



## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** December 11, 2017, Pavilion Building, 5<sup>th</sup> floor conference room, 109 State Street, Montpelier, VT 05609

**Members Present:** Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, John Kessler, and Steve Knudson; and Karen Songhurst, Ashley Berliner, and Jen Duggan via phone

**Members Absent:** Clare O'Shaughnessy

**Minutes By:** Melissa Mazza-Paquette

- 2:02 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the November 13, 2017 meeting.
  - Motion made to accept the minutes by John Kessler, seconded by Dirk Anderson, and passed unanimously.
- No additions/deletions to agenda.
  - Motion made to accept agenda as is by Dirk Anderson, seconded by John Kessler, and passed unanimously.
- No public comments made.
- Presentation of Proposed Rules on pages 2-5 to follow.
  1. Vermont Criminal Justice Training Council Rules & Regulations, Vermont Criminal Justice Training Council, page 2
  2. Services to Incapacitated Inebriates, Agency of Human Services, Department of Health, page 3
  3. Graduated Sanctions for Violations of Probation, Agency of Human Services, Department of Corrections, page 4
  4. Uniform Environmental Administrative Procedure and Standard Processes for Notice and Comment on Environmental Permits, Agency of Natural Resources, page 5
- Next scheduled meeting is January 8, 2018 at 2:00 p.m.
- Motion made to adjourn by Steve Knudson, seconded by Dirk Anderson, and passed unanimously.
- 2:55 p.m. meeting adjourned.

## **Proposed Rule: Vermont Criminal Justice Training Council Rules & Regulations, Vermont Criminal Justice Training Council**

**Presented by: Drew Bloom, Jacob Humbert, and Cindy Taylor-Patch**

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

1. Proposed Rule Coversheet, page 1, Printed Name and Title: Spell out VCJTC and include acronym in parentheses at the end.
2. Proposed Rule Coversheet, page 2, #1: Include the name of the rule.
3. Proposed Rule Coversheet, page 2-3, #6: Stated is "...the Vermont Criminal Justice Training Council (hereinafter called the Council)...", however throughout the filing the terminology is inconsistent, using both references as well as VCJTC. Consistency throughout would be helpful.
4. Proposed Rule Coversheet, page 4, #8: Update 'Commissioner Robert Ide' to Acting Commissioner Wanda Minoli. Remove the last comma after TJ Donovan, Esq.
5. Proposed Rule Coversheet, page 5, #10: Further explain 'minimal' when referring to the fiscal impact.
6. Proposed Rule Coversheet, page 5, #11: Suggest scheduling a public hearing.
7. Economic Impact Statement, page 3: Where N/A is stated, explain reasoning.
8. Public Input Statement, Page 1, #4: If 'Vermont State's Attorneys' is meant to be 'Vermont Department of State's Attorneys and Sheriffs' please update.

**Proposed Rule: Services to Incapacitated Inebriates, Agency of Human Services, Department of Health**

**Presented by: Shayla Livingston**

Motion made to accept the repealed rule as presented by John Kessler, seconded by Dirk Anderson, and passed unanimously.

**Proposed Rule: Graduated Sanctions for Violations of Probation, Agency of Human Services,  
Department of Corrections**

**Presented by: Sarah Truckle, Dale Crook, and Kurt Kuehl**

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

1. Administrative Rule Review: This page is for internal routing purposes only and doesn't need to be included in the filing.
2. Proposed Rule Coversheet, pages 2-3, #5: Expand on confidentiality.
3. Proposed Rule Coversheet, page 3, #7: Define previously what 'DOC' is.
4. Proposed Rule Coversheet, page 4, #10: Provide a point of context reference for the savings.
5. Economic Impact Statement: Where 'None' is stated, explain reasoning.
6. Public Input Statement, page 1, #3: Change 2017 to 2018.
7. Graduated Sanctions for Violations of Probation, page 2 of 3, #4(a)(i): Define 'EPICS'.

**Proposed Rule: Uniform Environmental Administrative Procedure and Standard Processes for Notice and Comment on Environmental Permits, Agency of Natural Resources**

**Presented by: Matt Chapman and Kim Greenwood**

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

1. Proposed Rule Coversheet, page 3, #7 and later: Previously define 'ANR'
2. Proposed Rule Coversheet, page 4, #13: Change 2017 to 2018.
3. Proposed Rule Coversheet, page 4, #14: Spell out 'ENB' and include acronym after in parentheses. Add 'CAFO' and define.
4. Public Input Statement, page 1, #4: Define 'VBA' and 'VLCT'. Add agricultural and other state agencies.
5. Subchapter 5. Standard Procedures for Permit Processing, page 18, §37-503: Add 'ENB' in parentheses.
6. Subchapter 5. Standard Procedures for Permit Processing, page 25, §37-505(c)(2) and (3) and page 26, §37-506(c)(3): Change '14 days' and '14 days'' to 'a 14-day'.
7. Subchapter 5. Standard Procedures for Permit Processing, page 25, §37-505(d): Remove 'of the' in the 3<sup>rd</sup> line as it's duplicated.