

Draft Minutes - Official Meeting #6
North American Free Trade Agreement

Las Vegas, Nevada, USA

March 19, 2001

Sector: Licensed Land Surveyors

Participating Parties: The United States of America (USA)
 The United Mexican States (UMS)
 Canada (Ca)

1. Recognition of the Chair and Opening Remarks.

Robert Prescott, Chair of the NSPS NAFTA Committee called the meeting to order at 2:00 pm P.S.T. at the Riviera Hotel & Casino, in Las Vegas, Nevada. Mr. Prescott welcomed all present for the sixth official meeting of the land surveyor representatives of the three countries and read the Agenda into the record. It was explained that the meeting was being recorded and that each of the three delegations would be provided with a copy of the tape.

2. Roll Call – Establish that a Quorum is present.

It was declared that a quorum was present.

Those participating in the discussions were:

United States of America

Robert Prescott, NAFTA Chair, National Society of Professional Surveyors (NSPS)

Rita Lumos, NSPS NAFTA Committee

Malcolm Shaw, NSPS NAFTA Committee

John Abenroth, NSPS NAFTA Committee

United Mexican States

Ing. Ignacio Marcial Figueroa, Presidente, Federacion de Colegios de Ingenieros Topografos de Los Estados Unidos Mexicanos, (FECITEUM A.C.)

Ing. Braulio Mercado Gutierrez, FECITEUM A.C.

Ing. Enrique Diaz Perez, FECITEUM A.C.

Canada

Richard Wright, Immediate Past President, Canadian Council of Land Surveyors (CCLS)

Wayne Brubacher, Chair of CCLS NAFTA Committee.

3. Discussion and acceptance of the Rules Governing Meeting No. 6

Robert Prescott read the proposed Rules Governing Meeting #6 and asked for discussion. The Rules presented were the same as those accepted for Meeting #5 except that another rule was added as Rule 12. The previous Rule 12 became Rule 13. Wayne Brubacher read the Rules in English. Ing. Mercado read the Rules in Spanish. The Rules for Meeting No. 6 are attached as Appendix "A".

Motion No 6 - 1 *Approved unanimously.*

to accept the Rules Governing the Formal Meeting in Spanish and English as presented

Mover: Malcolm Shaw
for: the USA

Secunder: Richard Wright
for: Canada

4. Translations: English to Spanish and Spanish to English
 English to French and French to English

Robert Prescott announced that Mario Torres Ochoa, a professional translator, would provide the Spanish/English translation. Ing. Hector Esqueda Esquivel was present to assist in translation of technical terms. Robert Prescott stated that Lucy Prescott the French translator was present and inquired if anyone required that service. There being no need, the French translator was excused.

Motion No 6 –2 *Approved unanimously.*

that the requirement for French translation during Meeting No. 6 is hereby waived and that the translator be excused.

Mover: Wayne Brubacher
for: Canada

Second: Ignacio Marcial Figueroa
for: Mexico

5. Appointment of person to record and take minutes for the present meeting.

Rita Lumos was appointed to take minutes for the meeting. The Spanish and French versions of the official minutes will be translated from the English version.

6. Approval of Agenda and addition of items.

The proposed agenda for the meeting was presented.

Motion No 6 – 3 *Approved unanimously.*

that the agenda be approved as presented

Mover: Braulio Mercado Guterrez
for: Mexico

Second: Malcolm Shaw
for: the USA

7. Recognition of Observers and Guests.

There were several observers and guests present at the meeting. A list of those attending is attached to these minutes as Appendix B.

8. Receiving of Official Minutes from the Formal Meeting No. 5 at Oaxaca, Mexico.

The English language version of the minutes for meeting No. 5 was received. The Spanish minutes were not available. The French minutes for Meeting No. 4 in Ottawa and Meeting No. 5 in Oaxaca were presented for acceptance.

Motion No 6 – 4 *Approved unanimously.*

that the English language version of the minutes of Meeting No.5 held in Oaxaca be approved as presented and that the French language version of Meeting No. 4 held in Ottawa, Canada, and meeting No. 5 be received.

Mover: Enrique Diaz Perez
for: Mexico

Second: Richard Wright
for: Canada

9. Business arising from the minutes

There was no business arising from the minutes that was not otherwise agendized.

Old Business

10. Letter of authorization from each nation's government.

Mr. Brubacher reported that the Canadian delegation has not yet received a letter of support from their government. He explained that the trade minister originally indicated that producing a Mutual Recognition Document (MRD) would be the impetus for obtaining one. He believes that CCLS is in a good position to receive a support letter at this time since the participating delegations had agreed upon a draft MRD.

Ing. Mercado stated that a FECITEUM delegation is scheduled to meet with the new government officials in mid-April to discuss a support letter.

Both countries will report on their progress at the next meeting.

11. List of universities in each country that graduate surveyors or survey students with contact name and address.

Ms. Lumos reported that she had distributed representative curricula from four US universities by email. Mr. Brubacher stated that he had three of the four Canadian university curricula in paper format and was endeavoring to obtain them in electronic format. Ing. Mercado reported that one of the Mexican universities is currently revising the title and curricula of its program. He will try to have the information available at the next meeting.

Mr. Prescott stated that he had requested a list of all US universities and colleges with relevant programs from the Curricula, Accreditation, and Registration (CAR) Committee of the American Congress on Surveying and Mapping. He has not yet received that information.

12. Discussion of MRD6

Mr. Wright pointed out that certain corrections to the Mutual Recognition Document No. 6 were necessary.

Motion No 6 – 5 *Approved unanimously as amended.*

that the Mutual Recognition Document No. 6 (MRD 6) be amended as follows:

a. the words “and corporations” and “or corporations” where they appear in PART 1. GENERAL, 1. PREAMBLE be removed.

b. the definition for the word “jurisdiction” be revised as follows:

“Jurisdiction” means

1. a state or territorial surveying licensing board in the United States of America.
2. a provincial professional surveying association in Canada referred to as either an association, a corporation, or an ordre and which also means the Association of Canada Land Surveyors (ACLS), and
3. a state or federal licensing board in the United Mexican States.

c. Schedule “B” be revised as follows:

<i>Schedule B</i>		
COUNTRY USA	COUNTRY CANADA	COUNTRY MS
JURISDICTIONS STATE BOARDS	JURISDICTIONS ASSOCIATIONS	JURISDICTIONS COLEGIOS
50 +/- State Affiliates listed	10 <u>Provincial and one Canada Lands Surveying Association listed</u>	37 States listed

New Business

13. Objectives for future meeting.

The representatives from each country will work toward completing the items of unfinished business previously mentioned. Each will gather comments on the MRD6 from their various organizations, states or provinces, and work toward ratification. A schedule of tasks to be accomplished is included in item 14a. below.

14. Miscellaneous

a. Schedule of tasks to be accomplished at future meetings.

Motion No 6 – 6 *Approved unanimously.*

to adopt the following table:

Milestones for NAFTA Committee MRD

By Canada:	
Acceptance of MRD by Canadian Provincial Associations	Jan 2001 - Feb 2002
Ratification of MRD by CCLS	AGM 2002
Obtain Letter of Support from Federal Government.	June 2001
By the United States of America:	
Acceptance by NSPS Board of Directors of the committee report for distribution to and acceptance by Affiliates	Mar 2001
Review of MRD by State Affiliates	Mar 2001 – Mar 2002
Acceptance and ratification by the NSPS Board Of Directors of the MRD	Mid 2002
By the United States of Mexico:	
Provide information on incorporation of FICITEUM A.G.	May 15,2001
Obtain curricula of Mexican universities and contact persons at the universities (Ing. Braulio Mercado)	May 15, 2001
Provide Spanish version of minutes for Ottawa and Oaxaca meetings.	Apr. 15, 2001
Study glossary of terms and provide comments	Sept., 2001
Review of MRD by Colegios	Mid 2001 – Mid 2002
Obtain Letter of Support from Federal Government.	June 2001
Acceptance and ratification of MRD by FECITEUM A. C. Board of Directors	Mar 2002

All Countries:	
Collect complete set of documents with signatures where necessary for each country	May 15 th , 2001
Submit to Government Agents (CCLS to DFAIT, NSPS to USTR, FECITUEM to SE); Government Agencies consider MRD	Mid-2002
After formal approval Jurisdictions sign on	
Meetings every three years.	
Correspond with other NAFTA Committees regarding the Notice of Motion by Canada	30 days before Meeting No. 7

Mover: Rita Lumos
for: the USA

Second: Enrique Diaz Perez
for: Mexico

b. Appointment of Schedule Coordinator

Motion No 6 – 7 *Approved unanimously.*

That the appointment of a Schedule Coordinator for the period of time until the next meeting be done. The Schedule Coordinator will be Wayne Brubacher

Mover: Malcolm Shaw
for: the USA

Second: Ignacio Marcial Figueroa
for: Mexico

c. Notice of Motion By Canada

Notice of Motion

Mr. Brubacher introduced a proposed motion that was read in Spanish by Mr. Torres. He requested that the proposed amendment be studied and that comments be forwarded to him no less than 30 days prior to the next formal meeting. The motion shall be brought to the 7th Formal NAFTA Meeting.

Motion No 6 – 8 *Approved unanimously.*

Moved that the draft MRD6 be revised on sheet 3 of 9 in the following manner: under the definition for “practice of land surveying”, item “d.” and “e.” shall be combined; that the word “includes” be changed to “including”; and the following be inserted after “including”: “but not limited to”. Items “f.”, “g.”, and “h.” shall be re-lettered “e.”, “f.”, and “g.”.

Mover: Rita Lumos
for: the USA

Second: Richard Wright
for: Canada

15. Time and Place of next meeting.

Motion No 6 – 9 *Approved unanimously.*

that the next meeting shall be hosted in Guanajuato or Colima, in November and that a representative from Mexico will chair the meeting. The Mexican representative shall confirm the time and place of the meeting.

Mover: Rita Lumos
for: the USA

Second: Richard Wright
for: Canada

Dick Smith, an observer from Kalispell, Montana, and a member of NSPS, questioned why the Federation Internationale des Geometres (FIG) is included in the definitions in the MRD, since that organization is not a party to the agreement.

Motion 6 – 10 *Approved unanimously.*

that the MRD6 be changed to delete the definition of the Federation Internationale des Geometres be deleted from Section III. Definitions.

Mover: Ignacio Marcial Figueroa
for: Mexico

Seconder: John Abenroth
for: the USA

There being no further business, the meeting was adjourned at 3:56 p.m. P.S.T.

Accepted and confirmed as correct:

United States of America

By:
The National Society of Professional Surveyors

Date

The United Mexican States

By:
Federacion de Colegios de Ingenieros Topografos
de Los Estados Unidos Mexicanos, A.C.

Date

Canada

By:
The Canadian Council of Land Surveyors

Date

APPENDIX “A”

Rules governing the formal meeting.

1. The Chair will be a representative of the organization representing the host country.
2. Proceedings will be tape-recorded. A copy of the tape will be distributed to each party.
3. Participants will pause while speaking to allow translation.
4. The formal meeting may be temporarily adjourned to permit discussion off the record.
5. Each participating country (party) will be allowed one vote but unanimous consent must be reached on each issue.
6. Each party will select one person to be its principal speaker. Other representatives may make additional comments but the chair may limit discussion.
7. Observers may be allowed to speak at the discretion of the chair.
8. Minutes will be taken and provided to each party in English, Spanish, and French. Minutes will not be taken of off-the-record discussions. If unanimity is reached, the formal meeting will be reconvened and the results may be read into the minutes for information or presented as a motion for action.
9. The parties reserve the right to waive the need for a translator in any of the three languages to be present but minutes will be provided in all three languages. The right to waive may be exercised prior to the meeting by mail-in or e-mail consent.
10. The representatives of the parties intend to comply with the requirements of the NAFTA. If any actions of the representatives are not compliant, the remaining actions will be accepted.
11. Minutes will become official when each party has endorsed them. If any section of the minutes is disputed at the meeting at which they are to be approved and cannot be resolved by mail within three months of that meeting, the section will be brought to the next meeting for resolution.
12. If a translation from an approved and signed set of minutes is incorrect and causes a disagreement, it must be presented as a motion of correction at a formal meeting to be discussed, corrected and approved by consensus. Henceforth this section will become official, replacing the previous item once it has been signed.
13. Motions passed shall be numbered by the number of the meeting (Fort Worth = 1, Portland = 2, etc) and starting at 1 for the first motion for each meeting. It shall be the responsibility of the chair to assign the proper number to the motion. (Example: the first motion passed at the Tijuana meeting would be shown as 3-1), the motions of future reunions should be treated the same, for example 4-1, 5-1, etc., following the same order of the reunions.

APPENDIX “B”

Observers present for the meeting are listed below

Frank Wittie	Nevada Association of Land Surveyors	Las Vegas, Nevada
Ray Almanzan	Nevada Association of Land Surveyors	Las Vegas, Nevada
Nancy Peace	Nevada Association of Land Surveyors	Las Vegas, Nevada
Dick Smith	Western Federation of Professional Surveyors/NSPS	Kalispell, Montana
Ron Whitehead	Western Federation of Professional Surveyors	St. George, Utah
Mike Mickiewic	Western Federation of Professional Surveyors	Everett, Washington
Rob Stratton	Land Surveyors Association of Washington	Kennewick, Washington
Jeff Andrews	ACSM/NSPS	Phoenix, Arizona
Patrick Beehler	Land Surveyors Association of Washington	Olympia, Washington
Curtis W. Glasok	NSPS	Dickinson, No. Dakota