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Office of the Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: March 11, 2019, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Chair Brad Ferland, Dirk Anderson, Ashley Berliner, Diane Bothfeld, Jennifer Mojo (via phone), John Kessler, Matt Langham, and Steve Knudson

Member Absent: Clare O'Shaughnessy

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the February 11, 2019 meeting.
- Agenda amended to include discussion after proposed rules about [S.118](#), subject: Executive Branch; Vermont Administrative Procedure Act.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow.
 1. 2018 Vermont Plumbing Rules, Plumbers Examining Board, page 2
 2. Rules of the Vermont Employment Security Board, Department of Labor, page 3
 3. Regulation 1-90-1; Rules Governing Intermunicipal Insurance Agreements, Department of Financial Regulation, page 4
 4. Rule on Alternative Preparatory Path for Funeral Directors, Office of Professional Regulation, page 5
 5. Rule No. S-2016-01, Vermont Securities Regulations (Revised 2019), Department of Financial Regulation, page 6
- Next scheduled meeting is April 8, 2019 at 2:00 p.m.
- 3:38 p.m. meeting adjourned.



**Proposed Rule: 2018 Vermont Plumbing Rules, Plumbers Examining Board
Presented by Joseph Benard and Gerald Garrow**

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

1. Proposed Rule Filing, page 1: Include the remainder of the title of Chair.
2. Proposed Rule Coversheet, page 3, #9: Include building environment.
3. Proposed Rule Coversheet, page 4, #12: Include a preview of whether there's an increased cost as explained in the Economic Impact Analysis. Include savings to veterans.
4. Proposed Rule Coversheet, page 5, #16: Include 'International Plumbing Code'.
5. Economic Impact Analysis: Include savings to veterans.
6. Economic Impact Analysis, page 2, #4: Include the average signage cost.
7. Incorporation by Reference, page 1, #5: Clarify who the 800# listed belongs to.
8. Annotated text: Per the Plumbers' Examining Board, remove 'The Department of Public Safety'.

**Proposed Rule: Rules of the Vermont Employment Security Board, Department of Labor
Presented by Dirk Anderson and Cameron Wood (via phone)**

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

1. File a clean copy of text with the Secretary of State's office.
2. Proposed Rule Coversheet, page 2, #5: Add the word 'administering' between '...the course' and '...the unemployment.'
3. Proposed Rule Coversheet, page 4, #12: Include a sense of penalties as noted in #3 of the Economic Impact Analysis.
4. Proposed Rule Coversheet, page 4, #13: Include in #14 if scheduled or change 'Is' to 'To be'.
5. Economic Impact Analysis, pages 1 and 2, #3: Include that industries have a higher rate than others. Clarify how \$170,000.00 came to be.
6. Scientific Information: Remove for filing.
7. Incorporation by Reference, page 1, #3: Clarify.

**Proposed Rule: Regulation 1-90-1; Rules Governing Intermunicipal Insurance Agreements,
Department of Financial Regulation
Presented by Emily Brown and Steph Hoffman**

Motion made to accept the rule by Diane Bothfeld, seconded by Matt Langham, and passed unanimously except for who Steve Knudson abstained, with the following recommendations:

1. Proposed Rule Coversheet, page 3, #13: Change to ‘Scheduled’.
2. Economic Impact Analysis, page 2, #9: Add ‘analysis’ between ‘...economic impact’ and ‘...is not necessary.’.
3. Incorporation by Reference: Clarify with the office of the Secretary of State if this form is needed as it’s State Statute.
4. Annotated text, page 2, Section 2, I: Add ‘or’ between ...‘by two’ and ‘more Members...’.

Proposed Rule: Rule on Alternative Preparatory Path for Funeral Directors, Office of Professional Regulation

Presented by Gabriel Gilman and Lauren Layman

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

1. Proposed Rule Coversheet, page 3, #12: Include the positive impact on Vermont colleges and universities.
2. Adopted Rule Filing/Coversheet: Remove – not necessary for ICAR.
3. Economic Impact Analysis, page 1, #3: Consider alternate language to be inclusive of Vermont colleges and universities.
4. Economic Impact Analysis, page 3, #7: Change incorrect spelling of ‘consequently’.
5. Public Input, pages 1 and 2, #4: Change incorrect spelling of ‘Board’ and ‘accommodated’.
6. Text: Correct lettering to be (a) – (f).

**Proposed Rule: Rule No. S-2016-01, Vermont Securities Regulations (Revised 2019), Department of
Financial Regulation**

Presented by Bill Carrigan and Dan Raddock

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

1. Proposed Rule Coversheet, page 3, #8: Change 'protective' to 'protection' if appropriate.
2. Proposed Rule Coversheet, page 4, #11: Include language for non-Vermonters.
3. Proposed Rule Coversheet, page 6, #16: Add 'Investors'.
4. Economic Impact Analysis, page 2, #8: Clarify and consider removing 'small'.
5. Incorporation by Reference, page 1, #3: Reference pages 16-21 of the text.