



State of Vermont
Agency of Administration
109 State Street
Montpelier, VT 05609-0201
www.aoa.vermont.gov

[phone] 802-828-3322
[fax] 802-828-3320

Office of the Secretary

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”.

**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.