

Exemption Subcommittee Meeting Minutes

Meeting held 19 July 2012

1. Attendance:

- Present: See attached sign-in sheet

2. Description of substance discussed:

- The meeting was called to order at 1:05 PM
- Chuck moved and Mark seconded that the minutes of the 15 March 2012 meeting be accepted. Motion passed.
- Chuck moved and John seconded that the minutes of the 17 May 2012 meeting be accepted. Motion passed.
- Discussion ensued on applying themes from The Retreat.
 - o There was agreement that getting the 'exemption list' section of OEQC's web site up to date was very important.
 - o There was discussion of reaching out strategically to agencies that might benefit from creation or revision of an exemption list. DOT had been mentioned at the retreat as an agency that was not pursuing a modification of their exemption list despite various changes since their last list was concurred with, such as the Superferry matter.
 - o Marjorie said she would refresh herself on the findings of our agency survey because that information could be useful in determining which agencies to approach first. Also, survey results identify the Chapter 343 contact for each agency.
 - o It was agreed that teams of 2 should attend meetings with each agency. Typical questions would be: "what are your plans regarding your exemption list?", and "Who is your Chapter 343 contact?"
 - o To clarify that these teams could perform their assignments in compliance with the Sunshine Act, John moved, and David seconded, that "The Exemption Subcommittee recommends to the full Council the formation of an investigative subcommittee, to be comprised of the full membership of the Exemption Subcommittee, for the purpose of dispatching teams of 2 to selected government agencies to collect data on their current thinking on their exemption list." The motion passed unanimously: voting Aye: Marjorie, Pete, John, Chuck and David.

- Possible agencies to contact first included DOT (Pete and Chuck) and UH. It was noted that matching investigative subcommittee members to agencies would need to be done in a manner to avoid the appearance of conflicts of interest.
- Assignments to develop initial drafts of language resolving "known issues" were re-assigned in response to changes in subcommittee membership, as listed below. In addition to developing initial drafts of proposed language for the rules, leads also need to produce "end note" content, discussing the basis of developing each revision, and how the specific intent of each proposed revision was determined. Progress to be discussed at next meeting.

"ad hoc" exemptions vs. exemption list	Chuck (draft already provided, ready for discussion)
<u>Public Notice of Exemption Determinations</u>	Marjorie
Threshold for public notice	
Notification of OEQC	
Location of issued determinations	
Document retention policy	
Shelf Life of Exemption	John
Transferability of Exemption	Pete
Exemption Declaration Content Requirements (cockroach from form in the Guidebook)	David
Combining exemptions across agencies	Mark

3. Decisions made:

- Approve minutes of prior meetings as described above
- Recommend to full Council creation of an investigative subcommittee assigned to liaison with selected government agencies on exemption lists

4. Adjournment: The meeting was adjourned at 1:50 PM