

## Administrative Procedures – Adopted Rule Filing

### **Instructions:**

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT  
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

**VOSHA Review Board Rules of Procedure**

\_\_\_\_\_/s/ Leigh Keyser Phillips\_\_\_\_\_, on 7/31/21  
(signature) (date)

Printed Name and Title:

Leigh Keyser Phillips, Chairperson

- Coversheet
- Adopting Page
- Clean text of the rule (Amended text without annotation)
- Letter regarding changes to the final proposed

RECEIVED BY: \_\_\_\_\_

1. TITLE OF RULE FILING:

**VOSHA Review Board Rules of Procedure**

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

20P-021

3. ADOPTING AGENCY:

VOSHA Review Board

4. RECORDS EXEMPTION INCLUDED WITHIN RULE:

*(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?)* Yes

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

21 VSA 207; 1 VSA 317

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

21 VSA 207 and Rules of Procedure 2200.52(e)7: A trade secret or other confidential research, development, or commercial information shall not be disclosed or shall be disclosed only in a designated way.

1 VSA 317 and Rules of Procedure 2200.8(c&d), 2200.120(c&d) related to redaction of sensitive information and protection of settlement agreement proceedings.

5. LEGAL AUTHORITY / ENABLING LEGISLATION:

*(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).*

21 VSA §230 (d)

6. THE FILING HAS CHANGED SINCE THE FILING OF THE FINAL PROPOSED RULE.

7. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE, INCLUDING CHANGES IN ECONOMIC IMPACT.

8. THE LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES DID NOT OBJECT TO THE FINAL PROPOSAL.

9. PROCEDURAL HISTORY OF ADOPTION:

ICAR Filing: 08/10/2021

Proposal Filed with Office of the Secretary of State: 09/08/2020

Notices Posted Online: 09/16/2020

Notices Published in the Newspapers of Record: 9/24/20

A Hearing WAS Held.

Hearings Held (*PLEASE USE ADDITIONAL SHEETS TO PROVIDE THE DATE, TIME AND LOCATION OF ALL HEARINGS, IF THIS FORM IS INSUFFICIENT TO LIST ALL HEARINGS HELD*):

Date: 10/16/2020

Time: 09:00 AM

Street Address: Meeting to be held remotely via the following video conference bridge:

Join Microsoft Teams Meeting

+1 802-828-7667 United States, Montpelier (Toll)

Conference ID: 950 933 956#

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Deadline for Public Comment: 10/26/2020

Adopted Rule Coversheet

Final Proposal —

Filed with Secretary of State: 06/15/2021

Filed with LCAR: 06/15/2021

Dates of LCAR Review: 07/15/2021, 7/29/31, , ,

Adopted Rule —

Filed with Secretary of State: 08/02/2021

Filed with LCAR: 08/02/2021

10. EFFECTIVE DATE: 8/17/21

*(A RULE MAY TAKE EFFECT 15 DAYS AFTER ADOPTION IS COMPLETE OR AT A LATER TIME PROVIDED IN THE TEXT OF THE RULE SEE 3 V.S.A. §845(d) FOR DETAILS).*

# Administrative Procedures – Adopting Page

## **Instructions:**

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

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1. TITLE OF RULE FILING:

**VOSHA Review Board Rules of Procedure**

2. ADOPTING AGENCY:

VOSHA Review Board

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

94-34 Vermont Occupational Safety and Health Review Board Rules of Procedure.

Adopted on August 29, 1994