INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: April 4, 2024, virtually via Microsoft Teams
Members Present: Chair Sean Brown, Jennifer Mojo, John Kessler, Diane Sherman, Michael Obuchowski, Jared Adler, Natalie Weill
Minutes By: Anna Reinold

- 1:02 p.m. meeting called to order.
- Review and approval of minutes from the February 23, 2024 meeting.
- No additions/deletions to agenda.
- Note:
  1) An emergency rule titled 'Emergency Housing Transition Benefit', by the Department for Children and Families was supported by ICAR Chair Brown on 04/01/24.
     o Act 81 of 2023 established an emergency housing transition benefit that provided continued housing in a hotel or motel for households that were housed through the pandemic-era General Assistance Emergency Housing Program as of June 30, 2023. Under Act 81, the transition benefit ends April 1, 2024. The fiscal year 2024 budget adjustment act extends housing for recipients of the emergency housing transition benefit through June 30, 2024. This emergency rule maintains the eligibility criteria adopted under Secretary of State emergency rule filing number 23-E12.
     o This emergency rule is necessary to continue providing emergency housing assistance to recipients of the Emergency Housing Transition Benefit in accordance with the fiscal year 2024 budget adjustment act.
  2) An emergency rule titled 'Eligibility Criteria for Temporary Housing Assistance', by the Department for Children and Families was supported by ICAR Chair Brown on 04/01/24.
     o This emergency rule maintains categorical eligibility for families with children under 18 years of age or who are 18 or 19 years of age and attending school as adopted under Secretary of State emergency rule filing number 23-E11. This rule also maintains the language in rule 2650.1 authorizing the Department to withhold payment from motels for lodging licensing violations, along with the updates to the basic needs standard chart in rule 2652.4 and the methodology for calculating the 30 percent income contribution in rule 2652.4.
     o This emergency rule is necessary to continue providing temporary housing assistance to families with children under 18 or 19 years old and calculating the income contribution based on average or current daily motel rate.
- No public comments made.
- Presentation of Proposed Rules on pages 3-5 to follow.

1) Rules Governing the Licensing of Educators and the Preparation of Education Professionals, Vermont Standards Board for Professional Educators, Agency of Education, page 3
2) Vermont Workers' Compensation and Occupational Disease Rules 1-27, Department of Labor, page 4
3) Rule regarding the adoption of a life cycle greenhouse gas emissions accounting protocol, Agency of Natural Resources, page 5

- Other business:
  - Diane created a draft of the public guidance document for the Committee's review to aid those filing proposed rules. Chair Brown proposed that the Committee take a few days to review the document and submit comments/questions the week of 04/08/24. Discussion centered around the process once a proposed rule is submitted and how the Committee can increase the efficiency of filings and making sure they are complete for an upcoming meeting.
- Next scheduled meeting is Monday, May 13, 2024 at 2:00 p.m.
- 2:31 p.m. meeting adjourned.

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

Presented By: Andrew Prowten, Katie Gagliardo

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

1. Proposed Filing – Coversheet:
   a. #8:
   o Spell out acronyms.
   o Add periods at the end of items in this section.
   o Use consistent verb tenses.
   o Clarify terms to explain for a member of the public.
   o Clarify the definition of 'arbitrary.'
   b. #12: Provide more specific information about the cost.
   c. #16: Edit to be more concise.
2. Economic Impact Analysis:
   a. #3: Needs to reflect the same list as item #11 on the coversheet. More detail needs to be added to this section.

Proposed Rule: Vermont Workers' Compensation and Occupational Disease Rules 1-27, Department of Labor
Presented By: Beth DeBernardi, Stephen Brown, and Dirk Anderson

Motion made to accept the rule by Sean Brown, seconded by Diane Sherman, and passed unanimously except for Jared Adler who abstained, with the following recommendations:

1. Proposed Filing – Coversheet:
    a. #8:
    o Spell out acronyms.
    o Clarify which 'Supreme Court' is being referenced.
    o The title of the rule needs to be clearer.
    b. #12:
    o Settle on one conclusion or provide a range.
    o Spell out acronyms.
    o Clarify intention of last sentence regarding the rule and statute.
2. Adopting Page, #4: Include SOS log number.
3. Economic Impact Analysis:
    a. #5: Should state there 'are no alternatives because…'
    b. #8: Clarify the level of economic impact.
4. Public Input Maximization Plan, #3: Change language to clarify who is involved. Using the word 'may' vs 'will'.
5. Scientific Information Statement: Not necessary and can be omitted.
6. Incorporation by Reference:
    a. #5:
    o Add phone number for access by individuals without internet access.
    o Add a link to this section so it's easier to locate.
    b. #6:
    o Don't reference when the rule was last propagated. Instead, reference 'the most recently amended version' and add the Department of Health's website.

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Proposed Rule: Rule regarding the adoption of a life cycle greenhouse gas emissions accounting protocol, Agency of Natural Resources
Presented By: Rachel Stevens, Jane Lazorchak, Collin Smythe

Motion made to accept the rule by Sean Brown, seconded by John Kessler, and passed unanimously except for Jennifer Mojo who abstained, with the following recommendations:

1. Proposed Filing – Coversheet, #16: Add more keywords to make this section more inclusive.
2. Economic Impact Analysis, #3: The level of economic impact assigned is inconsistent in this section and needs to be modified to be consistent.