



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: January 8, 2018, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, Clare O'Shaughnessy, John Kessler, Steve Knudson, and Ashley Berliner (via phone)

Members Absent: Jen Duggan and Karen Songhurst

Minutes By: Melissa Mazza-Paquette

- 2:05 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the December 11, 2017 meeting.
 - Motion made to accept the minutes by Diane Bothfeld, seconded by John Kessler, and passed unanimously except for Clare O'Shaughnessy who abstained.
- No additions/deletions to agenda.
 - Motion made to accept agenda as is by John Kessler, seconded by Diane Bothfeld, and passed unanimously.
- No public comments made.
- Presentation of Proposed Rules on pages 2-4 to follow.
 1. Rules Governing Ignition Interlock Program, Agency of Transportation, Department of Motor Vehicles, page 2
 2. Reach First/Reach Up Rules, Agency of Human Services, Department of Children and Families, Economic Services Division, page 3
 3. Vermont Wetland Rules, Agency of Natural Resources, page 4
- Next scheduled meeting is February 12, 2018 at 2:00 p.m.
- Motion made to adjourn by Steve Knudson, seconded by Diane Bothfeld, and passed unanimously.
- 2:55 p.m. meeting adjourned.

Proposed Rule: Rules Governing Ignition Interlock Program, Agency of Transportation,
Department of Motor Vehicles

Presented by: Michael Smith, DMV Director

Also present: Michael Charter, David Evans, Nichole Fandino and Wendy Fleming

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

1. Proposed Rule Coversheet, page 3, #7: In the first sentence add the word 'by' between 'process' and 'which'.
2. Proposed Rule Coversheet, page 3, #7: Second paragraph – define AIIPA and put acronym in parentheses.
3. Proposed Rule Coversheet, page 3, #8: Last sentence – replace the word 'obvious' with another word, such as 'significant', which lends to a more objective statement.
4. Proposed Rule Coversheet, page 4, #10: Include a projected range of participants.
5. Proposed Rule Coversheet, page 5, #14: Include 'Vermont DMV'.
6. Economic Impact Statement, page 2, #5: Clarify statement to include that this is an amendment to the rule adopted in 2012.
7. Public Input Statement, page 1, #4: Include input from the general inmate population.
8. Incorporation by Reference Statement, page 2, #4: Include instructions on where to obtain paper copies.
9. Incorporation by Reference Statement, page 2, #7: 2nd sentence – change 'has' to 'have'.
10. Annotated Text: Be consistent with: whether 'commissioner' is capitalized or not; either spell out 'blood alcohol content' or use 'BAC'; and with the measurement of BAC.

Presented by: Heidi Moreau, DCF Economic Services Division
Also present: Deanna Jones

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

1. Signatory for Purposes of Authorizing Administrative Rules Memo: Need an updated version from Secretary Al Gobeille, designating Deputy Secretary of Human Services Martha Maksym.
2. Proposed Rule Coversheet, page 3, #7: For clarity, expand upon the meaning of ‘incorporate the concepts of behavioral science’.
3. Proposed Rule Coversheet, page 4, #12: Change date from ‘2/21/17’ to ‘2/21/18’.
4. Proposed Rule Coversheet, page 4, #13: Change date from ‘1/29/17’ to ‘2/28/18’.
5. Adopting Page, page 2, #4: First line – change ‘Postsceondary’ to ‘Postsecondary’.
6. Annotated Text: Include a summary of acronyms.

Presented by: Laura Lapierre, DEC Wetlands Program and Hannah Smith, DEC Associate General Counsel

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

1. Proposed Rule Coversheet, page 3, #8: Lines 7-9 – change ‘is’ to ‘are’ between ‘determines’ and ‘exceptional’; replace ‘its’ with ‘their’ between ‘in’ and ‘contribution’; and remove the ‘s’ from ‘merits’.
2. Proposed Rule Coversheet, page 4, #10: Last sentence – include more specificity regarding ‘areas’, such as number of acres and within the amount of feet, etc.
3. Proposed Rule Coversheet, page 4, #11 & #12: Note hearings.
4. Economic Impact Statement, page 2, #3: Include the number of private land owners affected.
5. Economic Impact Statement, page 2, #4-5: Remove all language leading up to the last sentence.