



Minutes

LEGISLATION COMMITTEE MEETING

Friday, August 7, 2015 - 11:00 a.m.

PEO Offices - Room 1C

Members:

Bob Dony, P. Eng. (Vice-Chair)

George Comrie, P. Eng. (President-Elect; Ex-Officio Member)

Roydon Fraser, P. Eng. (Chair) *[via teleconference at 12:45 p.m.]*

Bill Kossta

Ewald Kuczera, P. Eng. *[via teleconference until 12:45 p.m.]*

Sharon Reid, C. Tech.

Regrets:

Thomas Chong, P. Eng. (President; Ex-Officio Member)

Staff:

Josie D'Aluisio, Administrative Assistant

Jordan Max, Manager, Policy

Johnny Zuccon, P. Eng., Deputy Registrar, Tribunals and Regulatory Affairs

1. PROCEDURAL

1.1 Opening Remarks

In the absence of Chair R. Fraser at the commencement of the meeting, Vice-Chair B. Dony chaired the meeting.

The Vice-Chair called the meeting to order at 11:10 a.m., and welcomed and thanked everyone for attending.

Acting Chair B. Dony advised that there now exists a conflict with the October 2, 2015 Legislation Committee meeting in that the Academic Requirements Committee has rescheduled one of their meetings to the same date, which would pose a conflict to two members of the Legislation Committee. It was suggested that the October 2015 Legislation Committee meeting be scheduled to one of the following options:

- (1) Thursday, October 1, 2015 (evening meeting) from 5:30 p.m. to 8:30 p.m.;
- (2) Friday, October 2, 2015 (following the ARC meeting) from 12:00 p.m. to 4:00 p.m.; or
- (3) Friday, October 9, 2015 (the following Friday) from 11:00 a.m. to 2:00 p.m.

Action: Staff to send a doodle poll to the Legislation Committee members to canvass their availability to reschedule the October 2015 meeting to one of the three options noted above.

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. Kossta Seconded by: S. Reid CARRIED

1.3 Approval of Minutes of June 5, 2015 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 June 5, 2015 meeting as written.

Moved by: B. Kossta Seconded by: E. Kuczera CARRIED

1.4 Action Items Update from June 5, 2015 Meeting

The members were referred to the Actions Items Update document included in the agenda package. J. Max updated the Committee as follows.

The Briefing Note for the Act Change Protocol has been drafted for Council, however, the Registrar has postponed it to the November 2015 meeting.

The memo from the Chair of the Legislation Committee to the Chair of the Licensing Committee regarding further work on the LPTF policy motions in version TK-17 of the Regulation has been drafted for consideration at Item 2.1 at this meeting. He noted that the Legislation Committee should decide whether to refer the documents directly to the other committee or to route it through Council in September 2015.

2. FOR DECISION

2.1 Work Plan for Resolving Council Policy Motions - Academic/Examinations Category and Experience Category

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

J. Max referred to the discussion under Action Items for this document. After a brief discussion and some minor edits, it was agreed that the memo should be sent directly to the Chair of the Licensing Committee.

2.2 LEC Draft Work Plan 2015-2016

The members were referred to the document included in the agenda package, which was based on the prior year's work plan.

J. Max noted that the template for Committee and Task Force Work Plans had been modified by the Advisory Committee on Volunteers to add consideration of an Equity and Diversity checklist and more detail on tasks and outcomes. The Committee members reviewed the draft document and made some minor changes to timelines, and added the Belanger Recommendation Act changes to the top of the Task list and the Act Change Protocol review by Council. Appendix B was removed as unnecessary detail. The members are required to review the Equity and Diversity Training Module on the PEO website as part of the Work Plan. The Chair will notify members to complete this before the next Legislation Committee meeting so that the Work Plan can be finalized and sent to Council.

Action: Staff to revise the Work Plan accordingly. Chair to send a notice to the Committee members to review the Equity and Diversity Training Module on the PEO website before the next Legislation Committee meeting.

A motion was made to approve the 2015-2016 Work Plan as revised.

Moved by: S. Reid

Seconded by: B. Kossta

CARRIED

2.3 Act Change Protocol

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

The members reviewed the draft Briefing Note. Appendix A was also reviewed. It was noted that the motion would require only a simple majority to pass. Appendix B should be revised and brought to the next Legislation Committee meeting.

Action: Staff to revise Briefing Note and appendices accordingly, and bring to the next Legislation Committee meeting.

3. WORK IN PROGRESS

3.1 Act Changes

The members were referred to the documents included in the agenda package.

There was some discussion of the recent meeting that staff, the President and President-elect attended with the Ministry of the Attorney General (MAG) and Ministry of Municipal Affairs and Housing (MMAH) staff to discuss MMAH's and PEO's respective progress on their work. J. Zuccon noted that the immediacy for submissions on Act changes has loosened up. The Ministry of Municipal Affairs and Housing reported that they need to get some more work done before going forward to their Minister for changes. It was agreed that the Legislation Committee would continue in earnest with developing the necessary back-up documentation for the PEO Act changes and use the added time to do more front-end policy analysis.

The Committee recessed for lunch. Following lunch, the meeting resumed.

The Committee then focused its attention on Appendix B, its comments and recommendations, as follows:

Item 1: Exclusive Practice for Structural Engineering Specialists

Revisions were made to reflect this proposal as unprecedented and to highlight why the B.C. Structural Engineer model is not necessarily applicable. The comments should also note that no evidence of systemic problems by practitioners has been provided to support the need for exclusive practice or a specialist designation.

Item 2: Mandatory Continuing Professional Education

The comments should note that no evidence of the need for continuing professional education has been provided, and that Justice Belanger had recommended that regulations be drafted within 18 months (May 2016).

Item 3: Mandatory Disclosure of Disciplinary Action to Clients

Some minor editing was done to provide more clarity. Both Items 3 and 4 should be sent to the Discipline Committee for peer review.

Item 4: Provision of Practitioner Information on PEO's Website

The Legislation Committee would like some clarification on the term "findings" to understand what this entails above the information already statutorily required in the public registers under Section 21 of the *Professional Engineers Act*, and whether such findings should be placed in the registers. The Legislation Committee also notes that the ten year limit is superfluous since information on the Register is intended to be posted permanently.

Item 5: Lowering of Threshold for By-Law Confirmation by Members

The content is fine as drafted.

Item 6: Addition of Limited Licence Holders to Those Qualified to Design Certain Buildings

Some minor editing is required to clarify that this is an extension of the limited licence, consistent with the July 1, 2015 Act changes.

Item 7: Suspension of Licences for Past Conduct

Some minor edits were done to clarify the application of administrative suspensions.

Item 8: Update Language for Payment of Fines to Minister of Finance

The content is fine as drafted.

Item 9: Provide Public Access to Disciplinary Hearing Exhibits, Evidence and Transcripts

It was noted that the broader policy discussion should be done before amending the Act in this direction. There is a possibility that the proposal would result in

lengthier Discipline hearings as more evidence and exhibits would be requested to be made non-public. It was recommended that this item also be referred to the Discipline committee for peer review comment.

Item 10: Allowing Release of Information to Other Regulatory Authorities.

The content is fine as drafted.

Additional Concerns

The content is fine as drafted.

Action: Staff to revise Appendix B accordingly and bring it back to the Legislation Committee for the next meeting. Staff to send Items 3, 4 and 10 to the Discipline Committee for peer review comments via a memo from the Chair.

3. NEXT MEETING AND ADJOURNMENT

The meeting was adjourned at 2:20 p.m.

The next meeting is scheduled for Friday, September 11, 2015 at 11:00 a.m.