



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: February 12, 2018, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609
Members Present: Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, John Kessler, Jen Duggan, and Steve Knudson
Members Absent: Clare O’Shaughnessy, Karen Songhurst and Ashley Berliner
Minutes By: Melissa Mazza-Paquette

- 2:05 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the January 8, 2018 meeting.
 - Motion made to accept the minutes by Diane Bothfeld, seconded by John Kessler, and passed unanimously.
- Additions/deletions to agenda.
 - #6 on the agenda: Vital Records Rule, Agency of Human Services, Department of Health, is being moved to the March 12, 2018 meeting per their request.
 - Member Kessler requested to add an update from Chair Ferland on Administrative Procedures Act discussion in House Government Operations on February 1, 2018 at 2:30 p.m. Discussion to take place after proposed rules have been heard.
 - Motion made to accept agenda with changes by Diane Bothfeld, seconded by John Kessler, and passed unanimously.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow:
 1. Required Agricultural Practices Rule for The Agricultural Nonpoint Source Pollution Control Program, The Vermont Agency of Agriculture, Food and Markets, page 2
 2. Fire Safety and Prevention, Agency of Human Services, Department of Corrections, page 3
 3. Inmate Access to Publications, Agency of Human Services, Department of Corrections, page 4
 4. Inmate Mail, Agency of Human Services, Department of Corrections, page 5
 5. Regulations Governing the Operation of Woodside Juvenile Rehabilitation Center, Agency of Human Services, Department for Children and Families, Family Services Division, page 6
 6. Vital Records Rule, Agency of Human Services, Department of Health (moved to the agenda for the March 12, 2018 meeting)
- 2:58 p.m. Diane Bothfeld left the meeting prior to hearing proposed rule #5.
- Update from Chair Ferland on Administrative Procedures Act discussion in House Government Operations on February 1, 2018 at 2:30 p.m.
- Next scheduled meeting is March 12, 2018 at 2:00 p.m.
- Motion made to adjourn by John Kessler, seconded by Dirk Anderson, and passed unanimously.
- 3:17 p.m. meeting adjourned.

Proposed Rule: Required Agricultural Practices Rule for The Agricultural Nonpoint Source Pollution Control Program, The Vermont Agency of Agriculture, Food and Markets

Presented by Laura DiPietro (Dave Huber in attendance)

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

1. Proposed Rule Coversheet, page 4, #12: Add city/towns into address field.
2. Adopting Page, page 3, #3: Consider using an alternate word to 'disincentivize'.
3. Adoption Page, page 4, #3: Include in one consolidated pronounced place the real benefits.
4. Economic Impact Statement, page 3, #4: Spell out what the acronym for St. Albans 'Coop' is.
5. Scientific Information Statement: Complete page and re-order the appropriate pages to follow. Currently they are following the 'Incorporation by Reference Statement'.
6. Scientific Information Statement, page 4, #4: Indicate where the materials can be obtained online at no cost.
7. Annotated Text, #12.3: Add a comma after the word 'Secretary'. Clarify (a) and (b) as (b) refers to existing surface inlets.
8. Annotated Text, #12.4, (f): Define what 'similarly accepted models' are.

Proposed Rule: Fire Safety and Prevention, Agency of Human Services, Department of Corrections

Presented by Matthew Nault, Christine Cowart and Gary Dillion

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

Proposed Rule: Inmate Access to Publications, Agency of Human Services, Department of Corrections

Presented by Matthew Nault and Christine Cowart (Gary Dillion in attendance)

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

1. Proposed Rule Coversheet, page 3, #7 and #8: Include 'and renaming' after the word 'revision'.
2. Proposed Rule Coversheet, page 3, #10: Include a brief summary of the economic impact.
3. Public Input Statement, #4: Consider reaching out to the prisoner's rights office.
4. Annotated Text, page 1, lines 18 and 19: Replace 'to maintain' with 'for maintaining' and 'provide' with 'providing'.
5. Annotated Text, page 6, #2 (b): Reformat and complete sentence.

Proposed Rule: Inmate Mail, Agency of Human Services, Department of Corrections

Presented by Matthew Nault and Christine Cowart (Gary Dillion in attendance)

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

1. Public Input Statement, #4: Consider reaching out to the prisoner's rights office.
2. Text: Reconsider replacing with another word the headings 'General Guidelines' and 'Guidelines', as very specific criteria and expectations follow.

Proposed Rule: Regulations Governing the Operation of Woodside Juvenile Rehabilitation Center, Agency of Human Services, Department for Children and Families, Family Services Division

Presented by Leslie Wisdom and Jay Simons

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

1. Proposed Rule Coversheet, page 2, #3 and #4: Include the town in the address field.
2. Proposed Rule Coversheet, page 4, #14: Add 'PRFT'; 'Psychiatric Treatment Residential Facility'; 'Juvenile' and 'Juvenile Rehabilitation'.
3. Economic Impact Statement, page 2, #3: Consider replacing the word 'guidelines' with another word – perhaps 'rules' or 'regulations'.