



## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** April 12, 2021, Microsoft Teams Virtual Meeting  
**Members Present:** Chair Kristin Clouser, Dirk Anderson, Diane Bothfeld, Jennifer Mojo, John Kessler, Matt Langham, Diane Sherman and Clare O'Shaughnessy  
**Members Absent:** Ashley Berliner  
**Minutes By:** Melissa Mazza-Paquette

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- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the [March 8, 2021](#) meeting.
- Agenda was amended to remove the 'Biomass Renewable Energy Standard, Agency of Natural Resources, Department of Forests, Parks and Recreation' proposed rule. Agenda approved as drafted with noted change.
- Three Emergency Rules were supported by ICAR Chair Clouser:
  - On March 11, 2021, "Emergency Administrative Rule for Notaries Public and Remote Notarization" filed by the Office of Professional Regulation. This rule will renew the existing temporary emergency rule, which allows for remote notarization, through September 15, 2021.
  - On March 15, 2021, 'Hospital Licensing Rule' by the Agency of Human Services, Department of Health, which, during the state of emergency, allows hospitals that are otherwise licensed and approved by CMS to go through an approval process in Vermont without having to go through all the steps.
  - On April 2, 2021, 'Rule on Rulemaking', by the Office of the Secretary of State, which allows for the electronic filling of the APA required forms for rules for the next six months.
    - Question whether an emergency rule was necessary as they already have statutory authority.
- Member Kessler will reach out to the Office of the Secretary of State to share comments on the Proposed Rule Coversheet and Economic Impact Analysis for the potential benefit of clarifying the information being sought.
- No public comments made.
- Presentation of Proposed Rules on pages 2-3 to follow.
  1. Administrative Rules for Private Investigators and Security Guards, Secretary of State, Office of Professional Regulation, page 2.
  2. Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States, Secretary of State, Office of Professional Regulation, page 3.
- Committee discussion on the Public Input form, questions #3-5:
  - Questions would be more appropriate in the forms going to LCAR.
  - ICAR is seeking some level of specificity. Valuable information could include organizations that should be associated with topic and public engagement and outreach information.
  - Presenter can include recommendations from ICAR after the meeting.
- Next scheduled meeting is May 10, 2021 at 2:00 p.m.
- 3:08 p.m. meeting adjourned.

**Proposed Rule: Administrative Rules for Private Investigators and Security Guards, Secretary of State, Office of Professional Regulation**

**Presented By: Gabriel Gilman**

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

1. Proposed Rule Coversheet, #10: Explain how it achieves the objective.
2. Proposed Rule Coversheet, #11: Add 'Private Investigators' and 'Security Officers'.
3. Proposed Rule Coversheet, #12: Consider changing the second 'firm' to a different word.
4. Economic Impact Analysis, #6: Include more quantitative detail to support data and include impact on budget.
5. Public Input, #4: Elaborate on the strategy to reach those listed.
6. Proposed Rule, 5-2: Consider indicating what the standards are.
7. Consider including bias training for firearm applicants.
8. Proposed Rule, 9-4: Change 'Licensed Security Guard' to 'Private Investigator' if appropriate.
9. Proposed Rule, 4-2: Clarify training and change to 'eligible registered security employee' if appropriate.
10. Proposed Rule, 5-4(b)(2): 'Part 5-4(a)(4)' should be 'Part 5-4(a)(3)'.
11. Proposed Rule: Random spacing issues at the end of lines with current font in PDF (example 3-1). Consider using an alternative font.

**Proposed Rule: Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States, Secretary of State, Office of Professional Regulation**

**Presented By: Lauren Layman**

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

1. Economic Impact Analysis, #3: Include individuals seeking licensure based on foreign certification that will have to pay for that assessment. Include average cost if known. Add affected parties to include applicant.
2. Environmental Impact Analysis: Change 'N/A' to 'None'.
3. Public Input: Include outreach to Boards and list work being done to identify affected professions.
  - a. May choose to attach guidance document once finalized, which could also state what professions this applies to.
4. Adopting Page, #3: Correct, as this is not an amendment of an existing rule.
5. Proposed Rule, 1-2: Reword the first sentence.
6. Proposed Rule, 4: Subsections are formatted differently from the rest of the rule, therefore should be changed for consistency.

DRAFT