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H.645

Introduced by Representatives Stevens of Waterbury, Birong of Vergennes,
Gamache of Swanton, Hango of Berkshire, Howard of Rutland
City, Killacky of South Burlington, and Walz of Barre City

Referred to Committee on

Date:

Subject: Labor; employment practices; wages

Statement of purpose of bill as introduced: This bill proposes to make
technical changes to Vermont’s wage and hour laws in order to modernize the
statutory language and to repeal or amend obsolete provisions.

An act relating to modernizing Vermont’s wage and hour laws

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

Sec. 1. 21 V.S.A. § 341 is amended to read:

§ 341. DEFINITIONS

As used in this subchapter:

* * *

(2) “Employer” means any person ~~having employees in his or her~~
service that employs one or more employees.

(3) “Commissioner” means the Commissioner of Labor ~~or designee.~~

* * *

1 Sec. 2. 21 V.S.A. § 342 is amended to read:

2 § 342. WEEKLY PAYMENT OF WAGES

3 (a)(1) Any employer having one or more employees that is doing ~~and~~
4 ~~transacting~~ business within the State shall pay each week, in lawful money or
5 checks, the wages earned by each employee to a day not more than six days
6 prior to the date of such payment.

7 (2) ~~After giving written notice to the employee or employees~~
8 Notwithstanding subdivision (1) of this subsection, any employer having ~~an~~
9 ~~employee or one or more~~ employees that is doing ~~and transacting~~ business
10 within the State may, ~~notwithstanding subdivision (1) of this subsection~~ either:

11 (A) after giving notice to each employee, pay biweekly or
12 semimonthly in lawful money or checks each employee the wages earned by
13 the employee to a day not more than six days prior to the date of the payment.
14 ~~If a;~~ or

15 (B) pursuant to the terms of a collective bargaining agreement so
16 provides, ~~the payment may be made~~ pay any employee who is subject to that
17 agreement the wages earned by the employee to a day not more than 13 days
18 prior to the date of payment.

19 (3)(A) A school district employee may elect in writing to have a set
20 amount or set percentage of his or her after-tax wages withheld by the school

1 district in a district-held bank account each pay period. The percentage or
2 amount withheld shall be determined by the employee.

3 (B) At the option of the employee, the school district shall disburse
4 the funds to the employee in either a single payment at the time the employee
5 receives his or her final paycheck of the school year, or in equal weekly or
6 biweekly sums beginning at the end of the school year.

7 (C)(i) The school district shall disburse funds from the account in any
8 sum as requested by the employee and, at the end of the school year or at the
9 employee's option over the course of the period between the current and next
10 school year, or upon separation from employment, shall remit to the employee
11 any remaining funds, including interest earnings, held in the account.

12 (ii) For employees within a bargaining unit organized pursuant to
13 either chapter 22 of this title or 16 V.S.A. chapter 57, the school district shall
14 implement this election in a manner consistent with the provisions of this
15 subdivision and as determined through negotiations under those chapters.

16 (iii) For employees not within a bargaining unit, the school district
17 shall, ~~in a manner consistent with this subdivision,~~ determine the manner in
18 which to implement the provisions of this subdivision.

19 (b) An employee who:

20 (1) voluntarily leaves employment shall be paid on the last regular pay
21 day, or if there is no regular pay day, on the following Friday;

1 (2) is discharged from employment shall be paid within 72 hours of
2 discharge;

3 (3) is absent from his or her regular place of employment on the
4 employer's regular scheduled date of wages or salary payment shall be entitled
5 to payment upon demand.

6 (c) With the written authorization of an employee, an employer may pay
7 wages due the employee by any of the following methods:

8 (1) Deposit through electronic funds transfer or ~~other~~ direct deposit
9 ~~systems~~ to a checking, savings, or other deposit account maintained by or for
10 the employee in any financial institution within or ~~without~~ outside the State.

11 (2) Credit to a payroll card account, other than a checking, savings, or
12 other deposit account described in subdivision (1) of this subsection, that is
13 directly or indirectly established by an employer in a federally insured
14 depository institution to which electronic fund transfers of the employee's
15 wages, salary, or other ~~employee~~ compensation is made on a recurring basis;
16 ~~other than a checking, savings, or other deposit account described in~~
17 ~~subdivision (1) of this subsection,~~ provided all the following:

18 (A) The employer provides the employee written disclosure in plain
19 language, in at least 10-point type of both the following:

20 (i) All the employee's wage payment options.

1 (ii) The terms and conditions of the payroll card account option,
2 including a complete list of all known fees that may be deducted from the
3 employee's payroll card account by the employer or the card issuer and
4 whether third parties may assess fees in addition to the fees assessed by the
5 employer or issuer.

6 ~~(B) Copies of the written disclosures required by subdivisions (A)~~
7 ~~and (F) of this subdivision (c)(2) and by subsection (d) of this section shall be~~
8 ~~provided to the employee in the employee's primary language or in a language~~
9 ~~the employee understands.~~

10 ~~(C)~~ The employee voluntarily consents in writing to payment of
11 wages by payroll card account after receiving the disclosures described in
12 subdivision (A) of this subdivision (c)(2), and ~~this~~ his or her consent is not a
13 condition of hire or continued employment.

14 ~~(D)~~(C) The employer ensures that the payroll card account provides
15 that during each pay period, the employee has at least three free withdrawals
16 from the payroll card, one of which permits withdrawal of the full amount of
17 the balance at a federally insured depository institution or other location
18 convenient to the place of employment.

19 ~~(E)~~(D) None of the employer's costs associated with the payroll card
20 account are passed on to the employee, and the employer ~~shall~~ does not receive
21 any financial remuneration for using the pay card at the employee's expense.

1 ~~(F)~~(E)(i) At least 21 days before any change takes effect, the
2 employer provides the employee with written notice in plain language, in at
3 least 10 point type, of the following:

4 (I) any change to any of the terms and conditions of the payroll
5 card account, including any changes in the itemized list of fees;

6 (II) the employee's right to discontinue receipt of wages by a
7 payroll card account at any time and without penalty.

8 (ii) The employer may not charge the employee any additional
9 fees until the employer has notified the employee in writing of the changes.

10 ~~(G)~~(F) The employer provides the employee the option to discontinue
11 receipt of wages by a payroll card account at any time and without penalty to
12 the employee.

13 ~~(H)~~(G) The payroll card issued to the employee shall be a branded-
14 type payroll card that complies with both the following:

15 (i) Can be used at a PIN-based or a signature-based outlet.

16 (ii) The payroll card agreement prevents withdrawals in excess of
17 the account balance and to the extent possible protects against the account
18 being overdrawn.

19 ~~(I)~~(H) The employer ensures that the payroll card account provides
20 one free replacement payroll card per year at no cost to the employee before
21 the card's expiration date. A replacement card need not be provided if the card

1 has been inactive for a period of at least 12 months or the employee is no
2 longer employed by the employer.

3 ~~(I)~~(I) A nonbranded payroll card may be issued for temporary
4 purposes and shall be valid for no more than 60 days.

5 ~~(J)~~(J) The payroll card account shall not be linked to any form of
6 credit, including a loan against future pay or a cash advance on future pay.

7 ~~(K)~~(K) The employer shall not charge the employee an initiation,
8 loading, or other participatory fee to receive wages payable in an electronic
9 fund transfer to a payroll card account, with the exception of the cost required
10 to replace a lost, stolen, or damaged payroll card.

11 ~~(L)~~(L) The employer shall ensure that the payroll card account
12 provides to the employee, ~~upon the employee's written or oral request,~~ one free
13 written transaction history each month which includes all deposits,
14 withdrawals, deductions, or charges by any entity from or to the employee's
15 payroll card account for the preceding 60 days. The employer shall also ensure
16 that the account allows the employee to elect to receive the monthly
17 transaction history by regular mail, electronic mail, or in another digital
18 format.

19 (d)(1) If a payroll card account is established with a financial institution as
20 an account that is individually owned by the employee, the employer's
21 obligations and the protections afforded under subsection (c) of this section

1 shall cease 30 days after the employer-employee relationship ends and the
2 employee has been paid his or her final wages.

3 (2) Upon the termination of the relationship between the employer and
4 the employee who owns the individual payroll card account:

5 (A) the employer shall notify the financial institution of any changes
6 in the relationship between the employer and employee; and

7 (B) the financial institution holding the individually owned payroll
8 card account shall provide the employee with a written statement in plain
9 language describing a full list of the fees and obligations the employee might
10 incur by continuing a relationship with the financial institution.

11 (e) The Department of Financial Regulation may adopt rules to implement
12 subsection (c) of this section.

13 (f) The employer shall provide copies of the written disclosures required by
14 subdivisions (A) and (F) of subdivision (c)(2) and by subsection (d) of this
15 section to the employee in the employee's primary language or in a language
16 the employee understands.

17 Sec. 3. 21 V.S.A. § 342a is amended to read:

18 § 342a. INVESTIGATION OF COMPLAINTS OF UNPAID WAGES

19 * * *

20 (c) If after the investigation wages are found to be due, the Commissioner
21 shall attempt to settle the matter between the employer and employee. If the

1 attempt fails, the Commissioner shall issue a written determination and order
2 for collection, which shall specify the facts and the conclusions upon which the
3 determination is based. The Department shall collect from the employer the
4 amounts due and remit them to the employee. Notice of the determination and
5 the order for collection to the employer shall be provided to the prevailing
6 party by regular mail and to the other party by certified mail or service, or if
7 wages are due in an amount that is less than the amount claimed notice shall be
8 provided to all interested parties by certified mail or service.

9 * * *

10 (e) Within 30 days after the date of the ~~collection order~~ determination, the
11 employer or employee may file an appeal from the determination to a
12 departmental administrative law judge. The appeal shall, after notice to the
13 employer and employee, be heard by the administrative law judge within a
14 reasonable time. The administrative law judge shall review the complaint de
15 novo, and after a hearing, the determination and, if applicable, order for
16 collection shall be sustained, modified, or reversed by the administrative law
17 judge. Prompt notice in writing of the decision of the administrative law judge
18 and the reasons for it shall be given to all interested parties.

19 * * *

1 Sec. 4. 21 V.S.A. § 343 is amended to read:

2 § 343. FORM OF PAYMENT

3 An employer shall not pay employees with any form of evidence of
4 indebtedness, including ~~all~~ scrip, vouchers, due bills, or store orders, unless ~~the~~
5 ~~employer is in compliance with one or both of the following:~~

6 (1) The employer is a cooperative corporation in which the employee is
7 a stockholder, in which case, the cooperative corporation shall, upon request of
8 ~~any shareholding~~ the employee, pay ~~the shareholding employee~~ him or her as
9 provided in section 342 of this title.

10 (2) Payment is made by check as defined in Title 9A ~~or by an electronic~~
11 ~~fund transfer as provided in section 342 of this title.~~

12 Sec. 5. 21 V.S.A. § 344 is amended to read:

13 § 344. ASSIGNMENT OF FUTURE WAGES

14 (a) An assignment of future wages payable ~~under the provisions of~~
15 pursuant to section 342 of this title subchapter shall not be valid, if it is made
16 or procured to be made to:

17 (1) the employer from whom such the wages are to become due; or

18 (2) to anyone any person in behalf of such the employer; ~~or if made or~~
19 ~~procured to be made to anyone~~ for the purpose of relieving such the employer
20 from the obligation to pay under the provisions of section 342 of this
21 subchapter.

1 (b) ~~Such~~ An employer shall not require ~~an agreement from~~ an employee to
2 agree, as a condition of employment, to accept wages at any other period as a
3 ~~condition of employment~~ than as permitted pursuant to section 342 of this
4 subchapter.

5 Sec. 6. 21 V.S.A. § 345 is amended to read:

6 § 345. NONPAYMENT OF WAGES AND BENEFITS

7 (a) ~~Each~~ An employer who violates section 342, 343, 482, or 483 of this
8 title shall be fined not more than \$5,000.00. ~~Where~~ If the employer is a
9 corporation, the president or other officers who have control of the payment
10 operations of the corporation shall be considered employers and liable to the
11 employee for actual wages due when the officer has willfully ~~and without good~~
12 ~~cause~~ participated in knowing violations of this ~~chapter~~ subchapter.

13 (b) In addition to any other penalty or punishment ~~otherwise~~ prescribed by
14 law, any employer who, pursuant to an oral or written employment agreement,
15 is required to provide benefits to an employee shall be liable to the employee
16 for actual damages caused by the failure to pay for the benefits, and where the
17 failure to pay is knowing and willful and continues for 30 days after the
18 payments are due shall be assessed ~~a civil~~ an administrative penalty by the
19 Commissioner of not more than \$5,000.00.

20 (c) The Commissioner may enforce collection of the fines assessed under
21 this section in the Civil Division of the Superior Court.

1 Sec. 7. 21 V.S.A. § 382 is amended to read:

2 § 382. ~~COVERAGE~~

3 ~~Employers employing two employees or more are covered by this~~
4 ~~subchapter. [Repealed.]~~

5 Sec. 8. 21 V.S.A. § 383 is amended to read:

6 § 383. DEFINITIONS

7 ~~Terms used in this subchapter have the following meanings, unless a~~
8 ~~different meaning is clearly apparent from the language or context~~ As used in
9 this subchapter:

10 (1) “Commissioner;” means the Commissioner of Labor or designee;

11 (2) “Employee;” means any individual employed or permitted to work
12 by an employer except:

13 (A) any individual employed in agriculture;

14 (B) any individual employed in domestic service in or about a private
15 home;

16 (C) any individual employed by the United States;

17 (D) any individual employed in the activities of a public supported
18 nonprofit organization, except laundry employees, nurses’ aides, or practical
19 nurses;

20 (E) any individual employed in a bona fide executive, administrative,
21 or professional capacity;

1 (F) any individual making home deliveries of newspapers or
2 advertising;

3 (G) ~~taxi-cab~~ taxicab drivers;

4 (H) outside salespersons; and

5 (I) secondary school students working during all or any part of the
6 school year or regular vacation periods. As used in this subdivision (2)(I),
7 “regular vacation periods” does not include the period between two successive
8 academic years.

9 (3) “Employer” means any person that employs two or more employees.

10 ~~(3)~~(4) “Occupation,” means an industry, trade, or business, or branch
11 thereof, or a class of work in which workers are gainfully employed.

12 ~~(4) [Repealed.]~~

13 Sec. 9. 21 V.S.A. § 384 is amended to read:

14 § 384. EMPLOYMENT; WAGES

15 (a)(1) ~~An employer shall not employ any employee at a rate of less than~~
16 ~~\$9.15. Beginning on January 1, 2016, an employer shall not employ any~~
17 ~~employee at a rate of less than \$9.60. Beginning on January 1, 2017, an~~
18 ~~employer shall not employ any employee at a rate of less than \$10.00.~~
19 ~~Beginning on January 1, 2018, an employer shall not employ any employee at~~
20 ~~a rate of less than \$10.50, and beginning on January 1, 2019 and on each~~
21 ~~subsequent January 1, the minimum wage rate shall be increased by~~

1 five percent or the percentage increase of the Consumer Price Index, CPI-U,
2 U.S. city average, not seasonally adjusted, or successor index, as calculated by
3 the U.S. Department of Labor or successor agency for the 12 months preceding
4 the previous September 1, whichever is smaller, ~~but in.~~ In no event shall the
5 minimum wage be decreased. The minimum wage shall be rounded off to the
6 nearest \$0.01.

7 (2) An employer in the hotel, motel, tourist place, and restaurant
8 industry shall not employ a service or tipped employee at a basic wage rate less
9 than one-half the minimum wage. As used in this ~~subsection~~ subdivision, “a
10 service or tipped employee” means an employee of a hotel, motel, tourist
11 place, or restaurant who customarily and regularly receives more than \$120.00
12 per month in tips for direct and personal customer service.

13 (3) If the minimum wage rate established by the U.S. government is
14 greater than the rate established ~~for Vermont~~ pursuant to subdivision (1) of this
15 subsection for any year, the minimum wage rate for that year shall be the rate
16 established by the U.S. government.

17 (b) Notwithstanding subsection (a) of this section, an employer shall not
18 pay an employee less than one and one-half times the regular wage rate for any
19 work done by the employee in excess of 40 hours during a workweek.

20 However, this subsection shall not apply to:

1 (1) Employees of any retail or service establishment. A “retail or
2 service establishment” means an establishment 75 percent of whose annual
3 volume of sales of goods or services, or of both, is not for resale and is
4 recognized as retail sales or services in the particular industry.

5 (2) Employees of an establishment which is an amusement or
6 recreational establishment, if:

7 (A) it does not operate for more than seven months in any calendar
8 year; or

9 (B) during the preceding calendar year its average receipts for any six
10 months of that year were not more than one-third of its average receipts for the
11 other six months of the year.

12 (3) Employees of an establishment which is a hotel, motel, or restaurant.

13 (4) Employees of hospitals, public health centers, nursing homes,
14 maternity homes, therapeutic community residences, and residential care
15 homes as those terms are defined in Title 18, provided:

16 (A) the employer pays the employee on a biweekly basis; and

17 (B) the employer files an election to be governed by this section with
18 the Commissioner; and

19 (C) the employee receives not less than one and one-half times the
20 regular wage rate for any work done by the employee:

21 (i) in excess of eight hours for any workday; or

1 (ii) in excess of 80 hours for any biweekly period.

2 (5) Those employees of a business engaged in the transportation of
3 persons or property to whom the overtime provisions of the federal Fair Labor
4 Standards Act do not apply, ~~but~~. However, this subsection shall apply to all
5 other employees of such businesses.

6 (6) Those employees of a political subdivision of this State.

7 (7) State employees who are covered by the federal Fair Labor
8 Standards Act.

9 (c) ~~However, an~~ An employer may deduct from the rates required in
10 subsections (a) and (b) of this section:

11 (1) the amounts for board, lodging, apparel, rent, or utilities paid or
12 furnished to an employee; or

13 (2) other items or services or such other conditions or circumstances as
14 may be usual in a particular employer-employee relationship, including
15 gratuities as determined by the wage order made under this subchapter.

16 (d) For the purposes of earned sick time, an employer shall comply with the
17 provisions required under subchapter 4B of this chapter.

18 Sec. 10. 21 V.S.A. § 385 is amended to read:

19 § 385. ADMINISTRATION

20 The Commissioner and the Commissioner's authorized representatives have
21 full power and authority for all the following:

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(4) To ~~recommend and~~ determine the amount of deductions for board, lodging, or other items or services supplied by the employer or any other conditions or circumstances as may be usual in a particular employer-employee relationship, ~~including gratuities~~; provided, however, that in no case shall the total remuneration received by an employee, including wages, gratuities, board, lodging, or other items or services supplied by the employer, ~~including gratuities~~, be less than the minimum wage ~~rate set forth in~~ established pursuant to section 384 of this title. No deduction may be made for the care, cleaning, or maintenance of required apparel. No deduction for required apparel shall be made without the employee's express written authorization and the deduction shall not:

- (A) reduce the total remuneration received by an employee below the ~~hourly~~ minimum wage established pursuant to section 384 of this title;
- (B) include any administrative fees or charges; or
- (C) amend, nullify, or violate the terms and conditions of any collective bargaining agreement.

(5) To recommend a suitable scale of rates for learners, apprentices, and persons with disabilities, which may be less than the regular minimum wage rate for experienced workers without disabilities.

1 Sec. 11. 21 V.S.A. § 386 is amended to read:

2 § 386. INVESTIGATIONS

3 The Commissioner may, and on a petition of 50 or more residents of the
4 State shall, ~~make an investigation of~~ investigate any industry, business,
5 occupation, or employment ~~as set forth in,~~ pursuant to the provisions of section
6 385 of this title, to ascertain whether any violations of this subchapter have
7 occurred.

8 Sec. 12. 21 V.S.A. § 391 is amended to read:

9 § 391. ~~MODIFICATION OF WAGE ORDERS~~

10 ~~The Commissioner with the approval of the Governor may from time to~~
11 ~~time propose modifications of or additions to any regulations included in any~~
12 ~~minimum wage order which the Commissioner deems appropriate. [Repealed.]~~

13 Sec. 13. 21 V.S.A. § 392 is amended to read:

14 § 392. ~~COURT PROCEEDINGS~~

15 ~~If any employer covered by a wage order has failed to comply with the~~
16 ~~wage order within 14 days after receiving notification of the violation, the~~
17 ~~Commissioner shall take court action to enforce the order. [Repealed.]~~

18 Sec. 14. 21 V.S.A. § 393 is amended to read:

19 § 393. EMPLOYERS' RECORDS; NOTICE

20 (a) Every employer, ~~subject to the provisions of this subchapter or of any~~
21 ~~regulation or order issued thereunder,~~ shall keep a true and accurate record of

1 the hours worked by each employee and of the wages paid to him or her and
2 shall furnish to the Commissioner upon demand a sworn statement of the same.
3 ~~Such~~ The records shall be open to inspection by the Commissioner, ~~his or her~~
4 ~~deputy~~, or any authorized agent of the Department at any reasonable time.

5 (b) Every employer subject to the provisions of this subchapter ~~or of any~~
6 ~~regulation or order issued under the provisions thereof~~ shall keep a copy of
7 ~~them posted~~ post notice of the provisions of this subchapter in a form provided
8 by the Commissioner in a conspicuous place in the area where employees are
9 employed. ~~The Commissioner shall furnish copies of such orders and~~
10 ~~regulations to employers without charge.~~

11 Sec. 15. 21 V.S.A. § 394 is amended to read:

12 § 394. PENALTIES

13 (a) Any employer, that is subject to this subchapter ~~or any regulations or~~
14 ~~orders issued thereunder~~, or any ~~of the employer's agents or the officer or~~
15 ~~agent of any corporation~~ an employer, who pays ~~or~~, permits to be paid, or
16 agrees to pay to any employee ~~engaged in any industry or occupation~~ less than
17 the applicable rate to which the employee is entitled ~~under~~ pursuant to this
18 subchapter, shall be ~~fined~~ assessed an administrative penalty of not more than
19 \$100.00 for each day the employee is paid less than the rate required ~~under~~
20 pursuant to this subchapter.

1 (b) ~~Any~~ An employer, ~~or any of the employer's agents or the~~ an officer or
2 agent of ~~any corporation who fails to keep the records required under this~~
3 ~~subchapter or refuses to permit the Commissioner to enter the place of business~~
4 ~~or who fails to furnish the records to the Commissioner upon demand~~ an
5 employer, shall be ~~fin~~ed assessed an administrative penalty of not more than
6 \$100.00 for any of the following:

7 (1) failing to keep the records required pursuant to this subchapter;

8 (2) refusing to permit the Commissioner to enter the place of business;

9 or

10 (3) failing to furnish records to the Commissioner upon demand.

11 Sec. 15. 21 V.S.A. § 395 is amended to read:

12 § 395. CIVIL ACTIONS

13 ~~If any~~ An employee who is paid by an employer less than the applicable
14 wage rate to which the employee is entitled ~~under~~ pursuant to this subchapter,
15 ~~the employee~~ shall recover, in a civil action, twice the amount of the minimum
16 wage established pursuant to section 384 of this subchapter less any amount
17 actually paid by the employer, together with costs and reasonable attorney's
18 fees, ~~and any.~~ An agreement between an employer and an employee to work
19 for less than the wage rates ~~is no~~ established pursuant to section 384 of this
20 subchapter shall not be a defense to the action.

1 Sec. 16. 21 V.S.A. § 396 is amended to read:

2 § 396. APPEALS FROM COMMISSIONER'S DECISIONS

3 (a) Appeals to Superior Court ~~wherein a civil action between the parties~~
4 ~~would be triable~~. Any person aggrieved by ~~any~~ a decision of the
5 Commissioner may appeal to the Superior Court.

6 (b) Procedure. The Commissioner shall forward to the Court the record of
7 the decision on appeal. The court shall ~~direct the record in the matter appealed~~
8 ~~from to be laid before it, hear the evidence, and make such order approving in~~
9 ~~whole or in part or setting aside in whole or in part the decision appealed from~~
10 ~~as justice may require~~ consider the record and any evidence presented, may
11 approve or set aside the Commissioner's decision in whole or in part, and may
12 refer any matter or issue arising in the proceedings to the Commissioner for
13 further consideration. ~~However, in~~ In no case shall such an appeal operate as a
14 ~~supersedeas or stay unless the Commissioner or the court to which such the~~
15 appeal is taken ~~shall so order~~ orders.

16 (c) Certifying record. ~~An order of court to send up~~ The Commissioner may
17 provide to the court the record ~~may be complied with~~ by filing either the
18 original papers or duly certified copies ~~thereof of them, or of such portions~~
19 ~~thereof as the order may specify,~~ together with a certified statement of ~~such~~
20 any other facts as that show the grounds of the action appealed from.

1 (d) Hearing. The court may take evidence or may appoint a referee to take
2 ~~such~~ evidence as it may direct ~~and to report the same with findings of fact.~~ A
3 referee that is appointed shall submit a report to the court of all evidence taken
4 together with findings of fact.

5 (e) Costs. In any proceedings under this subchapter, the court may ~~make~~
6 ~~such~~ award of any costs as may seem it determines to be equitable and just.

7 (f) Appeal, Supreme Court. ~~Appeal from the~~ The decision of the Superior
8 Court may be ~~had~~ appealed to the Supreme Court.

9 Sec. 17. EFFECTIVE DATE

10 This act shall take effect on July 1, 2020.