

1 H.527

2 Introduced by Committee on Ways and Means

3 Date:

4 Subject: Executive Branch; Judicial Branch; fees

5 Statement of purpose of bill as introduced: This bill proposes to amend the
6 fees set by the Executive Branch and the Judicial Branch.

7 An act relating to Executive Branch and Judicial Branch fees

8 It is hereby enacted by the General Assembly of the State of Vermont:

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

10 * * * Hemp * * *

11 Sec. 1. 6 V.S.A. § 564(d) is amended to read:

12 (d) ~~The Secretary may assess an annual registration fee of \$25.00 for the~~
13 ~~performance of his or her duties under this chapter.~~ A person shall not grow
14 hemp, process floral material from hemp, or manufacture hemp-infused
15 products in the State unless registered with the Secretary. A person that
16 intends to carry out these activities must apply to register on an annual basis on
17 forms provided by the Secretary. The annual registration shall terminate on
18 December 31 of each year. At the time the person submits the application to
19 the Secretary for review, the person shall pay an annual registration fee based

1 on the amount of acreage and end-use product of hemp that the person intends
2 to grow in the year for which the person is registering, as set forth in
3 subdivisions (1), (2), (3), and (4) of this subsection, or pay the annual
4 registration fee set forth in subdivision (5) of this subsection if the person only
5 intends to process floral material from hemp or manufacture hemp-infused
6 products. If the person wants to grow more acres than the amount that it has
7 registered for during the calendar year, the person must first pay the additional
8 annual registration fee based on the amount of acreage to be added. The
9 following fees shall be paid when registering:

10 (1) A person growing hemp for seed, grain crop, fiber, or textile shall
11 pay a flat fee of \$100.00 per year.

12 (2) A person growing less than 0.5 acres of hemp for personal use shall
13 pay a flat fee of \$25.00 per year.

14 (3) A person growing hemp commercially for floral material
15 production, viable seed, or cannabinoids including, but not limited to,
16 Cannabidiolic Acid (CBDA), Cannabidiol (CBD), Cannabinol (CBN),
17 Cannabigerol (CBG), Cannabichromene (CBC), and Tetrahydrocannabivarin
18 (THCV), shall pay a grower registration fee based on the number of acres
19 planted per year as follows:

20 (A) if the number of acres planted is less than 0.5 acres, a fee
21 of \$50.00;

1 (B) if the number of acres planted is 0.5 acres to less than 10 acres,
2 a fee of \$250.00;

3 (C) if the number of acres planted is 10 acres to 50 acres, a fee
4 of \$500.00; and

5 (D) if the number of acres planted is greater than 50 acres, a fee
6 of \$1,500.00.

7 (4) A person growing less than one acre of hemp who also processes the
8 floral material or manufactures hemp-infused products with the hemp that they
9 grow shall pay a flat fee of \$500.00.

10 (5) A person processing floral material from hemp or manufacturing
11 hemp-infused products shall pay a flat fee of \$1,500.00 per year. A person
12 subject to the fee imposed by subdivision (4) of this subsection shall not be
13 subject to the fee imposed by this subdivision.

14 Sec. 2. 6 V.S.A. § 567 is amended to read:

15 § 567. AGENCY OF AGRICULTURE, FOOD AND MARKETS; TESTING

16 (a) The Agency of Agriculture, Food and Markets shall establish a
17 cannabis quality control program for the following purposes:

18 * * *

1 (4) to certify testing laboratories that can offer the services in
2 subdivisions (2) and (3) of this ~~section~~ subsection.

3 (b) An analytical testing laboratory certified under the cannabis quality
4 control program described in subsection (a) of this section shall register with
5 the Secretary on an annual basis and shall pay an annual registration fee of
6 \$1,500.00, which shall be due at the time of certification.

7 * * * Department of Financial Regulation * * *

8 * * * Banks and Other Financial Institutions * * *

9 * * * Licensed Lenders * * *

10 Sec. 3. 8 V.S.A. § 2202 is amended to read:

11 § 2202. APPLICATION FOR LICENSE; LICENSE AND INVESTIGATION
12 FEES

13 (a) ~~Application~~ An application for a license shall be in writing, under oath,
14 and in the form prescribed by the Commissioner, and shall contain the legal
15 name, any fictitious name or trade name, and the address of the residence and
16 place of business of the applicant, and if the applicant is a partnership or
17 association, of every member thereof, and if a corporation, of each officer and
18 director thereof; also the county and municipality with street and number, if
19 any, where the business is to be conducted and such further information as the
20 Commissioner may require.

1 (b) At the time of making an application, the applicant shall pay to the
2 Commissioner a fee for investigating the application and a license fee for a
3 period terminating on the last day of the current calendar year. The following
4 fees are imposed on applicants:

5 (1) For an ~~applicant~~ application for a ~~lender's~~ lender license, \$1,000.00
6 as a license fee, and \$1,000.00 as an application and investigation fee for the
7 initial license. For each additional lender license from the same applicant,
8 \$500.00 as a license fee and \$500.00 as an application and investigation fee.

9 (2) For an ~~applicant~~ application for a mortgage ~~broker's~~ broker license,
10 other than a mortgage broker that meets each of the requirements of
11 subdivisions (b)(3)(A)-(B) of this section, \$500.00 as a license fee, and
12 \$500.00 as an application and investigation fee.

13 (3) For an ~~applicant~~ application for a mortgage ~~broker's~~ broker license
14 that meets each of the following requirements, \$250.00 as a license fee, and
15 \$250.00 as an application and investigation fee:

16 (A) The applicant is an individual sole proprietor.

17 (B) No person, other than the applicant, shall be authorized to act as
18 a mortgage broker under the applicant's license.

19 (4) For an ~~applicant~~ application for a mortgage loan originator license,
20 \$50.00 as a license fee, and \$50.00 as an application and investigation fee.

1 (5) For an ~~applicant application~~ application for a sales finance ~~company's~~ company
2 license, \$350.00 as a license fee, and \$350.00 as an application and
3 investigation fee.

4 (6) For an ~~applicant application~~ application for a loan solicitation license, \$500.00
5 as a license fee, and \$500.00 as an application and investigation fee.

6 (7) For an application for any combination of lender license under this
7 chapter, mortgage broker license under this chapter, loan solicitation license
8 under this chapter, or loan servicer license under chapter 85 of this title,
9 \$1,500.00 as a license fee and \$1,500.00 as an application and investigation
10 fee.

11 * * *

12 Sec. 4. 8 V.S.A. § 2204(b) is amended to read:

13 (b) If the Commissioner does not find as set forth in subsection (a) of this
14 section, the Commissioner shall not issue a license. Within 60 days of filing of
15 the completed application, the Commissioner shall notify the applicant of the
16 denial, stating the reason or reasons therefore. If after the allowable period, no
17 request for reconsideration under subsection 2205(a) of this title is received
18 from the applicant, the Commissioner shall return to the applicant the bond
19 and the sum paid by the applicant as a license fee, retaining the application and
20 investigation fee to cover the costs of investigating the application.

1 Sec. 5. 8 V.S.A. § 2204c(b) is amended to read:

2 (b) If the Commissioner does not find as set forth in subsection (a) of this
3 section, the Commissioner shall not issue a license. Within 60 days of filing of
4 the completed application, the Commissioner shall notify the applicant of the
5 denial, stating the reason or reasons therefor. If, after the allowable period, no
6 request for reconsideration under subsection 2205(a) of this title is received
7 from the applicant, the Commissioner shall return to the applicant the sum paid
8 by the applicant as a license fee, retaining the application and investigation fee
9 to cover the costs of investigating the application.

10 Sec. 6. 8 V.S.A. § 2205(b) is amended to read:

11 (b) If the Commissioner is unable to make findings as set forth in section
12 2204 of this title, the Commissioner shall not issue a license. Within 60 days
13 of filing of the request for reconsideration, the Commissioner shall notify the
14 applicant of the denial, and return to the applicant the bond and the sum paid
15 by the applicant as a license fee, retaining the application and investigation fee
16 to cover the costs of investigating the application. The applicant may request
17 review by the Superior Court in Washington County upon action brought in
18 the usual form by an aggrieved party, within 15 days after written notice of the
19 denial of the request for reconsideration.

1 Sec. 7. 8 V.S.A. § 2209(a) is amended to read:

2 (a) On or before December 1 of each year, every licensee shall renew its
3 license for the next succeeding calendar year and shall pay to the
4 Commissioner a renewal of license fee. At a minimum, the licensee shall
5 continue to meet the standards for license issuance under section 2204 of this
6 title. At the same time, the licensee shall maintain with the Commissioner a
7 bond in the amount and of the character as required by section 2203 of this
8 title or as required by the Commissioner under section 2207 of this title. The
9 annual license renewal fee shall be:

10 (1) For the renewal of a ~~lender's~~ lender license, \$1,200.00.

11 (2) For the renewal of a mortgage ~~broker's~~ broker license, other than a
12 mortgage broker that meets each of the requirements of subdivision (3)(A)-
13 (C), of this subsection, \$500.00.

14 (3) For the renewal of a mortgage ~~broker's~~ broker license that meets
15 each of the following requirements, \$250.00:

16 (A) The mortgage broker license is held by an individual sole
17 proprietor.

18 (B) No person, other than the individual sole proprietor, is shall be
19 authorized to act as a mortgage broker under this license.

20 (C) The mortgage broker originated five or fewer loans within the
21 last calendar year.

1 (4) For the renewal of a sales finance ~~company's~~ company license,
2 \$350.00.

3 * * *

4 (6) For the renewal of a ~~lender's~~ lender license for a lender making only
5 commercial loans, \$500.00.

6 * * *

7 (8) For any combination of lender license under this chapter, mortgage
8 broker license under this chapter, loan solicitation license under this chapter, or
9 loan servicer license under chapter 85 of this title, \$1,700.00.

10 * * * Consumer Litigation Funding Companies * * *

11 Sec. 8. 8 V.S.A. § 2252 is amended to read:

12 § 2252. REGISTRATION; FEE FINANCIAL STABILITY

13 (a) A company shall not engage in the business of consumer litigation
14 funding without first filing a registration with the Commissioner on a form
15 prescribed by the Commissioner, and submitting a registration fee, an
16 application and investigation fee, and proof of financial stability, as required
17 by this section.

18 (b) A company shall submit a \$200.00 registration fee and a \$300.00
19 application and investigation fee at the time of registration ~~and at the time of~~
20 ~~each renewal. Registrations shall be renewed every year~~ A company shall

1 renew its registration on or before December 1 each year and shall pay a
2 \$200.00 renewal fee at the time of each renewal.

3 * * *

4 * * * Money Services; Money Transmission Licenses * * *

5 Sec. 9. 8 V.S.A. § 2506(d) is amended to read:

6 (d) At the time of making application, the applicant shall pay to the
7 Department a nonrefundable application and investigation fee of \$1,000.00, a
8 license fee of ~~\$500.00~~ \$1,000.00 for the applicant, and ~~a license fee of \$25.00~~
9 as a license fee for each authorized delegate location. The license fee shall be
10 refunded if the application is denied.

11 Sec. 10. 8 V.S.A. § 2508(d) is amended to read:

12 (d) If the Commissioner is unable to make findings as set forth in
13 subsection (a) of this section, the Commissioner shall not issue a license.
14 Within 60 days of filing of the request for reconsideration, the Commissioner
15 shall notify the applicant of the denial, and return to the applicant the bond and
16 the sum paid by the applicant as a license fee, retaining the application and
17 investigation fee to cover the costs of investigating the application. The
18 applicant may request review by the Superior Court in Washington County
19 upon action brought in the usual form by an aggrieved party, within 15 days
20 after written notice of the denial of the request for reconsideration.

1 Sec. 11. 8 V.S.A. § 2509(a) is amended to read:

2 (a) ~~No~~ Not later than December 1 for the next succeeding calendar year, a
3 licensee under this subchapter shall pay to the Department an annual license
4 renewal fee of ~~\$500.00~~ \$1,000.00, plus an annual renewal fee of \$25.00 for
5 each authorized delegate location, provided that the total renewal fee for all
6 authorized delegate locations shall not exceed \$3,500.00.

7 * * * Money Services; Check Cashing and Currency Exchange * * *

8 Sec. 12. 8 V.S.A. § 2516(b) is amended to read:

9 (b) A nonrefundable application and investigation fee of \$500.00 and a
10 license fee of \$500.00 shall accompany an application for a license under this
11 subchapter. The license fee shall be refunded if the application is denied.

12 Sec. 13. 8 V.S.A. § 2517(d) is amended to read:

13 (d) If the Commissioner is unable to make findings as set forth in
14 subsection (a) of this section, the Commissioner shall not issue a license.
15 Within 60 days of filing of the request for reconsideration, the Commissioner
16 shall notify the applicant of the denial, and return to the applicant the sum paid
17 by the applicant as a license fee, retaining the application and investigation fee
18 to cover the costs of investigating the application. The applicant may request
19 review by the Superior Court in Washington County upon action brought in
20 the usual form by an aggrieved party within 15 days after written notice of the
21 denial of the request for reconsideration.

1 * * * Debt Adjusters * * *

2 Sec. 14. 8 V.S.A. § 2754 is amended to read:

3 § 2754. FEES

4 At the time of making the application, the applicant shall pay to the
5 Commissioner the sum of ~~\$250.00~~ \$500.00 as ~~a fee for investigating the~~
6 ~~application~~ an application and investigation fee and the additional sum
7 of \$250.00 as an annual license fee for the period terminating on the last day
8 of the then current calendar year. For succeeding calendar years, the annual
9 license fee shall be \$250.00. In addition to the annual license fee every
10 licensee shall pay to the Commissioner the actual cost of each examination as
11 provided for in this chapter.

12 Sec. 15. 8 V.S.A. § 2756(b) is amended to read:

13 (b) If the Commissioner does not so find, the Commissioner shall notify
14 the applicant of the denial and return the license fee, retaining the \$250.00
15 application and investigation fee to cover the costs of investigating the
16 application. The Commissioner may require as part of the application a credit
17 report and such other information as the Commissioner may deem necessary.

18 * * * Loan Servicers * * *

19 Sec. 16. 8 V.S.A. § 2902(b) is amended to read:

20 (b) At the time of making application, the applicant shall pay to the
21 Commissioner a \$1,000.00 ~~fee for investigating the application~~ as an

1 application and investigation fee and a \$1,000.00 license fee for a period
2 terminating on the last day of the current calendar year.

3 Sec. 17. 8 V.S.A. § 2904(b) is amended to read:

4 (b) If the Commissioner does not find as set forth in subsection (a) of this
5 section, the Commissioner shall not issue a license. Within 60 days of filing of
6 the completed application, the Commissioner shall notify the applicant of the
7 denial, stating the reason or reasons therefor. If after the allowable period, no
8 request for reconsideration under subsection 2905(a) of this title is received
9 from the applicant, the Commissioner shall return to the applicant the bond
10 and the sum paid by the applicant as a license fee, retaining the application and
11 investigation fee to cover the costs of investigating the application.

12 Sec. 18. 8 V.S.A. § 2905(b) is amended to read:

13 (b) If the Commissioner is unable to make findings as set forth in section
14 2904 of this chapter, the Commissioner shall not issue a license. Within 60
15 days of filing of the request for reconsideration, the Commissioner shall notify
16 the applicant of the denial, and return to the applicant the bond and the sum
17 paid by the applicant as a license fee, retaining the application and
18 investigation fee to cover the costs of investigating the application. The
19 applicant may request review by the Superior Court in Washington County
20 upon action brought in the usual form by an aggrieved party within 15 days
21 after written notice of the denial of the request for reconsideration.

1 * * * Insurance * * *

2 * * * Term of License * * *

3 Sec. 19. 8 V.S.A. § 4798 is amended to read:

4 § 4798. TERM OF LICENSE

5 (a) Except as provided by ~~subsection~~ subsections (b) and (d) of this section,
6 all licenses issued pursuant to this subchapter shall continue in force not longer
7 than 24 months.

8 * * *

9 (d) Producer appointments shall expire as of 12:01 a.m. on the first day of
10 ~~June of the odd-numbered year next~~ following the date of issuance. ~~Biennially~~
11 Annually, before the expiration of producer appointments, the Commissioner
12 shall provide each insurer with an alphabetical appointment renewal list of the
13 names for all of its producers in the State. Each insurer shall return the list and
14 identify the producer appointments to be renewed in a manner and time
15 specified by the Commissioner. Payment of the ~~biennial~~ annual producer
16 appointment renewal fee, as specified in section 4800 of this title, shall be
17 made in a manner and time specified by the Commissioner.

18 * * * License Requirements * * *

19 Sec. 20. 8 V.S.A. § 4800(2)(A) is amended to read:

20 (2)(A) All license applications shall be accompanied by a \$30.00 fee
21 plus the applicable fees as follows:

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(iii) Except as provided in subdivisions (I) and (II) of this subdivision, initial and biennial producer appointment fees for each qualification set forth in section 4813g of subchapter 1A of this chapter for resident and nonresident producers acting as agents of foreign insurers, ~~\$60.00~~ \$90.00:

(I) the Commissioner may charge one fee for a qualification in “property and casualty” insurance; and

(II) the Commissioner may charge one fee for a qualification in “life and accident and health or sickness” insurance.

(iv) Initial 24-month appointment and biennial renewal appointment fee for limited lines producers, ~~\$60.00~~ \$90.00.

(v) Initial 24-month license and biennial renewal fee for resident and nonresident adjusters, and appraisers licenses, ~~\$60.00~~ \$90.00, and public adjusters, \$200.00.

* * *

Sec. 20a. 8 V.S.A. § 4800(2)(A) is amended to read:

(2)(A) All license applications shall be accompanied by a \$30.00 fee plus the applicable fees as follows:

* * *

1 (iii) Except as provided in subdivisions (I) and (II) of this
2 subdivision, initial and ~~biennial~~ annual producer appointment fees for each
3 qualification set forth in section 4813g of subchapter 1A of this chapter for
4 resident and nonresident producers acting as agents of foreign insurers, ~~\$90.00~~
5 \$50.00:

6 (I) the Commissioner may charge one fee for a qualification in
7 “property and casualty” insurance; and

8 (II) the Commissioner may charge one fee for a qualification in
9 “life and accident and health or sickness” insurance.

10 * * *

11 * * * Securities Act * * *

12 * * * Agents, Investment Advisers, Investment Adviser Representatives,
13 and Federal Covered Investment Advisors * * *

14 Sec. 21. 9 V.S.A. § 5410(b) is amended to read:

15 (b) The fee for an individual is ~~\$90.00~~ \$120.00 when filing an application
16 for registration as an agent, ~~\$90.00~~ \$120.00 when filing a renewal of
17 registration as an agent, and ~~\$90.00~~ \$120.00 when filing for a change of
18 registration as an agent. If the filing results in a denial or withdrawal, the
19 Commissioner shall retain the fee.

1 * * * Department of Fish and Wildlife * * *

2 * * * License Fees * * *

3 Sec. 22. 10 V.S.A. § 4255 is amended to read:

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

6 (1) Fishing license \$26.00

7 \$28.00

8 (2) Hunting license \$26.00

9 \$28.00

10 (3) Combination hunting and fishing license \$42.00

11 \$47.00

12 * * *

13 (b) Nonresidents may apply for licenses on forms provided by the
14 Commissioner. Fees for each license shall be:

15 (1) Fishing license \$52.00

16 \$54.00

17 * * *

18 (4) Hunting license \$100.00

19 \$102.00

20 (5) Combination hunting and fishing license \$138.00

21 \$143.00

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* * * Lifetime Licenses * * *

Sec. 23. 10 V.S.A. § 4279(f) is amended to read:

(f) Fees for lifetime licenses shall be the appropriate multiplication factor for the child's or adult's age multiplied by the fee for the appropriate license. Appropriate license fees are those in subdivisions 4255(a)(1), (2), and (3) of this title for residents and subdivisions 4255(b)(1), (4), and (5) of this title for nonresidents. Multiplication factors are as follows:

(1) for children under 1 year of age 6 8

* * *

* * * Department of Labor * * *

* * * Workers' Compensation Fund * * *

Sec. 24. WORKERS' COMPENSATION RATE OF CONTRIBUTION

For fiscal year 2020, after consideration of the formula in 21 V.S.A. § 711(b) and historical rate trends, the General Assembly determines that the rate of contribution for the direct calendar year premium for workers' compensation insurance shall remain at the rate of 1.4 percent. The contribution rate for self-insured workers' compensation losses and workers' compensation losses of corporations approved under 21 V.S.A. chapter 9 shall remain at one percent.

1 * * * Department of Motor Vehicles * * *

2 * * * All-Terrain Vehicles * * *

3 Sec. 25. 23 V.S.A. § 3504(a) is amended to read:

4 (a) The registration fee for all-terrain vehicles other than as provided for in
5 subsection (b) of this section is ~~\$35.00~~ \$45.00. Duplicate registration
6 certificates may be obtained upon payment of \$6.00 to the Department.

7 * * * Department of Public Service and Public Utility Commission * * *

8 * * * Gross Receipts Tax * * *

9 Sec. 26. 30 V.S.A. § 22 is amended to read:

10 § 22. TAX TO FINANCE DEPARTMENT AND COMMISSION

11 (a) For the purpose of maintaining the Department of Public Service and
12 Public Utility Commission, including expenses related to maintaining an
13 adequate engineering, legal, and administrative force in the Department of
14 Public Service and paying all the expenses incident thereof, including rents,
15 each person, partnership, association, or private or municipal corporation
16 conducting a business subject to the supervision of the Department of Public
17 Service and Public Utility Commission, including electric cooperatives, shall
18 pay into the State Treasury on or before April 15 annually, in addition to the
19 taxes now required by law to be paid, a tax, at the rate hereinafter named,
20 according to the nature of the public service business engaged in by such
21 person, partnership, association, or private or municipal corporation, based on

1 the gross operating revenue received by such person, partnership, association,
2 or private or municipal corporation in the conduct of such business in the State
3 during the year next preceding, as shown by the annual report filed on or
4 before such date with the Department of Public Service on the form prescribed
5 by it and containing such information as may be necessary to enable the
6 Department to determine the amount of the tax payable.

7 (1) The rate of tax for each type of public service company, for the
8 purpose of maintaining the Department of Public Service, shall be the
9 following:

10 ~~(1)~~(A) for companies, cooperative, municipal or privately owned,
11 generating, distributing, selling, or transmitting electric energy, ~~0.0050~~
12 0.00320 of gross operating revenue;

13 ~~(2)~~(B) for telephone companies, ~~0.0050~~ 0.003 of gross operating
14 revenue or ~~\$500.00~~ \$300.00, whichever is greater;

15 ~~(3)~~(C) for gas companies, ~~0.0030~~ 0.00320 of gross operating revenue;

16 ~~(4)~~(D) for water companies, ~~0.001~~ 0.0006 of gross operating revenue or
17 ~~\$5.00~~ \$3.00, whichever is greater;

18 ~~(5)~~(E) for companies owning or operating a cable television system,
19 ~~0.005~~ 0.003 of gross operating revenue or ~~\$25.00~~ \$15.00, whichever is greater,
20 \$25,000.00 of which shall be used each year by the Department for special
21 planning functions relating to cable television systems;

1 ~~(6)~~(F) for companies whose sole telephone business consists of owning
2 customer-owned, coin-operated telephones with total annual revenues of less
3 than \$5,000.00, the choice of either ~~0.0050~~ 0.003 of gross operating revenue
4 from telephone revenues or the amount of ~~\$20.00~~ \$12.00; and

5 ~~(7)~~(G) for all other companies named in section 203 of this title, ~~0.001~~
6 0.0006 of gross operating revenues.

7 (2) The rate of tax for each type of public service company, for the
8 purpose of maintaining the Public Utility Commission, shall be the following:

9 (A) for companies, cooperative, municipal or privately owned,
10 generating, distributing, selling, or transmitting electric energy, 0.00205 of
11 gross operating revenue;

12 (B) for telephone companies, 0.002 of gross operating revenue or
13 \$200.00, whichever is greater;

14 (C) for gas companies, 0.00205 of gross operating revenue;

15 (D) for water companies, 0.0004 of gross operating revenue or \$2.00,
16 whichever is greater;

17 (E) for companies owning or operating a cable television system,
18 0.002 of gross operating revenue or \$10.00, whichever is greater;

19 (F) for companies whose sole telephone business consists of owning
20 customer-owned, coin-operated telephones with total annual revenues of less

1 than \$5,000.00, the choice of either 0.002 of gross operating revenue from
2 telephone revenues or the amount of \$8.00; and

3 (G) for all other companies named in section 203 of this title, 0.0004
4 of gross operating revenues.

5 (b) The ~~tax~~ taxes levied under this section shall not apply to sales of
6 electrical power for resale.

7 (c) ~~Of the revenue deposited into the special fund for the maintenance of~~
8 ~~engineering and accounting forces, 40 percent shall be allocated to the Public~~
9 ~~Utility Commission and 60 percent shall be allocated to the Department of~~
10 ~~Public Service. [Repealed.]~~

11 (d)(1) On June 30 of each year, any balance in the amount ~~allocated to~~
12 received by the Public Utility Commission from the special fund for the
13 maintenance of engineering and accounting forces, after accounting for
14 expenditures and encumbrances, in excess of 20 percent of the ~~Commission's~~
15 allocation funds received by the Commission for that year shall be used in the
16 manner provided by subdivision (3) of this subsection.

17 (2) On June 30 of each year, any balance in the amount ~~allocated to~~
18 received by the Department of Public Service from the special fund for the
19 maintenance of engineering and accounting forces, after accounting for
20 expenditures and encumbrances, in excess of 20 percent of the ~~Department's~~

1 allocation funds received by the Department for that year shall be used in the
2 manner provided by subdivision (3) of this subsection.

3 * * *

4 * * * Certificates of Public Good for New Gas and Electric Purchases,
5 Investments, and Facilities * * *

6 Sec. 27. 30 V.S.A. § 248c is added to read:

7 § 248c. FEES; DEPARTMENT OF PUBLIC SERVICE AND PUBLIC
8 UTILITY COMMISSION; PARTICIPATION IN CERTIFICATION
9 AND SITING PROCEEDINGS

10 (a) Establishment. This section establishes fees for the purpose of
11 supporting the role of the Department of Public Service (Department) and the
12 Public Utility Commission (Commission) in reviewing applications for in-state
13 facilities under section 248 of this title. Companies that pay the gross receipts
14 tax as provided in section 22 of this title shall not be subject to the fees
15 established in this section.

16 (b) Payment. The applicant shall pay the fee into the State Treasury at the
17 time the application for a certificate of public good is filed with the
18 Commission in an amount calculated in accordance with this section. The fee
19 shall be deposited into the gross revenue fund. Of the fees deposited into the
20 gross revenue fund, 60 percent shall be allocated to the Department and
21 40 percent shall be allocated to the Commission.

1 (c) Definitions. As used in this section, “kW” and “plant capacity” have
2 the same meaning as in section 8002 of this title.

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

5 (1) There shall be a registration fee of \$100.00 for each electric
6 generation facility less than or equal to 50 kW in plant capacity, or for a
7 rooftop project, or for a hydroelectric project filing a net metering registration,
8 or for an application filed under subsection 248(n) of this title.

9 (2) There shall be a fee of \$25.00 for modifications for each electric
10 generation facility less than or equal to 50 kW in plant capacity, or for a
11 rooftop project, or for a hydroelectric project filing a net metering registration,
12 or for an application filed under subsection 248(n) of this title.

13 (3) There shall be a fee for electric generation facilities that do not
14 qualify for the lower fees in subdivisions (1) and (2) of this subsection,
15 calculated as follows:

16 (A) \$5.00 per kW; and

17 (B) \$100.00 for modifications.

18 (e) Report. On or before the third Tuesday of each annual legislative
19 session, the Department and Commission shall jointly submit a report to the
20 General Assembly by electronic submission. The provisions of 2 V.S.A.
21 § 20(d) (expiration of required reports) shall not apply to this report. The

1 report shall list the fees collected and refunds approved, if any, under this
2 section and under section 248d of this title during the preceding fiscal year.

3 Sec. 28. 30 V.S.A. § 248d is added to read:

4 § 248d. FEE REFUND

5 If an applicant withdraws an application and seeks a fee refund, then a
6 written request for an application fee refund shall be submitted to the Public
7 Utility Commission (Commission) within 90 days of the withdrawal of the
8 application.

9 (1) As used in this section, “agency” means the Agency of Natural
10 Resources, the Department of Public Service, or the Commission.

11 (2) In the event that an application is withdrawn before any agency has
12 filed comments expressing a position on any part of the application, filed
13 testimony, or filed a stipulated agreement with the Commission in the context
14 of a certificate of public good proceeding, the Commission shall, upon request
15 of the applicant, refund 50 percent of the fee paid to each agency above the
16 first \$100.00; however, in no instance shall the agency retain more than
17 \$20,000.00.

18 (3) In the event that an application is withdrawn after any agency has
19 filed comments expressing a position on any part of the application, filed
20 testimony, or filed a stipulated agreement with the Commission in the context
21 of a certificate of public good proceeding, the Commission shall, upon request

1 of the applicant, refund 25 percent of the fee paid to each agency above the
2 first \$100.00.

3 (4) Commission decisions regarding application fee refunds may be
4 appealed to the Vermont Supreme Court.

5 (5) In no event may an application fee or a portion thereof be refunded
6 after the Commission has issued a final decision on the merits of an
7 application, whether the decision is to grant or deny the application in whole
8 or in part.

9 (6) No interest will be due or payable on any money refunded under this
10 section.

11 Sec. 29. EVALUATION OF FEES

12 The Department of Public Service (Department), in consultation with the
13 Public Utility Commission (Commission), shall evaluate the feasibility of
14 using billback mechanisms to recover the costs related to reviewing
15 applications for in-state facilities under section 248 of this title for projects that
16 produce five megawatts or more of electricity. The Department shall, on or
17 before January 15 of 2020, submit electronically a report to the House
18 Committee on Ways and Means and to the House Committee on Energy and
19 Technology with their findings.

1 (4) Biennial renewal, ~~\$200.00~~ \$240.00, except biennial renewal for:

2 * * *

3 (C) Physical therapists and assistants, ~~\$100.00~~ \$150.00.

4 * * *

5 (J) Appraisal management company registration, \$600.00.

6 (K) Radiologic therapist, radiologic technologist, nuclear medicine
7 technologist, \$150.00.

8 * * *

9 (6) Radiologic evaluation, \$125.00.

10 * * *

11 * * * Board of Public Accountancy * * *

12 Sec. 31. 26 V.S.A. § 56 is amended to read:

13 § 56. FEES

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

16 (1) Application for license ~~\$ 75.00~~ \$ 100.00

17 (2) Biennial renewal of license ~~\$ 120.00~~ \$ 220.00

18 (3) Firm registration and biennial renewal of registration ~~\$ 120.00~~

19 \$ 200.00

20 * * *

21 (5) Firm biennial renewal of registration \$ 400.00

22 (6) Sole proprietor firm biennial renewal of registration \$ 200.00

1 * * *

2 (3) Biennial license renewal \$~~100.00~~ \$ 150.00

3 * * *

4 * * * State Board of Nursing * * *

5 Sec. 34. 26 V.S.A. § 1577 is amended to read:

6 § 1577. FEES

7 Applicants and persons regulated under this chapter shall pay the following

8 fees:

9 (1) Nursing Assistants

10 * * *

11 (B) Biennial renewal \$~~45.00~~ \$ 55.00

12 (2) Practical Nurses and Registered Nurses

13 (A) Application by exam \$~~60.00~~ \$ 110.00

14 (B) ~~Registered nurse application~~ Application by endorsement

15 \$ 150.00

16 (C) Biennial renewal for Practical Nurses \$~~140.00~~ \$ 175.00

17 (D) Biennial renewal for Registered Nurses \$ 200.00

18 (3) Advanced Practice Registered Nurses

19 (A) Initial endorsement of advanced practice registered nurses

20 ~~\$ 75.00~~ \$ 100.00

21 (B) Biennial renewal of advanced practice registered nurses ~~\$ 75.00~~

22 \$ 125.00

1 * * * Board of Pharmacy * * *

2 * * * Licensing Fees * * *

3 Sec. 35. 26 V.S.A. § 2046 is amended to read:

4 § 2046. FEES

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

7 (1) Initial application:

8 * * *

9 (C) Institutional drug outlets ~~\$ 300.00~~ \$ 400.00

10 (D) Manufacturing drug outlet ~~\$ 300.00~~ \$ 400.00

11 (E) Wholesale drug outlet ~~\$ 600.00~~ \$ 700.00

12 * * *

13 (H) Outsourcing drug outlet \$ 700.00

14 (I) Nuclear drug outlet \$ 700.00

15 (J) Compounding drug outlet \$ 700.00

16 (K) Home infusion drug outlet \$ 700.00

17 (L) Third-party logistics \$ 700.00

18 (M) Pharmacy interns \$ 20.00

19 (2) Biennial renewal:

20 (A) Pharmacists ~~\$ 100.00~~ \$ 125.00

21 (B) Retail drug outlets ~~\$ 300.00~~ \$ 400.00

1	(C) Institutional drug outlets	\$ 300.00 <u>\$ 500.00</u>
2	(D) Manufacturing drug outlet	\$ 300.00 <u>\$ 500.00</u>
3	(E) Wholesale drug outlet	\$ 300.00 <u>\$ 500.00</u>
4		* * *
5	<u>(H) Outsourcing drug outlet</u>	<u>\$ 500.00</u>
6	<u>(I) Nuclear drug outlet</u>	<u>\$ 500.00</u>
7	<u>(J) Compounding drug outlet</u>	<u>\$ 500.00</u>
8	<u>(K) Home infusion drug outlet</u>	<u>\$ 500.00</u>
9	<u>(L) Third-party logistics</u>	<u>\$ 500.00</u>
10	<u>(M) Pharmacy interns</u>	<u>\$ 45.00</u>

11 * * *

12 * * * Wholesale Distributors and Manufacturers * * *

13 Sec. 36. 26 V.S.A. § 2076(c) is amended to read:

14 (c) If the Board determines it is necessary to inspect a certain premises
15 under the same ownership more than once in any two-year period, the Board
16 may charge a reinspection fee of not more than \$100.00 \$500.00.

17 * * * Real Estate Commission * * *

18 Sec. 37. 26 V.S.A. § 2255 is amended to read:

19 § 2255. FEES

20 (a) Applicants and persons regulated under this chapter shall pay the
21 following fees:

22 (1) Application

1	(A) Broker license	\$ 50.00 <u>\$ 100.00</u>
2	(B) Salesperson license	\$ 50.00 <u>\$ 100.00</u>
3	(C) Brokerage firm registration	\$ 50.00 <u>\$ 200.00</u>
4	(D) Branch office registration	\$ 50.00 <u>\$ 200.00</u>
5	(2) Biennial renewal of broker or salesperson license	\$ 200.00 <u>\$ 240.00</u>
6	(3) Biennial brokerage firm or branch office registration renewal	
7		\$ 200.00 <u>\$ 400.00</u>

8 * * *

9 * * * Board of Radiologic Technology * * *

10 Sec. 38. 26 V.S.A. § 2814 is amended to read:

11 § 2814. FEES

12 Applicants and persons regulated under this chapter shall pay the following
13 fees:

14	(1) Application for primary licensure	\$ 100.00
15	(2) Biennial renewal	
16	(A) Renewal of a single primary license	\$ 110.00
17	(B) Renewal of each additional primary license	\$ 15.00
18	(3) Initial competency endorsement under section 2804	
19	of this title	\$ 100.00
20	(4) Biennial renewal of competency endorsement under	
21	section 2804 of this title	\$ 110.00

1 ~~(7) Appraiser trainee annual registration~~ \$100.00

2 ~~(8) Appraisal management company registration application~~

3
4 \$125.00

5 ~~(9) Appraisal management company registration renewal~~

6 \$400.00

7 In addition to the fees otherwise authorized by law, the Director may charge
8 the fees for professions regulated by the Director as set forth in 3 V.S.A.
9 § 125(b).

10 * * * Board of Allied Mental Health Practitioners * * *

11 * * * Marriage and Family Therapists * * *

12 Sec. 41. 26 V.S.A. § 4041a is amended to read:

13 § 4041a. FEES

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

16 (1) Application for licensure ~~\$125.00~~ \$150.00

17 (2) Biennial renewal ~~\$150.00~~ \$250.00

18 * * * Roster of Psychotherapists Who are Nonlicensed and Noncertified * * *

19 Sec. 42. 26 V.S.A. § 4089a is amended to read:

20 § 4089a. FEES

21 A person who seeks entry on the roster shall pay the following fees:

- 1 (1) Initial roster entry ~~\$75.00~~ \$80.00
2 (2) Biennial roster reentry ~~\$90.00~~ \$150.00

3 * * * Electrologists * * *

4 Sec. 43. 26 V.S.A. § 4412 is amended to read:

5 § 4412. FEES

6 In addition to examination fees, applicants and licensees regulated under
7 this chapter shall be subject to the fees set forth in 3 V.S.A. § 125(b) ~~and the~~
8 ~~following fees:~~

9 ~~(1) Initial electrology office license \$100.00;~~

10 ~~(2) Biennial office license renewal \$ 50.00.~~

11 * * * Judiciary * * *

12 * * * Supreme and Superior Courts * * *

13 Sec. 44. 32 V.S.A. § 1431 is amended to read:

14 § 1431. FEES IN SUPREME AND SUPERIOR COURTS

15 * * *

16 (d) Prior to the entry of any subsequent pleading which sets forth a claim
17 for relief in the Supreme Court or the Superior Court, there shall be paid to the
18 clerk of the court for the benefit of the State a fee of \$120.00 for every ~~appeal,~~
19 cross-claim, or third-party claim and a fee of \$90.00 for every counterclaim in
20 the Superior Court in lieu of all other fees not otherwise set forth in this
21 section. The fee for an appeal of a magistrate's decision or the appeal of a

1 small claims decision in the Superior Court shall be \$120.00. The filing fee
2 for civil suspension proceedings filed pursuant to 23 V.S.A § 1205 shall be
3 \$90.00, which shall be taxed in the bill of costs in accordance with sections
4 1433 and 1471 of this title. This subsection does not apply to filing fees in the
5 Family Division, except with respect to the fee for an appeal of a magistrate's
6 decision.

7 (e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or
8 Environmental Division of the Superior Court, including motions to reopen
9 civil suspensions and motions for sealing or expungement in the Criminal
10 Division pursuant to 13 V.S.A. § 7602, or motions to reopen existing cases in
11 the Probate Division of the Superior Court, there shall be paid to the clerk of
12 the court for the benefit of the State a fee of \$90.00 except for small claims
13 actions, ~~and estates,~~ and motions to confirm the sale of property in foreclosure.
14 A filing fee of \$90.00 shall be paid to the clerk of the court for a civil petition
15 for minor settlements.

16 * * *

17 * * * Probate Cases * * *

18 Sec. 45. 32 V.S.A. § 1434 is amended to read:

19 § 1434. PROBATE CASES

20 (a) The following entry fees shall be paid to the Probate Division of the
21 Superior Court for the benefit of the State, except for subdivisions (18) and

1 (19) of this subsection, which shall be for the benefit of the county in which
2 the fee was collected:

3 * * *

4 (26) Petitions for license to sell or convey real estate

5 \$100.00

6 (27) Petition for license to sell or convey personal property \$100.00

7 * * *

8 (31) ~~Requests for findings regarding motor vehicle title pursuant to 23~~
9 ~~V.S.A. § 2023(e)(2) \$50.00 [Repealed.]~~

10 (32) Petitions to obtain a birth order pursuant to 15C V.S.A. § 708(a) or
11 § 804(a) \$100.00

12 (33) Petitions to appeal the State Registrar's denial of an application to
13 amend a birth or death certificate pursuant to 18 V.S.A. § 5073(b) \$150.00

14 * * *

15 * * * Effective Dates * * *

16 Sec. 46. EFFECTIVE DATES

17 This act shall take effect on July 1, 2019, except that Secs. 19 (insurance
18 term of license) and 20a (insurance license requirements) shall take effect on
19 June 1, 2021.