



Minutes

LEGISLATION COMMITTEE MEETING

Friday, January 8, 2016 - 11:00 a.m.

PEO Offices - Room 1C

Members:

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

Bill Kossta

Ewald Kuczera, P. Eng.

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

Regrets:

Roydon Fraser, P. Eng. (Chair)

Sharon Reid, C. Tech.

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

Staff:

Josie D'Aluisio, Administrative Assistant

Bernie Ennis, P. Eng., Director, Policy and Professional Affairs

Linda Latham, P. Eng., Deputy Registrar, Regulatory Compliance

Jordan Max, Manager, Policy

Gerard McDonald, P. Eng., Registrar

Andrew Tapp, Policy Analyst

Johnny Zucco, P. Eng., Deputy Registrar, Tribunals and Regulatory Affairs *[until 12:30 p.m.]*

1. PROCEDURAL

1.1 Opening Remarks

In the absence of Chair R. Fraser, B. Dony chaired the meeting.

Acting Chair Dony called the meeting to order at 11:04 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. Kossta Seconded by: E. Kuczera CARRIED

1.3 Approval of Minutes of December 4, 2015 Meeting

The members were asked if there were any additions or changes to the Minutes.

A motion was made to approve the Minutes of the December 4, 2015 meeting as written.

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

1.4 Action Items Update from December 4, 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 draft Council Briefing Note on Rescinding Council Motions regarding the Engineer of Record proposal is included in the agenda package for discussion later in the meeting.

The Unproclaimed Council Act Decisions Log 2010-2015 has been modified, as directed by the Committee, and is included in the agenda package for discussion later in the meeting.

2. FOR DECISION

2.1 Proposed Act Changes

The members were referred to the documents included in the agenda package. J. Max updated the Committee as follows.

(a) Ministry of the Attorney General (MAG) Document

This document is being updated based on the Council motions being considered at this meeting, and will be amended and submitted to the Ministry in support of PEO's Act Change package.

(b) "Privileged and Confidential" Legal Opinion re Proposal 10

This legal opinion is included in the package for reference, and should be treated with the utmost of confidentiality.

(c) Recommendations List

The Committee reviewed the chart included in the agenda package, provided decisions on the policy scope application questions, and made several revisions to the draft Council motions for the February 4-5, 2016 meeting.

J. Max advised that Council Briefing Notes will be finalized based on the approved recommended motions, and will be signed off by the Chair prior to submitting to the Secretariat for the February 2016 Council meeting.

Action: Staff to revise the Briefing Notes as per the approved recommended Council motions, and submit them to the Secretariat for the February 2016 Council meeting.

(d) Sample Briefing Note

A sample Briefing Note for the Act changes was included in the meeting agenda package for the Committee's review.

2.2 Engineer of Record Briefing Note

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

The draft Council Briefing Note in support of rescinding previous Council motions on this topic was reviewed by the Committee. One minor error was noted and corrected in the Appendix.

Action: Staff to revise the Briefing Note and submit it to the Secretariat for the February 2016 Council meeting.

A motion was made to approve the Briefing Note, as amended, and to forward for Council approval at the February 2016 meeting.

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

2.3 LET Seal - Briefing Note

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

As a follow-up to the July 1, 2015 Act and Regulation Changes for the Licensed Engineering Technologist (LET), Council is also required, under Section 52(4) of Regulation 941, to approve the graphic design for this new seal. This needs to be ready once applications for the new Limited Licences and LET class are approved. The Committee reviewed the draft Briefing Note and seal, and questioned why all the data fields were included, specifically, “category” and what it referred to. Staff advised that they would get answers to these questions and amend the Briefing Note and seal, if necessary.

Action: Staff to seek answers to the Committee’s questions regarding the seal contents and to amend, if necessary, before submitting the Briefing Note to the Secretariat for the February 2016 Council meeting.

A motion was made to approve the Briefing Note in principle, subject to revisions by staff.

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

[Editorial: Staff follow-up determined that all headings in the draft seal design were required for legal reasons, in accordance with the Regulation 941 requirements. The term “category”, while not referenced in the Regulation, had been copied from the current Limited Licence seal which has been around since 1984, and which generally refers to the licence holder’s discipline. Therefore, no changes to the draft seal design are required.]

3. FOR DISCUSSION

3.1 Unproclaimed Council Act Decisions Log 2010-2015

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

The log was reviewed briefly by the Committee to clarify if the issue had been forwarded to a committee or other party.

Staff noted that, given the Government's recent announcement to forgo the removal of the industrial exception, Section 88 of Regulation 941, which provided transitional arrangements for applicants, would be essentially null and void, but PEO would have to request the Attorney General to remove Section 88.

It was further decided that the Chair should write a memo to the Chairs of the relevant committees to request that they provide further evidence, details and implementation issues on those Act changes within their jurisdiction.

With respect to the outstanding Act changes from the Complaints and Discipline Task Force, Item 19 should be referred to Tribunals and Regulatory Affairs staff as part of its policy review on Discipline Committee panel composition, and that Items 17 and 18 should be referred to the Complaints Committee. The items arising from the Admission Appeals Task Force should be referred to Councillor Fraser.

Action: Staff to draft memos from the Chair of the Legislation Committee to the respective committee Chairs to request that they provide further evidence, details and implementation issues on those Act changes within their jurisdiction to enable the Attorney General to start legal drafting on those changes. Staff to update the log to include the referrals as the responsible body.

4. NEXT MEETING AND ADJOURNMENT

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for Friday, February 12, 2016 at 11:00 a.m.