

SEN. MARK A. MACDONALD, VICE CHAIR
SEN. CHRISTOPHER BRAY
SEN. VIRGINIA "GINNY" LYONS
SEN. DAVID WEEKS



REP. TREVOR SQUIRRELL, CHAIR
REP. SETH BONGARTZ
REP. MARK HIGLEY
REP. CAROL ODE

STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

January 18, 2024

The Joint Legislative Committee on Administrative Rules met on Thursday, January 18, 2024, beginning at 8:00 A.M. in Room 267 of the Pavilion Office Building in Montpelier, Vermont.

The following members were present:

Sen. Mark A. MacDonald, Vice Chair	Rep. Trevor Squirrel, Chair
Sen. Christopher Bray (arrives at 8:05 A.M.)	Rep. Seth Bongartz
Sen. Virginia "Ginny" Lyons	Rep. Carol Ode
Sen. David Weeks	

Staff present:

Anthea Dexter-Cooper	Committee Counsel
Charlene Dindo	Committee Assistant
Lindsey Schreier	Administrative Assistant

Approval of prior minutes

On motion of Rep. Bongartz, the Committee approved the minutes of January 4, 2024. Sen. Bray was not present for the vote.

Review of Rules

The Committee reviewed the following rules:

23-P36 – Department of Health/Amyotrophic Lateral Sclerosis (ALS) Registry Rule.

Natalie Weill, Public Health Policy Advisor, Department of Health, explained the rule and answered questions from the Committee.

This rule implements the Vermont Amyotrophic Lateral Sclerosis (ALS) Registry created by 18 V.S.A. chapter 4A which requires the Commissioner of Health to establish an ALS incidence registry system for the collection of information determining the incidence of ALS and related data.

On motion of Sen. Lyons, the Committee unanimously approved the rule.

23-P35 – Department of Health/Manufactured Food Rule.

Natalie Weill, Public Health Policy Advisor, Department of Health, explained the rule and answered questions from the Committee.

These amendments: (1) update the rule for consistency with Title 21 C.F.R. Chapter I; (2) reformat and organize the federal regulations incorporated by reference; (3) define the scope of the Department of Health-issued manufacturing licenses and clarify the prohibition of manufacturing food containing Tetrahydrocannabinol (THC) under a Department of Health license; (4) update the information required on food labels manufactured by license-exempt food manufacturers and license-exempt bakeries; and (5) make modifications for clarity.

On motion of Sen. Lyons, the Committee approved the rule with modifications proposed by the Department of Health in correspondence dated January 14, 2024.

23-P23 – Agency of Natural Resources/Water Supply Rule.

Ben Montross, Senior Environmental Program Manager for the Drinking Water Program, Vermont Department of Environmental Conservation, explained the rule and answered questions from the Committee.

These amendments: (1) incorporate by reference the federal Revised Total Coliform Rule, responsible for assessing bacteriological and pathogen vulnerability of all public drinking water systems; (2) add Vermont-specific topics specifically identified in the State's primacy application to the U.S. Environmental Protection Agency; (3) revise the standards and process for operator licensing/certification to better protect public health at larger or more complicated public drinking water systems; (4) make amendments to the treatment specifications for Per- and Polyfluorinated Substances (PFAS) in drinking water; and (5) provide greater and more uniform protection for isolation distances from public drinking water sources through alignment with the Wastewater System and Potable Water Supply Rule.

On motion of Sen. Bray, the Committee approved the rule.

Adjournment and next meeting

The Committee adjourned at 8:44 A.M.

The next meeting of the Committee is scheduled for February 1, 2024, beginning at 8:00 A.M. in Room 267 of the Pavilion Office Building in Montpelier, Vermont.

Respectfully submitted,

Anthea Dexter-Cooper

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Committee Counsel

cc: APA Clerk, Secretary of State
ICAR, Agency of Administration