



Minutes

LEGISLATION COMMITTEE MEETING

Friday, February 9, 2018 - 10:00 a.m.

[Meeting held via teleconference]

Members:

Christian Bellini, P. Eng. (Chair)
Qadira Jackson Kouakou (Vice-Chair)
David Brown, P. Eng. (President-Elect, Ex-Officio Member)
George Comrie, P. Eng.
Bob Dony, P. Eng. (President, Ex-Officio Member)
Lola Hidalgo, P.Eng.
Gary Houghton, P. Eng.

Staff:

Bernard Ennis, P. Eng., Director, Policy and Professional Affairs
Jordan Max, Policy Manager
Andrew Tapp, Policy Analyst
Johnny Zuccon, P. Eng., Interim Registrar and Deputy Registrar, Tribunals and Regulatory Affairs

1. PROCEDURAL

1.1 Opening Remarks

The Chair called the meeting to order at 10:03 a.m., and welcomed and thanked everyone for attending.

1.2 Approval of Agenda

The members were asked if there were any additions or changes to the agenda. No additions or changes were provided.

A motion was made to approve the agenda as written.

Moved by: B. Dony

Seconded by: D. Brown

CARRIED

1.3 Approval of Minutes of January 12, 2018 Meeting

The members were asked if there were any additions or changes to the Minutes. No additions or changes were provided.

A motion was made to approve the Minutes of the January 12, 2018 meeting as written.

Moved by: G. Comrie

Seconded by: G. Houghton

CARRIED

1.4 Action Items Update from January 12, 2018 Meeting

The members were referred to the Actions Items Update document included in the agenda package.

J. Max briefly reviewed the action items presented, as follows:

Fees to By-Law Changes

Make the noted changes to the Fees By-Law amendments, and circulate them to the Committee members for review prior to presenting them to Council for approval in February 2018. [Completed]

Staff reported this item to the Legislation Committee as completed.

Make the noted changes to the Fees Briefing Note, and present it to Council in February 2018, along with the suggested By-Law amendments. [Completed]

Staff reported this item to the Legislation Committee as completed.

Council Term Limits

Send the final version of the Council Term Limits draft Regulation to the Committee members for review before sending it to Council for approval in February 2018. [Completed]

Staff reported this item to the Legislation Committee as completed.

Request the Ministry of the Attorney General to send PEO the sealed versions of the Regulations separately. [Completed]

Staff reported this item to the Legislation Committee as completed.

Make the noted changes to the Council Term Limits Briefing Note, and present it to Council in February 2018, along with the suggested Regulation amendments. [Completed]

Staff reported this item to the Legislation Committee as completed.

Fees Removal and Minor Housekeeping

Send the final version of the draft Fees Removal Regulation to the Committee members for review before sending to Council for approval in February 2018. [Completed]

Staff reported this item to the Legislation Committee as completed.

Make the noted changes to the Fees Removal Briefing Note, and present it to Council in February 2018, along with the suggested Regulation amendments. [Completed]

Staff reported this item to the Legislation Committee as completed.

French Language Version of Regulation 941

Direct the Ministry of the Attorney General to send PEO the French version of Regulation 941 separately, and after Council considers the two proposed Regulation amendment packages. [Completed]

Staff reported this item to the Legislation Committee as completed.

By-Law Amendment Protocol

Staff to bring the revised By-Law Protocol back to the Legislation Committee at its next meeting. [Completed]

Staff reported this item to the Legislation Committee as completed.

2. FOR DECISION

2.1 French Language Version of Regulation 941 - Special Council Meeting

J. Max reviewed the background of the Ministry of the Attorney General's request to produce a French language version of Regulation 941. The Ministry of the Attorney General has requested that PEO approve the French language version of Regulation 941 by the end of March 2018, and have stated that the next scheduled PEO Council meeting on March 23, 2018 would be too late for their own Cabinet deadlines. The Legislation Committee debated the desirability of calling for a special meeting of Council to approve the draft French language version of Regulation 941 at an earlier date, but decided that the issue was not urgent enough to warrant this. The Legislation Committee will examine the draft Regulation at its meeting on March 9, 2018, with the intent of presenting it to Council on March 23, 2018 for approval. It will be up to the Ministry of the Attorney General to determine if it goes to Cabinet in March/April 2018, or at another time.

Action: Staff to place the draft French language version of Regulation 941 from the Ministry of the Attorney General on the March 9, 2018 Legislation Committee meeting agenda.

2.2 By-Law No. 1 - Follow-Up

J. Max noted that, as a follow-up to Council's recent approval of By-Law changes, the Communications Department was in the process of revising By-Law No. 1. He presented the Legislation Committee with two different draft excerpt versions of PEO's By-Law No 1. The first version has Section 5 completely removed and the rest of the document renumbered to match (current PEO practice), and the second version replaces the text of Section 5 with the phrase "Revoked February 2, 2018" and keeps the same numbering (similar to the government's approach to Act and Regulation changes). The Legislation Committee decided to endorse Version 2, as it provides a better record of regulatory change and will not require a long, complicated renumbering process for the By-Law, related forms and the PEO website.

A motion was made to adopt the approach used in Version 2 of the By-Law No. 1 draft, and to note changes historically within the By-Law.

Moved by: G. Comrie

Seconded by: B. Dony

CARRIED

Action: Staff to advise the Communications Department to prepare and publish By-Law No. 1, as amended, with historical notations of changes.

2.3 By-Law Amendment Protocol - Briefing Note

J. Max presented the By-Law Amendment Protocol and accompanying Council Briefing Note to the Legislation Committee, and asked if it was ready to go to Council or if it required peer review. The Legislation Committee decided to send the protocol to the Regional Councillors Committee, Finance Committee, Audit Committee and Executive Committee for peer review.

Action: Staff to send the By-Law Amendment Protocol to the Regional Councillors Committee, Finance Committee, Audit Committee and Executive Committee for peer review, pending consideration and/or development of an additional “consultation process” (refer to Item 2.4).

2.4 By-Law Change Consultation Policy

J. Max noted that PEO had recently discovered that Engineers and Geoscientists British Columbia routinely solicited member comments on By-Law changes being considered by the organization. The Legislation Committee theorized that this may be because British Columbia has many elements in By-Laws that PEO has in Regulations. J. Max asked the Committee members if PEO should develop a consultation policy for future PEO By-Law changes, and the Legislation Committee instructed staff to investigate this possibility and report back.

Action: Staff to investigate the possibility of developing a By-Law change consultation policy that would be added to the By-Law Amendment Protocol before the protocol is sent for peer review (refer to Item 2.3), and report back to the Committee at its next meeting.

2.5 Legislation Committee 2017 Annual Report

J. Max presented the draft year-end report of the Legislation Committee’s activities that will be included in the Committees and Task Forces Annual Report to Council. The Legislation Committee members noted that the report did not include any information on the Committee’s bringing the question of Council adopting a French language version of Regulation 941 at its November 2017 meeting. Staff will add a section on the continuing development of the French language version of the Regulation to the report before submitting it to Council.

Action: Staff to add a section on the 2017 development of the French language version of Regulation 941 to the Legislation Committee 2017 Annual Report and submit it to Volunteer Management.

3. FOR DISCUSSION

3.1 Federal Bill C-49

J. Max reported that, at the Engineers Canada update at the last Council meeting, C. Roney had announced that he would be giving a Senate Committee deputation on federal Bill C-49, which amends several federal statutes governing transportation and impacts engineers. J. Max further noted that the Bill has already been approved by the House of Commons and is now being reviewed by the Senate, and that he had sent the Committee members a link to the Engineers Canada news release on the deputation. G. Comrie noted that the *Railway Safety Act* is not currently being enforced by the Federal Department of Transportation, and that he had sent comments to C. Roney prior to his deputation. While the Bill did not amend any sections of the *Railway Safety Act* that involve engineers, PEO staff will continue to monitor the legislation.

4. NEXT MEETING AND ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:59 a.m.

The next meeting is scheduled for Friday, March 9, 2018 from 10:00 a.m. to 1:00 p.m.