



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: September 12, 2022, virtually via Microsoft Teams

Members Present: Chair Douglas Farnham, Brendan Atwood, Diane Bothfeld, Jared Adler, Jennifer Mojo, John Kessler, Diane Sherman, Michael Obuchowski and Donna Russo-Savage

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of [minutes](#) from the August 8, 2022 meeting
- Agenda approved as drafted with the following changes:
 - Added: Note: An emergency rule titled ‘Emergency Administrative Rules for Notaries Public and Remote Notarization’ from the Secretary of State, Office of Professional Regulation, was supported by ICAR Chair Farnham on September 9, 2022.
 - These Emergency Rules define the "personal appearance" requirement for remote notarial acts conducted through a secure audio-visual communication link.
 - Removed: HazMat Transportation & Motor Carrier Safety Standards, Agency of Transportation, Department of Motor Vehicles
 - Rules 55-001 & 50-036 provide authority to enforce Federal Regulations through state law for commercial vehicles & transportation of hazardous materials.
- No public comments.
- Presentation of Proposed Rules on pages 2-4 to follow.
 1. Rule on Alternative Preparatory Paths for Funeral Directors and Embalmers, Secretary of State, Office of Professional Regulation, page 2
 2. Administrative Rules for Notary Public Continuing Education, Secretary of State, Office of Professional Regulation, page 3
 3. Vermont Wetland Rules, Agency of Natural Resources, page 4
- Note: Diane Sherman left at 3:30 PM.
- Process Improvement discussion delayed due to in-house considerations, including the potential for a future change in the role of ICAR Chair.
- Next scheduled meeting is Monday, October 10, 2022 at 2:00 p.m.
- 3:59 p.m. meeting adjourned.

Proposed Rule: Rule on Alternative Preparatory Paths for Funeral Directors and Embalmers, Secretary of State, Office of Professional Regulation

Presented By: Kassandra Diederich

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

1. **Economic Impact Analysis:** Only include costs and benefits. Clearly define economic impacts and include details on costs to understand impact. Articulate that the shortage isn't because of an increase in demand and it's the declining number of people entering the profession.
2. **Public Input Maximization Plan:** Remove specific reference to CCV and generalize it.
3. **Rule Text, 'EMBALMERS (e)(1):** Clarify language to truly state the intent.

Presented By: Lauren Layman

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

1. Proposed Filing Coversheet, #6: Include the Secretary of State if applicable.
2. Proposed Filing Coversheet, #6 and #8: Consider adding this proposed rule is for notaries public.
3. Proposed Filing Coversheet, #7: Remove one 'notaries public' in the first sentence.
4. Proposed Filing Coversheet, #9: Include information for the reason for the change.
5. Economic Impact Analysis: Change no impact to negligible.
6. Economic Impact Analysis, #3: Include estimated costs and benefits anticipated.
7. Environmental Impact Analysis, #9: Change to "No impacts are anticipated from requiring one hour every two years."
8. Public Input Maximization Plan, #4: Clarify how individuals and entities have been, or will be, directly contacted.
9. Proposed Rule, 3-3: Clarify language.

Presented By: Hannah Smith and Laura Lapierre

Motion made to accept the rule by Brendan Atwood, seconded by Jared Adler, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Proposed Rule Coversheet, #6: Include 10 V.S.A. 905b (17) if relevant.
2. Proposed Rule Coversheet, #9 and #10: Clarify to tie the two answers together. Perhaps use some language provided in #10 in #9.
3. Proposed Rule Coversheet, #11, and Economic Impact Analysis #3: Remove duplicate 'designers'.
4. Proposed Rule Coversheet, #12: Clarify the economic impact, particularly for landowners, and associated fees. Reference the actual rates.
5. Economic Impact Analysis and Public Input Maximization Plan: Include all ways in which the public could find out how the map was updated.
6. Economic Impact Analysis, #3: Include estimated costs and benefits anticipated and reference the relevant statute.
7. Economic Impact Analysis, #8 and #9: Clarify.
8. Public Input Maximization Plan, #3: Quantify the estimated number of people reached through the professional organizations via outreach. Host a public hearing in the Northeast Kingdom area.
9. Public Input Maximization Plan, #4: Indicate the change in affiliation for 'Jennifer Hollar, AAFM' as they recently retired from AAFM and was with the Vermont Housing and Conservation Board.
10. Scientific Information Statement, #5: Provide specific contact information.