



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: April 9, 2018, Pavilion Building, 4th floor conference room, 109 State Street, Montpelier, VT 05609
Members Present: Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, John Kessler, Karen Songhurst and Steve Knudson
Members Absent: Clare O'Shaughnessy and Ashley Berliner
Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the March 19, 2018 meeting.
 - Motion made to accept the minutes by John Kessler, seconded by Diane Bothfeld, and passed unanimously except for Karen Songhurst who abstained.
- No additions/deletions to agenda.
 - Motion made to accept agenda as is by Diane Bothfeld, seconded by John Kessler, and passed unanimously.
- No public comments made.
- Presentation of Proposed Rules on pages 2-7 to follow.
 1. Hospital Reporting Rule, Agency of Human Services, Department of Health, page 2
 2. Rule 2.200 Procedures Generally Applicable, Vermont Public Utility Commission, page 3
 3. Rules and Instructions Governing Overweight and Overdimension Vehicle Permits, Agency of Transportation, Department of Motor Vehicles, page 4
 4. Rules Governing Inspection of Motor Vehicles, Agency of Transportation, Department of Motor Vehicles, page 5
 5. Rules Governing the Licensing of Educators and the Preparation of Educational Professionals, Vermont Agency of Education, Vermont Standards Board for Professional Educators, page 6
 6. Form, Content & Timing of Residential Real Estate Mortgage Loan Commitment Letters, Department of Financial Regulation, page 7
- Special meeting to vote on proposed rule #5 above will take place on April 12, 2018 at 10:30 a.m.
- Next regularly scheduled meeting is May 14, 2018 at 2:00 p.m.
- Motion made to adjourn by Karen Songhurst, seconded by Dirk Anderson, and passed unanimously.
- 3:50 p.m. meeting adjourned.

**Proposed Rule: Hospital Reporting Rule, Agency of Human Services, Department of Health
Presented by: Shayla Livingston**

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

1. Research whether OneCare Vermont should be included in this proposed rule and include if appropriate.
2. Proposed Rule Coversheet, page 4, #14: Add 'Hospital Quality Report'.
3. Economic Impact Statement, page 2, #3: Clarify if it's expected to be cost neutral.
4. Economic Impact Statement, page 2, #5: Add a 'd' to 'streamline' in the second to last line.
5. Public Input Statement, #3: Include a phone number and address where a copy can be viewed. Define the length of time the rule will be available for viewing.

**Proposed Rule: Rule 2.200 Procedures Generally Applicable, Vermont Public Utility Commission
Presented by: Jake Marren**

Motion made to accept the rule by Diane Bothfeld, seconded by Steve Knudson, and passed unanimously with the following recommendations.

1. Proposed Coversheet, page 1: Include the name of Commissioner under the Chair's name and title in the 'Printed Name and Title' section.
2. Proposed Rule Coversheet, page 2, #3 and #4 and pages 3-4, #12: Include the city and state in the mailing address.
3. Proposed Rule Coversheet, page 4, #14: Include 'Ex Parte Communication' and 'Testimony'.
4. Public Input Statement, #3: Include a phone number and address where a copy can be viewed. Define the length of time the rule will be available for viewing.
5. Incorporation by Reference Statement, page 2, #4: Include the website address, phone number and address where copies can be viewed. Define the length of time the rule will be available for viewing.

**Proposed Rule: Rules and Instructions Governing Overweight and Overdimension Vehicle Permits,
Agency of Transportation, Department of Motor Vehicles**

Presented by: Kevin Andrews

Motion made to accept the rule by Steve Knudson, seconded by Dirk Anderson, and passed unanimously except for Karen Songhurst who abstained, with the following recommendations.

1. Proposed Rule Coversheet, page 3, #12: Include the city and state in the mailing address.
2. Proposed Rule Coversheet, page 4, #14: Include 'Highway', 'Truck', 'DMV', and 'Vehicle'.
3. Adopting Page, #5: Change 'Adopted' date – currently states 11/66/2011.
4. Economic Impact Statement, #3: Change to read 'This is an update of the existing rules intended to improve the permitting process for improved understanding of the trucking industry, law enforcement and the motoring public.'
6. Public Input Statement, #3: Include a website address, phone number and physical address where a copy can be viewed. Define the length of time the rule will be available for viewing.
5. Public Input Statement, #4: Send a draft of the proposed rule to those listed.
6. Annotated Copy, page 18: Update the 'County' column to accurately reflect the counties in the 'Location' column.

**Proposed Rule: Rules Governing Inspection of Motor Vehicles, Agency of Transportation,
Department of Motor Vehicles**

Presented by: Scott Davidson

Motion made to accept the rule by Steve Knudson, seconded by John Kessler, and passed unanimously except for Karen Songhurst who abstained, with the following recommendations.

1. Proposed Rule Coversheet, page 2, #4: Megan O'Toole is listed with both the 'Agency of Transportation' and the 'Department of Environmental Conservation' although she only works for one. Need to remove the inaccurate one.
2. Scientific Information Statement: Can remove from proposed rule as it's not required if blank.
3. Incorporation by Reference Statement, page 2, #4: Include a phone number and address where a copy can be viewed. Define the length of time the rule will be available for viewing.
4. Periodic Inspection Manual, annotated copy: 'The Department' and 'DMV' are used interchangeably within the manual. Choose one and be consistent throughout. Also, 'Certified Inspection Mechanic(s)' is sometimes capitalized and other times not. Again, choose the appropriate one and be consistent throughout the manual.

Proposed Rule: Rules Governing the Licensing of Educators and the Preparation of Educational Professionals, Vermont Agency of Education, Vermont Standards Board for Professional Educators

Presented by: Debora Price and Donald Tinney

Committee decided to postpone voting on this proposed rule. A special meeting will be held on April 12, 2018 at 10:30 a.m. to discuss further and minutes will be posted after that meeting.

Proposed Rule: Form, Content & Timing of Residential Real Estate Mortgage Loan Commitment Letters, Department of Financial Regulation

Presented by: Steve Knudson

Motion made to accept the rule by Karen Songhurst, seconded by John Kessler, and passed unanimously except for Steve Knudson who abstained, with the following recommendations.

1. Proposed Rule Coversheet, page 3, #7 (3): Include the reference code of 'Regulation Z'.
2. Proposed Rule Coversheet, page 3, #10: Add a reference to 'Regulation Z'.
3. Proposed Rule Coversheet, page 5, #14: Add 'Regulation Z' and 'Regulation X'.
4. Economic Impact Statement, page 2, #3: Include the information in #5 into #3.
5. Public Input Statement, #4: Include non-profit housing groups, such as 'Habitat for Humanity' and 'Housing Trust Companies'. Include a phone number and address where a copy can be viewed. Define the length of time the rule will be available for viewing.
6. Incorporation by Reference Statement, page 2, #4: Include a phone number where copies can be viewed. Define the length of time the rule will be available for viewing.
7. Incorporation by Reference Statement, page 3, #6: Include the reference code for 'Regulation X'.