INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: December 14, 2020, Microsoft Teams Virtual Meeting

Members Present: Chair Kristin Clouser, Dirk Anderson, Jennifer Mojo, John Kessler, Matt Langham, and Clare O’Shaughnessy

Members Absent: Diane Bothfeld and Ashley Berliner

Minutes By: Melissa Mazza-Paquette

- 2:03 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the November 9, 2020 meeting.
- Addition to agenda: Notice of an Emergency Rule supported by Chair Clouser on 12/8/20 titled ‘Vermont Department of Taxes Emergency Rule on Hearing Procedure’ provided by the Vermont Department of Taxes
  - Amended agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2–4 to follow:
  1. Third Party Administrator Rule, Department of Financial Regulation, page 2
  2. Pollution Abatement Facility Operator Rule, Agency of Natural Resources, page 3
  3. Clean Water Service Provider Rule, Agency of Natural Resources, page 4
- Next scheduled meeting is January 11, 2021 at 2:00 p.m.
- 3:35 p.m. meeting adjourned.
Proposed Rule: Third Party Administrator Rule, Department of Financial Regulation
Presented by Sebastian Arduengo

Motion made to accept the rule by John Kessler, seconded by Dirk Anderson, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, page 2, #7 and Section 1 of the rule: Expand upon the regulatory authority.
2. Economic Impact Analysis: Include some level of degree of costs and benefits to businesses, Vermonters and third-party administrators, including cost categories and overall statewide cost if known.
3. Economic Impact Analysis, page 3, #8: Correct spelling to “enforcement”.

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Proposed Rule: Pollution Abatement Facility Operator Rule, Agency of Natural Resources
Presented by Amy Polaczyk

Motion made to accept the rule by John Kessler, seconded by Matt Langham, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Missing Adopting Page: Need to include.
2. Economic Impact Analysis, page 1, #3: Clarify the language to reflect overall costs and isolated circumstances.
3. Economic Impact Analysis and Environmental Impact Analysis, #9: Summarize the efforts made to identify the different interests and consideration factors, such as the stratification of the facilities.
4. Environmental Impact Analysis: Clarify improvements to define the outcome and explain what the analysis for the rule was.
Proposed Rule: Clean Water Service Provider Rule, Agency of Natural Resources
Presented by Neil Kamman

Motion made to accept the rule by Matt Langham, seconded by Clare O’Shaughnessy and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Missing Adopting Page: Need to include.
2. Economic Impact Analysis, page 3, #9: Expand upon the analysis on how the rule was developed.
3. Economic Impact Analysis and Environmental Impact Analysis, #9: Expand upon the analysis on how the rule was developed.
4. Environmental Impact Analysis, page 1, #4: Define how the Rule will have a positive impact as stated and include range of users.
5. Public Input, page 2, #4 and #5: Clarify who is included in the stakeholder advisory group in #4 and identify who was involved in the development stage in #5.