

specific data to be used in preparing a report under this subsection be kept confidential if the data would qualify for exemption from disclosure under I V.S.A. § 317. If the Commission issues such an order, the data subject to the order shall be disclosed only in accordance with a protective agreement approved by the Commission and signed by the recipient of the data, unless a court directs otherwise.

(j) Evaluation; recommendation. On completion of the ESA Partnership Pilot, the Commission shall conduct or shall have a third party conduct an independent evaluation of the ESA Partnership Pilot and, after considering the results of that evaluation, shall submit a written recommendation to the standing committees of jurisdiction on whether to continue the program conducted under this section and, if so, under what recommended conditions and revisions, if any. The Commission shall submit this recommendation on or before January 15, 2023.

* * * Effective Dates * * *

Sec. 31. EFFECTIVE DATES

(a) This section and Secs. 3-4b (Act 250; trails), 5a (technical service providers), 6 (Act 250 primary processing of forest products), 7 (Act 250; review of forest products processing), 8 (wetland permit fee), 17-20 (produce inspection), and 21 (livestock transport) shall take effect on passage.

(b) All other sections shall take effect on July 1, 2018.

(Committee vote: 10-0-1)

(For text see Senate Journal March 21, 2018)

Rep. Browning of Arlington, for the Committee on Ways and Means, recommends the bill ought to pass when amended as recommended by the Committee on Agriculture and Forestry and when further amended as follows:

bill as amended by the Committee on Agriculture and Forestry be further amended as follows:

First: By striking out Sec. 23 (fire prevention; building code fees) and its reader assistance heading in their entirety and inserting in lieu there a new Sec. 23 to read as follows:

Sec. 23. [Deleted.]

Second: By adding Secs. 26a and 26b to read as follows:

Sec. 26a. TRANSFER FROM CEDF TO GENERAL FUND; TAX
EXPENDITURE; ADVANCED WOOD BOILERS

(a) Beginning on July 1, 2018, the Clean Energy Development Fund

quarterly shall calculate the foregone sales tax on advanced wood fired boilers resulting from the sales tax exemption under 32 V.S.A. § 9741(52) for advanced wood boilers. Beginning on October 1, 2018, the Clean Energy Development Fund shall notify the Department of Taxes of the amount of sales tax foregone in the preceding calendar quarter resulting from the sales tax exemption under 32 V.S.A. § 9741(52) for advanced wood boilers.

(b) In fiscal years 2019 and 2020, the Clean Energy Development Fund shall transfer from the Clean Energy Development Fund to the General Fund the amount of the tax expenditure resulting from the sales tax exemption under 32 V.S.A. § 9741(52) on advanced wood boilers up to a maximum of \$200,000.00 for both fiscal years combined. The Department of Taxes shall deposit 64 percent of the monies transferred from the Clean Energy Development Fund into the General Fund under 32 V.S.A. § 435 and 36 percent of the monies in the Education Fund under 16 V.S.A. § 4025.

Sec. 26b. REPEALS

(a) 32 V.S.A. § 9741(52) (sales tax exemption for advanced wood boilers) shall be repealed on July 1, 2021.

(b) Sec. 26a of this act (transfer from CEDF) shall be repealed on July 1, 2021.

(Committee Vote: 8-0-3)

Rep. Feltus of Lyndon, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Agriculture and Forestry and Ways and Means and when further amended as follows:

First: By adding Secs. 8a and 8b to read as follows:

Sec. 8a. 3 V.S.A. § 2822(j) is amended to read:

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

* * *

(26) For individual conditional use determinations, for individual wetland permits, for general conditional use determinations issued under 10 V.S.A. § 1272, or for wetland authorizations issued under a general permit, an administrative processing fee assessed under subdivision (2) of this subsection (~~j~~) and an application fee of:

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

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

(C) Maximum fee, for the conversion of Class II wetlands or wetland buffers to cropland use ~~or for installation of a pipeline in a wetland for the transport of manure for the purpose of farming, as that term is defined in 10 V.S.A. § 6001(22), when the pipeline will serve or implement a water quality or conservation practice,~~ \$200.00 per application. As used in this subdivision, "cropland" means land that is used for the production of agricultural crops, including row crops, fibrous plants, pasture, fruit-bearing bushes, trees, or vines, and the production of Christmas trees.

* * *

Sec. 8b. ANR REPPORT ON WETLANDS PERMIT FEES

On or before January 15, 2019, the Secretary of Natural Resources shall submit to the House Committees on Appropriations, on Ways and Means, and on Natural Resources, Fish, and Wildlife and the Senate Committees on Appropriations, on Finance, and on Natural Resources and Energy a revised fee schedule for the permitting of activity or disturbance in a wetland or wetland buffer in the State. In developing the revised fee schedule, the Secretary shall consider whether and how to provide lower fees for activity or disturbance in a wetland or wetland buffer when the activity or disturbance provides a water quality benefit or implements a conservation practice.

Second: By striking out Sec. 30 (effective dates) in its entirety and inserting in lieu thereof a new Sec. 30 to read as follows:

Sec. 30. EFFECTIVE DATES

(a) This section and Secs. 3-4b (Act 250; trails), 5a (technical service providers), 6 (Act 250 primary processing of forest products), 7 (Act 250; review of forest products processing), 8 (wetland permit fee), 8b (ANR report on wetland permit fees), 17-20 (produce inspection), and 21 (livestock transport) shall take effect on passage.

(b) Sec. 8a (repeal of wetland permit fee for manure pipelines) shall take effect on July 1, 2019.

(c) All other sections shall take effect on July 1, 2018.

(Committee Vote: 9-0-2)

Amendment to be offered by Reps. Sabilia of Dover, Conquest of Newbury, Gannon of Wilmington, Jickling of Randolph, Keefe of Manchester, Kimbell of Woodstock, Pajala of Londonderry and Young of

Glover to the recommendation of amendment of the Committee on Agriculture and Forestry as amended to S. 276

By adding Sec. 29a and accompanying reader assistance to read as follows:

* * * Temporary Universal Service Charge Increase; Connectivity Fund * * *

Sec. 29a. 30 V.S.A. § 7523 is amended to read:

§ 7523. RATE OF CHARGE

(a) Beginning on July 1, 2014, the rate of charge shall be two percent of retail telecommunications service.

(b) Beginning on July 1, 2018 and ending on June 30, 2022, the rate of charge established under subsection (a) of this section shall be increased by one-half of one percent of retail telecommunications service, and the monies collected from this increase shall be transferred to the Connectivity Fund established under section 7516 of this title.

(c) Universal Service Charges imposed and collected by the fiscal agent under this subchapter shall not be transferred to any other fund or used to support the cost of any activity other than in the manner authorized by this section and section 7511 of this title.

Senate Proposal of Amendment

H. 571

An act relating to creating the Department of Liquor and Lottery and the Board of Liquor and Lottery

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 63, 7 V.S.A. § 278, by striking out subsection (a) in its entirety and inserting in lieu thereof the following:

(a) A manufacturer or rectifier of vinous beverages that is licensed in state the State or ~~out-of-state~~ outside the State and holds valid state and federal permits and operates a winery in the United States may apply for a retail shipping license by filing with the ~~Department~~ Division of Liquor Control an application in a form required by the Commissioner accompanied by a copy of its in-state or out-of-state license and the fee provided in section 204 of this title.

Second: In Sec. 90, 31 V.S.A. § 654a, redesignated § 652, in subdivision (2)(C), after the words "A procedure adopted pursuant to this section shall" by inserting the following: have the force of law and

Third: In Sec. 94, 31 V.S.A. § 658, redesignated § 656, in subsection (b), in the second sentence before the second occurrence of the phrase "percent of