INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: July 9, 2018, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Dirk Anderson, Ashley Berliner, Diane Bothfeld, Jen Mojo, John Kessler, and Steve Knudson as Acting Chair

Members Absent: Chair Brad Ferland, Clare O'Shaughnessy, and Matt Langham

Minutes By: Melissa Mazza-Paquette

- 2:04 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the June 18, 2018 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Note made that the Secretary of State's office will be short-staffed on Friday, therefore if anyone plans on filing this week to please do so prior to Friday or contact Louise Corliss ahead of time to discuss options.
- Presentation of Proposed Rules on pages 2-4 to follow:
  1. Vermont Workers' Compensation and Occupational Disease Rules 1-27, Vermont Department of Labor, page 2.
  2. 3SquaresVT Rule Repeal, Agency of Human Services, Department of Children and Families, page 3.
  3. Stormwater Permitting Rule, Agency of Natural Resources, page 4.
- Next scheduled meeting is Monday, August 13, 2018 at 2:00 p.m.
- 2:43 p.m. meeting adjourned.

Proposed Rule: Vermont Workers' Compensation and Occupational Disease Rules 1-27, Vermont Department of Labor

Presented by: Steve Monahan and Beth DeBernardi

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

1. Proposed Rule Coversheet, page 5, #10, 2nd paragraph and Economic Impact Statement, pages 2-3, #3: Change the word 'significant' to more accurately reflect the extent. As discussed, 'significant' is very high level, whereas 'measurable' or 'slight' may be adequate.
2. Proposed Rule Coversheet, page 6, #14: Add the following words:
   a. First aide claims
   b. Average weekly wage
   c. Medical treatment preauthorization
   d. Opioids
   e. Attorney fees

Proposed Rule: 3SquaresVT Rule Repeal, Agency of Human Services, Department of Children and Families

Presented by: Heidi Moreau

Motion made to accept the repealed rule by John Kessler, seconded by Dirk Anderson, and passed unanimously except for Ashley Berliner who abstained, with the following recommendation:

1. Public Input Statement, page 1, #3 first sentence: Include the words 'repeal of the' between 'proposed' and 'rule'.

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Proposed Rule: Stormwater Permitting Rule, Agency of Natural Resources

Presented by: Matt Chapman and Padraic Monks

Motion made to accept the rule by Dirk Anderson, seconded by Diane Bothfeld, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Proposed Rule Coversheet, page 2, #4: Add a secondary contact.
2. Proposed Rule Coversheet, page 2, #5: Change to 'yes' and answer the subsequent questions. Page 39 of the annotated text states the statutory authority for the exemption.
3. Proposed Rule Coversheet, page 4, #10: Include reference to potential number of sites.
4. Proposed Rule Coversheet, page 4, #11: Change answer to reflect information in #12.
5. Proposed Rule Coversheet, page 5, #12: Include complete address.
6. Proposed Rule Coversheet, page 5, #14: Spell out acronyms.
7. Adopting Page: Include the missing signature page #1.
8. Economic Impact Statement, page 3, #3: Include the official name of what is being referenced.
9. Public Input Statement, page 1, #3: Include all previous outreach and expand upon.
10. Public Input Statement, page 1, #4: Include Vermont League of Cities and Towns.
11. Proposed Rule Text, page 10, §22-107 (b) (2): Include the beginning date of July 1, 2022.
12. Consider the previous comments provided by the Vermont Agency of Transportation shared during the ICAR meeting.