$100.00” to “<u>\$120.00</u>”</p> <p>Current language strikes out fee exemption for federal and state agencies and municipalities and public education institutions, but didn’t state a new fee.</p> <p>Insert a new subdivision (a)(7) in line 15 to read: “(7) <u>Government, Municipal and Public Education Institution Applicators—\$30.00.</u>”</p>
Sec. 16	<p>Dairy; Processing Equipment</p> <p>Increases registration fees for commercial enterprises that sell, install, or repair milking, milk cooling and storage, or dairy processing equipment.</p>	<p>Page 14, Lines 15-17</p> <p>Remove final sentence “Any company that fails to renew on or before December 31 shall pay a \$25.00 late fee, and the registration shall lapse if it is more than 30 days late.”</p> <p>Late fee is already imposed under Sec. 1 of bill.</p>

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Department of Financial Regulations		
<i>Sec #</i>	<i>As Passed House</i>	<i>Proposed Change</i>
Sec. 33a	<u>NEW</u>	<p>Securities broker-dealers, agents, investment advisers, investment adviser representatives, SEC & exempt investment adviser firms</p> <p>Increases fees for broker dealer firms:</p> <ul style="list-style-type: none"> • Initial registration: \$250 to \$300 • Renewal: \$250 to \$300 • Branch office registration or renewal: \$100 to \$110 <p>Increases fees for individual broker-dealers:</p> <ul style="list-style-type: none"> • Initial registration: \$60 to \$80 • Renewal of registration: \$60 to \$80 • Filing a change: \$60 to \$80 <p>Increases fees for investment advisors:</p> <ul style="list-style-type: none"> • Initial registration: \$250 to \$300 • Renewal: \$250 to \$300 • Branch office registration or renewal: \$100 to \$110 <p>Increases fees for investment adviser representative:</p> <ul style="list-style-type: none"> • Initial registration: \$55 to \$80 • Renewal of registration: \$55 to \$80 • Filing a change: \$55 to \$80 <p>Increases fees for SEC & exempt investment adviser firms:</p> <ul style="list-style-type: none"> • Initial registration: \$250 to \$300 • Renewal: \$250 to \$300 • Branch office registration or renewal: \$100 to \$110

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Department of Financial Regulations (cont.0)		
<i>Sec #</i>	<i>As Passed House</i>	<i>Proposed Change</i>
Sec. 34a	<u>NEW</u>	<p>EB-5 Program; Regulation; Oversight</p> <ul style="list-style-type: none"> • Creates a new section that distinguishes between the roles of the Agency of Commerce and Community development and DFR. • Provides for rule-adopting authority for administration and oversight of EB-5 program, modeled after MOU between ACCD and DFR.
Sec. 34b	<u>NEW</u>	<p>EB-5 special fund</p> <p>Amends the existing special fund language:</p> <ul style="list-style-type: none"> • To clarify that funds are intended to support operating costs of VT Regional Center for Immigrant Investment, and to make additional legislative appropriations unnecessary for the Center’s operating costs. • Authorizes application fees and fees for annual project assessments.
Sec. 34c	<u>NEW</u>	<p>EB-5 project developer; collection of past-due fees</p> <p><i>Session law</i></p> <p>Directs the Secretary of Commerce and Community Development to collect past-due fees incurred by an EB-5 project developer without diminishing the value of foreign investors’ interest acquired through capital investment in EB-5 projects.</p>

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Department of Environmental Conservation		
<i>Sec #</i>	<i>As Passed House</i>	<i>Proposed Change</i>
Sec. 45	<p>Concentrated Animal Feeding Operations Permit Fees</p> <p>Creates new stormwater discharge permit fees for Concentrated Animal Feeding Operations (CAFO): \$1,500.00 for a medium farm operation, and \$2,500.00 for a large farm operation.</p>	<p>Reinstate fee for non-sewage indirect discharge permit reviews, which was inadvertently struck in last year's fee bill. Without a correction, breweries and other dischargers of non-sewage waste will be required to pay higher fees.</p> <p>Proposed effective date is retroactive to July 1, 2015 to allow DEC to charge the correct fees to permit applicants for the last year.</p>
Department of Taxes		
<i>Sec #</i>	<i>As Passed House</i>	<i>Proposed Change</i>
Sec. 47a	<p><u>NEW</u></p> <p>Setoff reciprocity for traffic violations</p>	<p>Creating new interstate reciprocity authority for Commissioner of Taxes to allow and request setoff of unpaid judgments for traffic violations.</p>