



# Minutes

## LEGISLATION COMMITTEE MEETING

Tuesday, June 7, 2016 - 11:00 a.m.

PEO Offices - Room 1C

### Members:

Christian Bellini, P. Eng.

George Comrie, P. Eng. (President, Ex-Officio Member) *[via teleconference]*

Bob Dony, P. Eng. (Vice-Chair / President-Elect, Ex-Officio Member)

Roydon Fraser, P. Eng. *[via teleconference]*

Gary Houghton, P. Eng. *[via teleconference]*

Bill Kossta

Ewald Kuczera, P. Eng. (Chair)

### Staff:

Jordan Max, Manager, Policy

Gerard McDonald, P. Eng., Registrar

Andrew Tapp, Policy Analyst

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

## 1. PROCEDURAL

### 1.1 Opening Remarks

The Chair called the meeting to order at 11:00 a.m., and welcomed staff and Board members to the meeting.

### 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: C. Bellini                      CARRIED**

1.3 Approval of Minutes of May 9, 2016 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 May 9, 2016 meeting as written.

**Moved by: B. Kossta                      Seconded by: C. Bellini                      CARRIED**

1.4 Action Items Update from May 9, 2016 Meeting

Past Chair's Remarks and Orientation for Members

J. Max discussed the history of the proposal to move fees (other than membership fees) from the Regulations to the By-Laws, and that the Legislation Committee had replied to the Finance Committee's draft By-Law in 2014, but no further work had been done. In discussion with the Registrar, it was proposed that the Legislation Committee take over drafting the By-Law changes as they relate to the transfer of fees, and that the Finance Committee's agreement was being sought. G. McDonald added that the Finance Committee would be reviewing the Legislation Committee proposal at its forthcoming meeting in August 2016, that the scope of the By-Law changes be limited to a transfer from Regulation 941 to the by-law without any policy or other changes, and that the government would want to see the By-Law changes to be able to revise the Regulation. J. Zuccon also explained that, since this was the first time the Legislation Committee would be revising the By-Law, a process for drafting By-Law changes was required.

**Action:**                      Staff to conduct an overview of By-Law development processes in other organizations, and to draft a By-Law development protocol for PEO for review by the Legislation Committee at its next meeting.

J. Max also reviewed the combined Act and Regulation change log, which would be provided annually to Council (at the end of the Legislation Committee year) and made available to the Legislation Committee members on SharePoint. The shaded rows in the log were noted as complete and would be archived henceforth. The log was approved by the members. Most pending Act changes are currently with the Professional Standards Committee. The members

expressed a need to follow up with the those committees or departments responsible for the policy development to advise on status.

**Action:** Staff to get updates from all committees as to the status of pending Act and Regulation changes.

#### Action Items Update from the April 8, 2016 Meeting

The members were notified that the memo on Discipline Panel composition had been sent to Council and that, as the former Chair, R. Fraser will speak to it at the next Council meeting in June 2016.

#### Monthly Meeting Schedule for Committee Year 2016-2017

J. Max reviewed the proposed schedule that kept with the members' intent to hold meetings on the first Friday of each month between 11:00 a.m. and 2:00 p.m. The schedule was adjusted to take into account conflicts with Council meetings and any corresponding long weekends. A revised schedule will be posted on the Committee's SharePoint site.

**Action:** Staff to post the revised schedule on the Committee's SharePoint site, and set up Outlook notifications to the members.

#### Legislation Committee Work Plan 2016-2017

J. Max reported that he had drafted a Work Plan based on the previous year's plan and current and expected projects, which would be formally discussed later during the meeting.

#### Registration Committee Proposal for Act Change

J. Max reported that a letter that had been received on April 28, 2016 by the Legislation Committee from the Registration Committee pertaining to the 30 day deadline in the Act for setting a hearing by the Committee. In the course of his research, J. Max reported that Council had actually withdrawn the 30 day limit from the draft Bill 68 changes, but they appeared in the final text of the Bill nonetheless. The members wish to know the original purpose of the 30 day limit, and why there was such difficulty in meeting it. Additionally, B. Dony desired to receive the Registration Committee's response to J. Max's research. The members also wished to have staff review the Act change protocol and its questions with the Registration Committee.

**Action:** Staff to draft a memo from the Chair of the Legislation Committee to the Chair of the Registration Committee, including the results

of its historical research, and requesting further evidence as per the Act Change Protocol.

## 2. FOR DISCUSSION

### 2.1 Draft Legislation Committee Work Plan 2016-2017

J. Max reported that he had drafted the Legislation Committee Work Plan for 2016-2017 based on the 2015-2016 plan and current and expected projects in the coming year. It was noted that that new members of the Committee were required to complete the Equity and Diversity Awareness module available on the PEO's website. The new members agreed to do so.

There was discussion concerning the Legislation Committee 2016-2017 Work Plan. For Item 1 (Act Changes to Address Belanger Report Recommendations), J. Max advised that, although the matter and timing was currently in the government's hands, the Legislation Committee should designate Committee members to go and review the draft Belanger changes at Queen's Park during the summer. G. Comrie volunteered to accompany the Registrar, should it be required, before the next Legislation Committee meeting in August 2016, with C. Bellini as a back-up.

Questions were raised concerning the "May 2017" due date of Work Plan Items 2 and 3 ("Move Fees from Regulation to By-Law" and "Resolution of All Outstanding Act Changes Approved by Council"). Staff indicated that these dates were for overall project completion, and they expected the Legislation Committee's portion to be completed by September 2016.

Additionally, for Item 3, J. Max reminded the members that the Complaints Committee was planning to ask Council to rescind Act changes that had been sent to them for review. The members noted that it would be the Complaints Committee's responsibility to prepare the Briefing Note for Council to rescind prior motions.

G. Comrie informed the members that Item 4 ("Complete Review of Outstanding Changes to Regulation 941") was being worked on by the Licensing Policy Committee, and that Committee's response would not be ready until August 2016, but that there might be some modifications requiring rescinding the initial Council policy motions. The members instructed staff to leave a placeholder for this issue at the next meeting.

**Action:** Staff to monitor Item 4's progress at the Licensing Policy Committee, and report back to the members at the next meeting.

Questions were raised on Item 5 (“Deal with Residual Changes from Bill 68”) concerning PEO’s preparedness for the as-of-yet unproclaimed *Not for Profit Corporations Act*. Staff informed the Committee that the Attorney General staff had indicated that the decision to proclaim that legislation is with the Ministry of Government and Consumer Services, and that they would give stakeholders two years to review the regulations before it is proclaimed, but that there is a time limit of 2018 when this must be done or the proclamation would be revoked within the 10-year sunset provision. J. Zuccon noted that, should the new Act not be proclaimed, PEO would continue to be covered by the existing legislative references to the *Corporations Act*, as outlined under the current Section 49 of the *Professional Engineers Act*.

For Item 6 (“Monitor Government Opportunities”), staff explained the process used by PEO to monitor Ontario government legislation and debate.

Item 7 and 8 (“Review Act Changes Using the Protocol” and “Maintain Regulatory Issues Log”) are ongoing processes. The log in Item 8 will be reviewed and revised at the end of the year.

Staff informed members that Item 9 (“Develop Act Change Protocol”) has been completed. It has been stricken from the Work Plan.

Item 10 (“Identify Regulatory Policy Issues”) was combined with Item 8.

There is no Item 11 listed in the Work Plan.

Item 12 (“Prepare an Annual Work Plan”) will be presented to Council in September 2016.

It was also requested that the “Regulatory Conflict” table be shared with Council.

**Action:** Staff to update and share the “Regulatory Conflict” table with Council via the Secretariat.

The “Council Liaison” box was left blank pending discussion at Council as it was felt to be redundant for the Legislation Committee as a Board Committee made up solely of Councillors.

After some minor changes to the text of the Work Plan, removal of Appendix A (since the contents were contained above) and discussions of its format, the members voted to accept it.

**Moved by: B. Dony**

**Seconded by: C. Bellini**

**CARRIED**

**Action:** Staff to revise the Legislation Committee Work Plan 2016-2017 as amended at the meeting, and present it for approval at the August 2016 meeting.

**3. NEXT MEETING AND ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:17 p.m.

The next meeting is scheduled for Friday, August 5, 2016 at 11:00 a.m.