



# Minutes

## LEGISLATION COMMITTEE MEETING

Friday, October 25, 2019 - 11:00 a.m.

[Meeting held via teleconference]

### Members:

Lisa MacCumber, P. Eng. (Chair)

Leila Notash, P. Eng. (Vice-Chair)

Sandra Ausma, P. Eng.

Gary Houghton, P. Eng.

Arthur Sinclair, P. Eng. *[in person from 11:08 a.m.]*

### Staff:

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

Jordan Max, Manager, Policy

Andrew Tapp, Policy Analyst

### Regrets:

Nancy Hill, P. Eng. (President, Ex-Officio Member)

Marisa Sterling, P. Eng. (President-Elect, Ex-Officio Member)

## 1. PROCEDURAL

### 1.1 Introduction

The Chair called the meeting to order at 11:02 p.m. and welcomed everyone.

### 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: S. Ausma**

**Seconded by: G. Houghton**

**CARRIED**

1.3 Approval of Minutes of September 27, 2019 Meeting

L. MacCumber relinquished the chair to L. Notash for this item, as L. MacCumber was needed to motion the Minutes (only members who attend previous meetings can approve the Minutes of those meetings, and L. MacCumber had been one of three members in attendance at the September 27, 2019 meeting).

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

L. Notash noted that she was concerned that the Succession Planning Committee, mentioned by R. Willson as part of the Succession Planning Task Force (“SPTF”) proposal presented at the last meeting, would not take cognitive diversity into consideration when choosing and/or endorsing candidates for Council. She desires that future versions of the SPTF proposal address this issue.

A motion was made to approve the Minutes as written.

**Moved by: L. MacCumber**

**Seconded by: L. Notash**

**CARRIED**

L. Notash relinquished the chair to L. MacCumber.

1.4 Action Items Update from the September 27, 2019 Meeting

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

*Amendments to Notice of Proposal Provisions in Subsection 19(1) of the Professional Engineers Act*

**Contact N. Hambleton of the Regulatory Compliance Department to ask: (1) why PEO could no longer give Notices of Proposal for “normal course” refusals when this seemed to be covered by Section 19(1)’s reference to Section 14(1); and (2) if the requirement to issue a Notice of Proposal is necessary to have in legislation. [Completed]**

J. Max reported this item as completed. It was noted that this item was mislabelled in the meeting package.

Consulting Engineers of Ontario Request for Regulation Change

**Chair to forward the letter she had received to the Legislation Committee members and staff. [Completed]**

J. Max reported this item as completed.

**Draft a response letter for President Hill to send to Consulting Engineers of Ontario. [Completed]**

J. Max reported this item as completed.

Succession Planning Task Force - Possible Regulation Changes

**Send a note from the Legislation Committee to the Succession Planning Task Force, indicating that they foresee no legislative barriers to creating a Succession Planning Committee or in implementing the Task Force's other proposals, with references to the regulation-making powers covering Council in Section 7(1)2 of the *Professional Engineers Act*. [Completed]**

J. Max reported this item as completed.

By-Law Proposal Next Steps - Follow-Up from September 20, 2019 Council Meeting

**Draft a Briefing Note on the "in lieu" application fee using information from the Finance Committee, and a Briefing Note on EIT fee remission. Both Briefing Notes will be presented to the Legislation Committee at its meeting on October 25, 2019 prior to being sent to Council in November 2019. [Completed]**

J. Max reported this item as completed (refer to Item 2.2).

2019-2020 Legislation Committee Work Plan

**Check if the outstanding changes to the provisional licence in the *Professional Engineers Act* will be proclaimed as part of an upcoming Omnibus bill. [Completed]**

J. Max reported this item as pending. The Ontario Legislature will begin meeting again on October 29, 2019, however, the provisional licence Regulation change will not be part of the next Omnibus Red Tape Bill. The Ministry of Attorney General staff have indicated that the deadline for proclaiming the changes for the provisional licence is December 2020, and not 2019 as previously stated. The Ministry of Attorney General has not received policy approval to proceed with the provisional licence Regulation changes requested by PEO Council.

## 2. FOR DECISION

### 2.1 Briefing Note - Amendments to Section 19(1) of the *Professional Engineers Act*

The Committee reviewed the draft Briefing Note regarding amendments to Section 19(1) of the *Professional Engineers Act*. When the Act was modified in 2017 to allow for the Registrar to issue a Notice of Proposal to refuse or revoke a licence based on past conduct, it was inadvertently modified so that it was no longer possible for the Registrar to issue a Notice of Proposal for “normal course” refusals. The Briefing Note requests that Council refer this matter to staff and the Legislation Committee to develop detailed materials for Council consideration and, at the government’s discretion, formal legislative amendment.

L. Notash suggested that a paragraph be added to the “Need for PEO Action” section of the Briefing Note, detailing that the changes made to the *Professional Engineers Act* in 2017 were tied directly to PEO’s response to the Elliot Lake Inquiry.

A motion was made to approve the Briefing Note as amended.

**Moved by: G. Houghton**

**Seconded by: S. Ausma**

**CARRIED**

**Action:** Staff to add a paragraph to the Briefing Note, detailing that the changes made to the *Professional Engineers Act* in 2017 were tied directly to PEO’s response to the Elliot Lake Inquiry, with direct reference to Bullet 5 in Appendix A of the Briefing Note. The amended Briefing Note will be sent to Council for the November 2019 meeting.

### 2.2 Briefing Notes - EIT Fee Remission and Academic Course In-Lieu Fees

The Committee discussed the Briefing Note to be sent to Council in November 2019 regarding EIT Fee Remission and Academic Course In-Lieu Fees. The Committee decided to divide the Briefing Note into two separate Briefing Notes for submission to Council to make it easier for Council to review and discuss. It was decided that the EIT Fee Remission Briefing Note should focus on the Finance Committee’s recommendation that Council rescind their motion authorizing fee remission for EITs and that it should exclude an option to continue the policy, and that the Academic Course In-Lieu Fee Briefing Note needed to include the total number of applicants who had been assigned exams, as well as the number of those applicants who had opted for a course in lieu of an exam.

A motion was made to direct staff to make these changes, and then circulate the Briefing Notes to the Legislation Committee members via e-mail for final approval

before sending them to Council.

**Moved by: L. Notash**

**Seconded by: G. Houghton**

**CARRIED**

**Action:** Staff to make amendments, as directed, and circulate the Briefing Notes to the Legislation Committee members via e-mail for final approval. The Briefing Notes will be submitted to Council for the November 2019 meeting.

### **3. FOR DISCUSSION**

#### **3.1 2019-2020 Legislation Committee Work Plan**

No changes were made to the 2019-2020 Legislation Committee Work Plan.

### **4. NEXT MEETING AND ADJOURNMENT**

L. Notash stated that she would be out of the country for the next meeting scheduled for November 22, 2019 and requested a way to join the meeting via the internet. Staff agreed to find a solution.

**Action:** Staff to determine a method or program that L. Notash could use to connect to the next meeting via the internet. Staff will ask IT if there is a standard way to do this.

There being no further business to conduct, the meeting was adjourned at 11:55 a.m.

The next meeting is scheduled for Friday, November 22, 2019, from 11:00 a.m. to 2:00 p.m.