



STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

June 27, 2024

The Joint Legislative Committee on Administrative Rules met on Thursday, June 27, 2024, beginning at 10:00 a.m. in room 10 of the State House in Montpelier, Vermont.

The following members were present:

Sen. Christopher Bray (Remote)
Sen. David Weeks

Rep. Trevor Squirrell, Chair
Rep. Seth Bongartz (Remote)
Rep. Carol Ode

Staff present:

Damien Leonard (Remote)
Charlene Dindo

Committee Counsel
Committee Assistant

Approval of prior minutes

On motion of Sen. Weeks, the Committee approved the minutes of the June 13, 2024, meeting.

Review of rules

The Committee reviewed the following rules:

24-P13 – Department of Health/Unused Drug Repository Rule. Natalie Weill, Public Health Policy Advisor, Department of Health, explained the rule and answered questions from the Committee.

This rule established the requirements for the administration of, and participation in, the Unused Drug Repository Program.

On motion of Sen. Bray, the Committee approved the rule with proposed modifications submitted by the Department in the memorandum dated June 19, 2024.

24-P14 – Department of Health/Reportable and Communicable Diseases Rule.

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

The amendment to this rule modifies various requirements for reports of communicable diseases, updates terminology, and makes other changes for purposes of improving the rule's clarity.

On motion of Sen. Bray, the Committee approved the rule with proposed modifications submitted by the Department in the memorandum dated June 21, 2024.

24-P12 – Agency of Natural Resources/Aboveground Storage Tank Rules. Anna Bourakovsky, Hazardous Materials Program Manager, Agency of Natural Resources, explained the rule and answered questions from the Committee.

This rule amendment provides additional flexibility to the requirements relating to the use and replacement of noncompliant aboveground storage tanks.

On motion of Sen. Bray, the Committee approved the rule with proposed modifications submitted by the Agency in the memorandum dated June 12, 2024.

24-P15 – Vermont Occupational Safety and Health Administration/Improved Tracking of Workplace Injuries and Illnesses. Dan Whipple, VOSHA Program Manager, Department of Labor, explained the rule and answered questions from the Committee.

This rule amends VOSHA's rule regarding reporting of workplace injuries and illnesses so that it aligns with the recently adopted amendments to the federal OSHA rules regarding reporting of workplace injuries and illnesses.

On motion of Sen. Bray, the Committee approved the rule with proposed modifications submitted by VOSHA in the memorandum dated June 24, 2024.

23-P43 – Agency of Natural Resources/Vermont Low Emission Vehicle and Zero Emission Vehicle Rules. Request for Extension of Adoption Deadline. Rachel Stevens, Associate General Counsel, Department of Environmental Conservation, Agency of Natural Resources, explained the reason for the extension.

On motion of Sen. Bray, the Committee approved the extension of the adoption deadline to August 26, 2024.

23-P44 – Department of Disabilities, Aging, and Independent Living/Residential Care Home and Assisted Living Residence Licensing Regulations. Request for Extension of Adoption Deadline. Stuart Schurr, General Counsel, Department of Disabilities, Aging, and Independent Living, explained the reason for the extension.

On motion of Sen. Bray, the Committee approved the extension of the adoption deadline to September 3, 2024.

Committee Discussion: Review of Letters Regarding 22-P28/Vermont Residential Building Energy Standards (RBES). Ben Civiletti, Special Counsel, Vermont Department of Public Service; Keith Levenson, Energy Program Specialist, Department of Public Service; Kelly Launder, Assistant Director, Efficiency Division, Department of Public Service; Barry Murphy, Energy Efficiency Program Specialist, Department of Public Service, Efficiency Division; Jim Bradley, member, Vermont Builders and Remodelers Association; and Sandra Vitzthum, member, American Institute of Architects Vermont testified on the RBES.

Adjournment and next meeting

The Committee adjourned at 12:06 p.m.

The next meeting of the Committee is scheduled for July 25, 2024, beginning at 10:00 a.m. in room 11 of the State House in Montpelier, Vermont.

Respectfully submitted,

/s/

Damien Leonard
Committee Counsel

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