

Report of Committee of Conference

H.872

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon House Bill 872, entitled:

H.872. An act relating to Executive Branch fees.

Respectfully reports that it has met and considered the same and recommends that the bill be amended as follows:

First: In Sec. 13, 6 V.S.A. § 1112 (pesticide applicator, company, and dealer licensing fees), by striking out the section in its entirety and inserting in lieu thereof the following:

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

§ 1112. LICENSING PESTICIDE APPLICATORS; PESTICIDE COMPANIES; DEALERS

(a) The ~~secretary~~ Secretary may adopt ~~regulations~~ rules requiring persons selling Class A and B pesticides to be licensed under this chapter. In addition, the ~~secretary~~ Secretary may adopt ~~regulations~~ rules requiring companies which hire applicators or conduct pesticide applications to be licensed, and applicators who use pesticides to be certified under this chapter. The ~~secretary~~ Secretary may establish reasonable requirements for obtaining licenses and

certificates. The fees for dealers, licensed companies, and applicator certificates under this chapter shall be as follows:

- (1) Class A Dealer License—~~\$30.00~~ \$50.00;
- (2) Class B Dealer License—~~\$30.00~~ \$50.00;
- (3) Pesticide Company License—~~\$60.00~~ \$75.00;
- (4) Commercial and Noncommercial Applicator Certification fee—~~\$25.00~~
~~—\$30.00~~ per category or subcategory with a maximum of ~~\$100.00~~ \$120.00;
- (5) Second and third time examination fee for dealer licenses and applicator certification—\$25.00;
- (6) Private Applicator—\$25.00;
- (7) State Government, Municipal, and Public Education Institution Applicators—\$30.00.

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

(c) Notwithstanding the fees provided in subsection (a) of this section, the Secretary shall exempt the federal government, its agencies, and instrumentalities from license and certification fees.

Second: In Sec. 14, 6 V.S.A § 2721, by striking out the section in its entirety and inserting in lieu thereof the following:

Sec. 14. 6 V.S.A § 2721 is amended to read:

§ 2721. HANDLERS' LICENSES

* * *

(b) A milk handler shall not transact business in the ~~state~~ State unless the milk handler secures and holds a handler's license from the ~~secretary~~ Secretary. The license shall terminate September 1 each year and shall be procured by August 15 of each year. The ~~secretary~~ Secretary shall furnish all forms for applications, licenses, and bonds. At the time the application is delivered to the ~~secretary~~ Secretary, the milk handler shall pay a license application fee of \$50.00 for an initial application and a license fee based on the following table. For a renewal application, only the fee in the table applies. Out-of-state firms ~~are to~~ shall use the company's highest total pounds of milk or dairy products bought, sold, packaged, assembled, transported, or processed per production day.

Pounds of milk or dairy products bought, sold, packaged, assembled, transported, or processed per production day:	License handling fee
500 pounds or less	\$50.00 <u>\$60.00</u>

Over 500 but less than 1,000 pounds	\$100.00
<u>Over 500 but less than 10,000 pounds</u>	<u>\$200.00</u>
1,000 to 10,000 pounds per day	\$175.00
<u>10,000 to 50,000 pounds</u>	<u>\$350.00</u>
Over 10,000 to 25,000 pounds per day	\$275.00
<u>Over 50,000 but less than 100,000 pounds</u>	<u>\$750.00</u>
Over 25,000 pounds	\$350.00
<u>100,000 to 500,000 pounds</u>	<u>\$1,000.00</u>
<u>Over 500,000 pounds</u>	<u>\$1,500.00</u>
Processor fee per pasteurizer	\$50.00 <u>\$75.00</u>

(c) ~~{Deleted.}~~ Notwithstanding subsection (b) of this section, the license handling fees only for the transportation of bulk milk shall be capped at \$750.00 per year.

Third: In Sec. 34, 32 V.S.A. § 602 (definitions), in subdivision (2) (definition of “fee”), by striking out subparagraph (A) in its entirety and inserting in lieu thereof a new subparagraph (A) to read as follows:

(A) Means a monetary charge by an agency or the ~~judiciary~~ Judiciary for a service or product provided to, or the regulation of, specified classes of individuals or entities.