



# Minutes

## LEGISLATION COMMITTEE MEETING

Friday, August 28, 2020 - 11:00 a.m.

[Meeting held via Zoom]

### Members:

Lisa MacCumber, P. Eng. (Chair)

Sandra Ausma, P. Eng. (Vice-Chair)

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

Chantal Chiddle, P. Eng.

Wayne Kershaw, P. Eng.

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

Sherlock Sung

### Staff:

Dan Abrahams, LL.B., Senior Legal Counsel

Jordan Max, Manager, Policy, Committee Advisor

Andrew Tapp, Policy Analyst

## 1. PROCEDURAL

### 1.1 Introduction

The Chair called the meeting to order at 11:01 a.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: C. Chiddle                      Seconded by: S. Sung                      CARRIED**

1.3 Approval of Minutes of July 24, 2020 Meeting

The members were asked if there were any additions or changes to the Minutes of the July 24, 2020 meeting. No additions or changes were provided.

A motion was made to approve the Minutes as written.

**Moved by: W. Kershaw                      Seconded by: C. Chiddle                      CARRIED**

1.4 Action Items Update from July 24, 2020 Meeting

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

*Housekeeping Amendments - PRIA Approval*

**Forward the PRIA to the Ministry of the Attorney General. [Completed]**

J. Max reported this item as completed.

**Attempt to determine if there are precedents or other guidance in provincial legislation, or policies regarding the use of gender-neutral language. [Completed]**

J. Max reported this item as completed, and D. Abrahams noted that, to the best of his knowledge, there was no provincial guidance on re-writing legislation to be gender neutral. President Sterling enquired if a directive from Council mandating the transition to gender-neutral language in PEO legislation would allow the Legislation Committee to ask for this from the Ministry of the Attorney General in the context of future amendments to the *Professional Engineers Act* and Regulations thereunder. It was agreed that this would provide the Legislation Committee with direction, and it was also noted that the government will sometimes use an omnibus bill to change the language in multiple pieces of legislation simultaneously. President Sterling indicated that she would consult with Governance Solutions Inc. (providers of governance advice to Council) on the best way to bring this to Council and provide the Legislation Committee with the necessary direction.

Not-for-Profit Corporation Act Regulation Changes

**Forward Part One of the changes to the Ministry of the Attorney General for drafting into the Regulations. [Completed]**

J. Max reported this item as completed.

**Refer to external counsel regarding the *Ontario Not-for-Profit Corporations Act, 2010* Section 26(1) (director removal) and the *Ontario Not-for-Profit Corporations Act, 2010* Section 46 (indemnification), and seek clarification as to why their inclusion was necessary. [Completed]**

J. Max reported this item as completed.

**Submit the *Ontario Not-for-Profit Corporations Act, 2010* Section 41 (disclosure of conflict of interest), Section 45 (directors' registering of dissent), and Section 60 (members requisitioning meetings) to the Executive Committee and to the governance advisor to be considered as part of the governance review. [Completed]**

J. Max reported this item as completed.

**Forward Part Two recommendations to the Executive Committee and the governance advisor. [Completed]**

J. Max reported this item as completed. He noted that the Ministry had recently notified PEO that the *Ontario Not-for-Profit Corporations Act, 2010* (ONCA) changes were delayed and would be part of a separate regulation package and, therefore, excluded from the draft regulation package presented in Item 2.1 of this meeting's agenda.

Proposed Regulations List

**Investigate if "academic institutions" is the correct term and, if not, to determine the correct one. [Completed]**

J. Max reported this item as completed.

2019-2020 Legislation Committee Meeting Schedule

**Change the scheduled December 4, 2020 Legislation Committee meeting to December 11, 2020. [Completed]**

J. Max reported this item as completed. He offered to draft dates for the January

to April 2021 meetings based on the Council meeting dates recently published, however, the Committee members expressed a desire to wait for the Council meeting schedule to be finalized pending discussions at the September 2020 Council meeting.

## 2. FOR DECISION

### 2.1 Draft Regulation 941 Amendment Package - Provisional Licence and Housekeeping Changes

The Committee discussed the draft Regulation 941 amendment package provided (Version 6) regarding changes related to the provisional licence and other housekeeping amendments. The Committee examined the package change-by-change and, pending any issues with the French translation, did not have any questions or changes.

A motion was made to accept the package (pending the French translation) and send it to Council for approval at the September 2020 meeting.

**Moved by: S. Ausma                      Seconded by: C. Chiddle                      CARRIED**

**Action:**                      Staff to send the final version of the draft Regulation 941 amendment package to Council for approval at the September 2020 meeting.

### 2.2 By-Law Change - NPPE Fee

The Committee discussed the proposed By-Law change raising the fee for the professional practice exam. S. Sung asked if this change to the fee was revenue neutral, and C. Bellini asked if it adequately covered PEO's administrative costs. It was agreed that the Briefing Note accompanying this change would address these issues.

A motion was made to recommend that Council approve the By-Law change.

**Moved by: S. Sung                      Seconded by: W. Kershaw                      CARRIED**

**Action:**                      Staff to send the By-Law change and accompanying Briefing Note to Council for approval at the September 2020 meeting.

### **3. FOR DISCUSSION**

#### **3.1 2020-2021 Legislation Committee Work Plan**

The Committee discussed the 2020-2021 Legislation Committee Work Plan

President Sterling asked if the Committee had considered what work could be done to foster mandatory continuing professional development. J. Max responded that changes made to the Act in 2017 give PEO the power to make continuing professional development mandatory through Regulations. Several Committee members noted that Council would need to give further direction on this issue before any actual Regulations could be drafted. It was also noted that the Legislation Committee may want to consider offering Council an education session on how legislation and regulations are made in Ontario, as well as PEO's by-law making protocol.

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

There being no further business to conduct, the meeting was adjourned at 12:06 p.m.

The next meeting is scheduled for Friday, October 2, 2020, from 11:00 a.m. to 1:00 p.m.