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*Office of the Secretary*

## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** June 14, 2021, Microsoft Teams Virtual Meeting

**Members Present:** Chair Kristin Clouser, Diane Bothfeld, Jennifer Mojo, Matt Langham, Diane Sherman, Clare O'Shaughnessy and John Kessler

**Members Absent:** Ashley Berliner, Dirk Anderson

**Minutes By:** Melissa Mazza-Paquette

- 2:01 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the [May 10, 2021](#) meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow:
  1. Allocation and Apportionment of Vermont Net Income By Corporations, Department of Taxes, page 2
  2. Electrical Safety Rules – 2020, Vermont Electricians' Licensing Board, page 3
  3. Rule 8.000: Data Submission, Green Mountain Care Board, page 4
  4. Rule 9.000: Data Release, Green Mountain Care Board, page 5
  5. Vermont Hazardous Waste Management Regulations, Agency of Natural Resources, page 6
- Next scheduled meeting is July 12, 2021 at 2:00 p.m. via Microsoft Teams.
- 3:45 p.m. meeting adjourned.

**Presented By:** Will Baker

Motion made to accept the rule by John Kessler, seconded by Diane Bothfeld, and passed unanimously except for Chair Kristin Clouser who abstained, with the following recommendations:

1. Proposed Rule Coversheet, #6: Add an ending parenthesis.
2. Proposed Rule Coversheet, #12: Include further explanation, which was provided verbally during the introduction and be consistent with #8 of the Economic Impact Analysis. Correct wording of 'clarity' in the second sentence. Change 'an' to 'a' between 'experience' and 'decrease' in the third sentence.
3. Proposed Rule Coversheet, #14 and #15: Correct dates, as the date in #15 cannot be before the date in #14.
4. Adopting Page, #4: Include text title if appropriate.
5. Economic Impact Analysis, #4 and #5: Change 'n/a' to 'none'.
6. Economic Impact Analysis, #6 and #8: Should be clear and consistent on impact.
7. Environmental Impact Analysis, #3-#7: Complete - can say 'none' or 'no impact' if applicable.
8. Environmental Impact Analysis, #9: Expand upon 'their industry's environment impact'.
9. Public Input, #3-4: Include public engagement and the plan for outreach.
10. Proposed Rule: The date needs to change pertaining to 'Beginning on or after November 20, 2020'.

**Presented By:** Robert Sponable

Motion made to accept the rule by Diane Bothfeld, seconded by Jennifer Mojo, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, #12: Be more descriptive in the third sentence. Explain the difference or be consistent with pricing throughout as it lists \$113 in #5 of the Incorporation by Reference.
2. Proposed Rule Coversheet, #13-15: A hearing is recommended. Complete and be consistent with the Public Input Form.
3. Economic Impact Analysis, #9: Include reasonings and analysis to describe what's been done.
4. Environmental Impact Analysis, #9: Change 'provide' to 'cause'.
5. Public Input, #3: Include public engagement and plan for outreach.
6. Public Input, #4: Add website address. Include a comparison of changes from 2017 to 2020. Include hearing information once date is selected.
7. Proposed Rule, #10(b), Page 14: Change 'TBD' to the date once known.

**Proposed Rule:** Rule 8.000: Data Submission, Green Mountain Care Board

**Presented By:** Russ McCracken and Kathryn O'Neill

Motion made to accept the rule by Diane Sherman, seconded by Matthew Langham, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, #8: Define the two sets including their name and acronym. The acronyms may then be used throughout the filing.
2. Proposed Rule Coversheet, #12: State that the impact could be overall neutral if appropriate and reconcile the compliance costs as referenced in the Economic Impact.
3. Economic Impact Analysis, #7: Clarify neutral compliance costs.
4. Public Input, #4 and #5: Identify the general nature of the comments received, if the comments stated are in totality, and if they were incorporated. Rewrite the May 5, 2021 entry in #4 for clarity.

**Proposed Rule:** Rule 9.000: Data Release, Green Mountain Care Board

**Presented By:** Russ McCracken and Kathryn O’Neill

Motion made to accept the rule by Diane Bothfeld, seconded by Diane Sherman, and passed unanimously with the following recommendations:

1. Public Input, #4 and #5: Identify the general nature of the comments received, if the comments stated are in totality, and if they were incorporated. Rewrite the May 5, 2021 entry in #4 for clarity.

**Presented By:** Anna Bourakovsky, Jordan Gonda and Steve Simoes

Motion made to accept the rule by John Kessler, seconded by Diane Sherman, and passed unanimously except for Jennifer Mojo and Diane Bothfeld who abstained, with the following recommendations:

1. Proposed Rule Coversheet, #8: Either in this location or elsewhere in the filing, incorporate language about the scope of items addressed and deficiency examples. Add clarity of federal standard updates. Provide category of changes that were outside of the federal rule updates.
2. Proposed Rule Coversheet, #12: If appropriate, state there are savings that could potentially offset any minimal impact leaving it neutral.
3. Proposed Rule Coversheet, #13 - #15 and Public Input #3 - #5: Update to include hearing information.
4. Adopting Page, #4: Include SOS Log #.
5. Environmental Impact Analysis, #9: Include sufficiency of analysis itself.
6. Public Input, #3 - #5: Identify public engagement and future steps planned, including public hearing(s). List those involved to date and those you intend to engage with.