



Minutes

LEGISLATION COMMITTEE MEETING

Friday, June 12, 2020 - 10:00 a.m.

[Meeting held via Zoom]

Members:

Lisa MacCumber, P. Eng. (Chair)
Sandra Ausma, P. Eng. (Vice-Chair)
Chantal Chiddle, P. Eng.
Wayne Kershaw, P. Eng. [*joined at 10:40 a.m.*]
Sherlock Sung

Staff:

Daniel Abrahams, LL.B., General Counsel
Jordan Max, Manager, Policy
Andrew Tapp, Policy Analyst

Regrets:

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

1. PROCEDURAL

1.1 Introduction

J. Max called the meeting to order at 11:01 a.m. and welcomed everyone, with brief introductions following. He proposed that, due to the deadline for submitting the updated Briefing Note to Council, the meeting skip to Item 1.4, Appointment/Election of Chair and Vice-Chair, before moving directly to Item 1.3, Acting Chair's Remarks and Orientation for Members, before commencing work

on Item 2.1, By-Law No. 1 Amendment - Electronic Meetings. The Committee agreed to this order of items.

1.4 Appointment/Election of Chair and Vice-Chair

J. Max opened nominations for the for the Chair and Vice-Chair positions. S. Ausma nominated L. MacCumber for the position of Chair, and volunteered for the position of Vice-Chair. J. Max called for a vote to appoint L. MacCumber as Chair of the Committee. All were in favour, and the motion was carried.

L. MacCumber assumed chairing the meeting and made a motion to appoint S. Ausma as Vice-Chair of the Committee.

Moved by: S. Sung Seconded by: C. Chiddle CARRIED

1.3 Chair's Remarks and Orientation for Members

L. MacCumber requested that J. Max review the By-Law Change protocol for the Committee ahead of the discussion of Item 2.1, By-Law No. 1 Amendment - Electronic Meetings.

2. DECISION

2.1 By-Law No. 1 Amendment - Electronic Meetings

The Committee discussed a Briefing Note prepared by D. Abrahams changing Section 26 of By-Law No. 1 so that Council and its committees can hold electronic meetings at the discretion of the Chair, rather than requiring a majority of members to consent to an electronic meeting beforehand. This change is necessary due to the limitations on in-person gatherings imposed by the COVID-19 pandemic. This change will only apply to Council and Council committees, however, other statutory committees (Complaints, Discipline, Registration, Fees Mediation, Academic Requirements and Experience Requirements) may still hold electronic hearings and meetings using the *Statutory Powers Procedure Act, R.S.O. 1990*.

S. Sung, referencing the By-Law Change Protocol, noted that this change was currently at Step 8 of the process, and asked what had happened during Steps 1-7. J. Max responded that, although there had been discussion of this change at the March and April 2020 Council meetings, there had not been time for the normal amount of consultation and, therefore, the process proceeded more expeditiously than usual. This change to the By-Laws also required less consultation than normal as it involved a change to an existing clause, rather than

the creation of a new one. D. Abrahams responded that those steps had been essentially carried out in the course of drafting the By-Law change and Briefing Note. L. MacCumber asked why the new wording of Section 23 began with the phrase, "Save as otherwise legally prohibited". D. Abrahams replied that, while this wording was probably unnecessary, it was safest to include it so that PEO would not overstep its legal boundaries.

A motion was made to recommend that this By-Law change be brought to Council at its June 19, 2020 meeting.

Moved by: S. Ausma

Seconded by: S. Sung

CARRIED

Action: Staff to submit the Briefing Note to Council for its June 19, 2020 meeting.

1. PROCEDURAL (con'td.)

1.3 Chair's Remarks and Orientation for Members (cont'd.)

J. Max continued the orientation for new Committee members, noting the updated versions of three of those documents and asking if there were any documents in the package for which the new members had questions. S. Sung requested that the Committee review the recent Regulation Change Request Log, which they did (it was also noted that the date on the log was incorrect, and staff were asked to update it). The Committee also reviewed the differences between the Act, Regulation and By-Law Change Protocols, as well as the Regulatory Conflict Log, and the change letter process staff have been using to address those conflicts.

Action: Staff to update the Regulation Change Request Log to the proper date.

1.5 Review of Confirmed Minutes of February 14, 2020 Meeting

PEO staff confirmed that the previous Legislation Committee had approved the Minutes of the February 14, 2020 meeting by e-mail.

1.6 Action Items Update from February 14, 2020 Meeting

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

2019 Legislation Committee Annual Report

Amend the draft Legislation Committee's 2019 Annual Report to include the change from "Registrar" to "Registrar/CEO" in By-Law No. 1. [Completed]

J. Max reported this item as completed.

Succession Planning Task Force - Final Report and Presentation to Council

Draft a memo from the Chair of the Legislation Committee to the Chair of the Succession Planning Task Force summarizing the Committee's comments and circulate it to the Committee members before sending to the Chair of the Task Force. [Completed]

J. Max reported this item as completed.

Legislation Committee Workplan 2019-2020

Make the requested changes to the Legislation Committee's 2019-2020 Workplan. [Completed]

J. Max reported this item as completed.

2. FOR DECISION (Continued)

2.2 Monthly Meeting Schedule for Committee Year 2020-2021

The Committee discussed the meeting schedule for the coming year. S. Sung advised that it would be difficult for him to meet during work hours and asked if staff and Committee members would consider meeting after 5:00 p.m. but noted that moving the start time to 11:00 a.m. would be helpful as well. S. Ausma noted that, when in-person meetings recommence, her proximity to cottage country may make driving in for Friday meetings difficult. L. MacCumber suggested using a doodle poll to determine which meeting times would work best. The Committee decided that it would continue meeting on Fridays for now, however, not on a Friday before a long weekend, and that the Committee would attempt to meet two weeks prior to Council meetings in the same month. J. Max noted that, normally, the Committee does not meet in August, however, as there were possible Regulation and Act changes to be developed in time for the September 2020 Council meeting, summer videoconference meetings may be necessary.

Action: Staff to create a draft meeting schedule for 2020-2021 and distribute it to the Committee members for approval at the next meeting.

3. FOR DISCUSSION

3.1 2019-2020 Legislation Committee Work Plan

The Committee discussed the 2019-2020 Legislation Committee Work Plan. Item 3 will be changed to “Act/Regulation Changes - Radiohead Coroner’s Inquest Recommendations”. It was noted that it appears that the government is going to proclaim the *Not-for-Profit Corporations Act, 2010* and that the Committee will need to do some work on this issue (noted under Item 11 in the Work Plan). D. Abrahams was asked how the Committee’s activities would fit the activity filter, and he replied that the Committee’s activities would be considered part of Council’s general governance of the organization. L. MacCumber requested that the list of Key Activities in the Work Plan be grouped according to their source (e.g. Legislation Committee, Action Plan, Council, government or other committees). Training other committees on the Legislation Committee’s role could be attempted as part of the Committee’s presentation of proposals at future Council meetings, rather than at Plenary sessions.

It was also noted that staff will ask Committee members regarding cultural holidays, disabilities and food allergies, as per the Work Plan.

Action: Staff to ask Committee members regarding cultural holidays, disabilities and food allergies.

Action: Staff to make the requested changes to the 2019-2020 Legislation Committee Work Plan and distribute it to the Committee members for approval at the next meeting.

4. NEXT MEETING AND ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:57 a.m.

The next meeting is scheduled for a yet determined day in July 2020 from 11:00 a.m. to 1:00 p.m.