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Office of the Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: November 13, 2019, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Steve Knudson (serving as chair), Dirk Anderson, Shayla Livingston, John Kessler, Matt Langham, and Jennifer Mojo (via phone)

Members Absent: Brad Ferland, Diane Bothfeld, Ashley Berliner and Clare O'Shaughnessy

Minutes By: Melissa Mazza-Paquette

- 2:03 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the October 14, 2019 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. Rule 3.700, Pole Attachments, Public Utility Commission, page 2
 1. Business Name Registration Rules, Office of the Secretary of State, page 3
 2. Central Filing System Rules, Office of the Secretary of State, page 4
 3. Rule Governing Outage Reporting Requirements for Originating Carriers and Electric Power Companies, Vermont Enhanced 911 Board, page 5
 4. Ambulatory Surgical Center Licensing Rule, Department of Health, page 6
- Next scheduled meeting is December 9, 2019 at 2:00 p.m.
- 3:12 p.m. meeting adjourned.

Proposed Rule: Rule 3.700, Pole Attachments, Public Utility Commission
Presented by John Gerhard and Micah Howe

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

1. Proposed Rule Filing, page 1: Add title/rule name.
2. Proposed Rule Coversheet, pages 4-5, #13-15: Update to include at least one public hearing.
3. Adopting Page, page 1, #4: Verify information and update if necessary. Confirm with the Secretary of State's office that this won't overwrite the other rule currently in process.
4. Public Input, page 1, #3: Complete and include steps such as hosting a public meeting, posting on website, and reaching out to interested parties.
5. Clean copy of text: Check with the Secretary of State's office regarding their thoughts about including the other rule version currently in process.

**Proposed Rule: Business Name Registration Rules, Office of the Secretary of State
Presented by Neal Rhodes**

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

1. Proposed Rule Filing, page 1: Add title/rule name.
2. Proposed Rule Cover Sheet, page 1, #3: Include a secondary contact person.
3. Proposed Rule Cover Sheet, page 2, #7: Correct spelling to 'cancellation'.
4. Proposed Rule Cover Sheet, page 2, #8: If appropriate, remove "along with 6 other statutory amendments since the last time rule was updated."
5. Proposed Rule Cover Sheet, page 2, #8 and 9: Change language to switch from subjective to objective.
6. Proposed Rule Cover Sheet, page 3, #12-14: Update to include at least one public hearing.
7. Adopting Page, page 1, #3: Change 'A repeal' to 'An amendment'.
8. Environmental Impact Analysis, pages 1-2 #3-8: You may simply state 'None'.
9. Public Input, page 1, #3: Complete – include steps such as hosting a public meeting, posting on website, and reaching out to interested parties.
10. Public Input, page 1, #4: Complete to include what has already been completed to date and what will be done moving forward.
11. Public Input, page 1, #5: Either remove or explain 'Other changes'.
12. Throughout the rule text: Use 'they' instead of 'he/she'; correct spellings to 'copartnership' and 'cancellation'.
13. Clean Text, page 1 (3): Include the word 'means' after "Business entity identifier".
14. Clean Text, page 4 (2)(b): Include the word "be" between "but not" and "limited to".

**Proposed Rule: Central Filing System Rules, Office of the Secretary of State
Presented by Neal Rhodes**

Per the request of presenter, this rule was tabled to a future meeting – motion by John Kessler, seconded by Matt Langham, and passed unanimously.

Proposed Rule: Rule Governing Outage Reporting Requirements for Originating Carriers and Electric Power Companies, Vermont Enhanced 911 Board
Presented by Barbara Neal (via phone)

Motion made to accept the rule by Matt Langham, seconded by Shayla Livingston, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, page 2, #4: Include a secondary contact person.
2. Proposed Rule Coversheet, page 3, #12 and Economic Impact Analysis, page 1, #3: Reword to clarify “little, if any”. If it can’t be measurable, use a term such as “negligible”.
3. Text Definitions: Include Voice Over Internet Protocol (VOIP) if appropriate.
4. Text 4.1.1: Remove second bullet only showing).
5. Text 4.1.2: Consider changing ‘restoral’ to ‘restoration’ for consistency.
6. Text 5.1 and 5.2: Consider rewording to allow flexibility to change without an arbitrary cut-off date or specified format by the department.

**Proposed Rule: Ambulance Surgical Center Licensing Rule, Department of Health
Presented by Shayla Livingston**

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

1. Proposed Rule Coversheet, page 3, #12: Clarify “are minimal” and “discernable”.
2. Text 6.2: Consider numbering bullets for consistency.