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Wednesday 8 December 2010

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des débats
(Hansard)**

Mercredi 8 décembre 2010

**Standing Committee on
the Legislative Assembly**

Legislative reviews

**Comité permanent de
l'Assemblée législative**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 8 December 2010

Mercredi 8 décembre 2010

The committee met at 1303 in room 228.

LEGISLATIVE REVIEWS

The Chair (Mr. Bas Balkissoon): We'll call the meeting to order of the Standing Committee on the Legislative Assembly, continuing the discussion on the Speaker's referral. We now have some research done by our research officer, so maybe we could get him to walk us through it. Peter?

Mr. Peter Sibenik: Thank you very much, Mr. Chair. There are two new documents that should be in front of you. One is my December 1 research on other jurisdictions that we canvassed that may have the same kind of difficulty that we have here in Ontario. It's a Survey of Other Jurisdictions on Committee Reviews Required by Statute, dated December 1. The other document is a list of options that I put together that the committee may want to canvass in the course of its deliberations as to what it can do to resolve the referral that the Speaker has placed before the committee.

Turning to the first document, I will say that there are now responses from 17 jurisdictions between this document and a previous document at a previous meeting of the committee. They're from Canadian and other Commonwealth jurisdictions.

I can say, speaking generally, that many jurisdictions have the kind of provisions that are the subject matter that is before the committee today. I will say that some jurisdictions have had experience with non-compliance and not very much has been done about those situations. It's an important issue for this committee and it has been an important issue in other jurisdictions as well, but the responses have been generally all over the map, if I can say that. I'm not sure if any of these will be of any assistance to the committee in its deliberations, but I would point out, for example, what happens in the United Kingdom, because that was asked about the other day.

In the United Kingdom, there's a non-binding undertaking by the government—and I'm looking at page two of the December 1 document. At the top of page two, the government has basically undertaken that it will review the effectiveness of most acts five years after royal assent. The appropriate departmentally related committee can use that as a departure point for its inquiry into the act. I also note there that the House does not keep administrative tabs on the government's compliance with

its legislative duties, including the laying of annual reports. While there are statutes that are established by committee, there are no statutes that provide for committees of the House to conduct a review. In the case of the United Kingdom there is no example of non-compliance. So that's the United Kingdom.

Turning to the other document here, this is a list of options. I think the committee was interested in some options that it could reflect on. There are seven that are indicated here. In some cases—

Mr. Norm Miller: Can I just ask a question, please?

Mr. Peter Sibenik: Yes.

Mr. Norm Miller: So in the United Kingdom, whereas the LHIN review that was in legislation is the cause for this committee to be deliberating about it, if it's not in the legislation, how is it recorded in the United Kingdom that there will be a five-year review of the effectiveness of various acts?

Mr. Peter Sibenik: The government simply made an announcement and indicated that five years after royal assent, it would undertake to produce a document with respect to the effectiveness of that piece of legislation. The department committee that is responsible for that particular legislation can, if it wants to, go ahead and undertake a review of that particular order or act, as the case may be. So there's nothing that is enshrined in legislation, if that is the question.

Mr. Yasir Naqvi: Mr. Chair—

The Chair (Mr. Bas Balkissoon): Yes, Mr. Naqvi.

Mr. Yasir Naqvi: I was looking at the research that you did earlier and then this and what 14 jurisdictions—the impression I'm getting is that what we have in Ontario is what sort of the lay of the land is across in similar models of Parliament as we've got. There doesn't seem to be any compliance or non-compliance provisions out there. I was reading through the memo and some of the excerpts you also produced from the procedure manuals etc. Am I correct in that?

Mr. Peter Sibenik: Are you talking about the penalties associated—

Mr. Yasir Naqvi: Or any mechanism by which we can—I mean, it seems like the practice exists that from time to time provisions have been put into legislation to have some sort of a review. So Ontario is not unique in that mechanism.

Mr. Peter Sibenik: No.

Mr. Yasir Naqvi: So I think that's one thing that's clear. Number two is that there does not seem to be any

trigger mechanism or anything in the standing order rules or any other provisions by which compliance regarding those provisions could be mandated. I don't know if I'm making myself clear.

Mr. Peter Sibenik: Yes. I think that there is—one of the references was to O'Brien and Bosc, and there is a reference in that particular extract to the fact that there's a piece of legislation that requires a committee review and it allows the House to extend a particular deadline that might be mentioned in the statute. But apart from that, there are not the mechanisms that would mesh the legislation on the one hand to the standing orders and the practice of the House on the other hand. So it imposes a bit of a difficulty, I would say, in some of the other jurisdictions and here as well.

Mr. Yasir Naqvi: But I recall from the Clerk's testimony two weeks ago that the Legislature has an inherent power to review any legislation. So that power already exists, right?

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Mr. Peter Sibenik: Yes.

Mr. Yasir Naqvi: I'm assuming that that emanates out of the standing orders.

Mr. Peter Sibenik: The House does have the authority to inquire into any matter that is within its jurisdiction. It doesn't really need a statute to do that. The statute is there, I presume, as an accountability mechanism because somebody, at some point in time, insisted on it or requested it. In some cases it would have been in the bill originally. In other cases that particular provision requiring a committee review would have been moved during clause-by-clause. Generally speaking, it would appear in the bill in its original version, in the introduction version.

Mr. Yasir Naqvi: Okay.

The Chair (Mr. Bas Balkissoon): Okay?

Mr. Yasir Naqvi: Yes. I'm just asking questions, and—

Mr. Peter Sibenik: If there are any further questions, I'm happy to field them. I can go through the options document and speak to that, as to the different kinds of things that the committee can turn its mind to. This is the December 8, 2010 document.

The very first option there is that perhaps there could be some kind of a notice of a statutory provision for a required review. The notice could be on the Orders and Notices paper, for example.

Mr. Norm Miller: So, for example, in that case, if the LHIN review was coming up March 31, a month or two months before it would appear on the Orders and Notices paper?

Mr. Peter Sibenik: I'm not sure it would be a month or two before, but it could be whatever the committee wants it to be.

It could be as soon as the trigger mechanism has been initiated. For example, if the legislation requires that there be a committee review after the tabling of a report, then as soon as the report is tabled, it could on the Orders and Notices paper, or it could go in some other kind of a

notice that would be sent to members or House leaders or whoever the committee wants to give the notice to. That's one option there.

As I indicate, that would be a standing order change, and I've got a suggested standing order change that the committee can take a look at it. It's at the top of page 2. It's basically a simple amendment to the notice provision in standing order 54 so that whenever there's a notice requiring the assembly or a committee of the assembly to consider or review a report, the matter should stand printed on the Orders and Notices paper, and it would stay there until it had been disposed of by the committee. It's notice to all members.

The Chair (Mr. Bas Balkissoon): That would be conditional upon the report being available.

Mr. Peter Sibenik: Upon the report being tabled.

The Chair (Mr. Bas Balkissoon): Tabled.

Mr. Peter Sibenik: The trigger mechanism would have had to have occurred first, before it got on to the Orders and Notices paper.

The Chair (Mr. Bas Balkissoon): How does that compare with the situation that exists that brought this whole issue here?

Mr. Peter Sibenik: Well, we don't have a section in our Orders and Notices paper right now—

The Chair (Mr. Bas Balkissoon): No, but there is no report in front of the House right now. I think the complaint was, first of all, that the report is not there, and there was a piece of legislation saying the report should be there. How does that fix—

Mr. Peter Sibenik: The trigger mechanism, though, in other kinds of legislation would be—for example, a provision saying, “four years after royal assent.” The four-year time period in the LHIN legislation expired at the end of March. Theoretically, what could have happened within that four-year time period is that the notice of the provision could have been on the Orders and Notices paper. The could have been a little indication beside that item saying, “Deadline: March 30, 2010.”

The Clerk of the Committee (Ms. Tonia Grannum): Once the bill had received royal assent.

Mr. Peter Sibenik: Once the bill had received royal assent. That would be—

The Clerk of the Committee (Ms. Tonia Grannum): That would be the trigger for legislation.

Mr. Peter Sibenik: That's correct. That would be the trigger mechanism. The trigger mechanism could be different things. It could be royal assent. It could be the tabling of a report. It could be something else. Whatever that trigger mechanism is, as soon as it's activated, it could go into the Orders and Notices paper.

Ms. Sylvia Jones: But as I understand it, the Chair's question was, this amendment of standing order 54 would not have solved the issue of why this is being discussed at all. You'd need to add the “royal assent” part, would you not? Because otherwise you're waiting for the report to be tabled and nothing appears in the Orders and Notices paper if there is no report tabled. Is that right?

Mr. Peter Sibenik: If there's no report tabled or if royal assent has not happened, it would not appear in here. That's correct.

The Clerk of the Committee (Ms. Tonia Grannum): But the LHIN legislation did receive royal assent, and that would have been the trigger back then if we had this fix at the time.

Mr. Peter Sibenik: That's right. It received royal assent back in 2006, so it would have—

The Clerk of the Committee (Ms. Tonia Grannum): So we could have put notice—

Mr. Norm Miller: So it would be on the Orders and Notices paper for four years—

The Clerk of the Committee (Ms. Tonia Grannum): Exactly.

Mr. Peter Sibenik: It could be, until the committee decided to take it off.

The Chair (Mr. Bas Balkissoon): Can I ask one other question? I hope nobody else has one.

I'm looking at what happened, and correct me if I'm wrong. My understanding was that that review for the LHIN occurred as an amendment at the standing committee, which could happen in any piece of legislation that is in front of us as a committee. The minister or the ministry staff, who were involved in drafting the legislation or doing whatever to correct whatever, would have never really had an opportunity to comment or report back if that particular review date or whatever was achievable.

So, what happens if you do this but something happens in legislation that, for whatever practical reason, isn't achievable? What avenues exist to correct that, because today, I don't think there are any. The only thing is—

The Clerk of the Committee (Ms. Tonia Grannum): The House.

The Chair (Mr. Bas Balkissoon): The House has the power to do whatever it likes, whenever it likes. To me, that has to continue, but if you have committees putting dates in that are not achievable, to me the argument would be that we discourage all dates from legislation because they create a situation that causes this havoc.

If you could clarify that for me? Because if an amendment happens in a standing committee, I see that the people who are responsible for the legislation didn't have a part to play in that date.

The Clerk of the Committee (Ms. Tonia Grannum): But they would be able to comment on any amendment during clause-by-clause consideration of a bill in a committee. So, if an amendment was put—

The Chair (Mr. Bas Balkissoon): Well, they may or may not, because they're not here all the time in some of the committees I've seen.

The Clerk of the Committee (Ms. Tonia Grannum): But they should be, so that when an amendment is put forward and there's discussion, staff are able to come forward through the PA or actually come to the table, if they wish.

The Chair (Mr. Bas Balkissoon): Mr. Delaney?

Mr. Bob Delaney: Just a minor point, Chair. In the discussion that you've made, it's been my observation that things that we would call parameters, like dates or amounts—things that are frequently changeable or amendable—are normally in regulation and not in legislation for the very reasons that you suggested.

The Chair (Mr. Bas Balkissoon): So that would give the ministry and the minister the opportunity.

Mr. Peter Sibenik: Ultimately, it is a matter for the committee to decide when it votes on the amendment. If it's not a good amendment, the committee can—

The Clerk of the Committee (Ms. Tonia Grannum): Vote it down.

Mr. Peter Sibenik: —vote it down. If the House sees that there's a problem with a particular committee review, like whether it's a timeline or anything else, it does have some authority to do exactly what happened last March. That was to pass a bill to extend the deadline, so to speak. That's exactly what happened in legislation—

The Chair (Mr. Bas Balkissoon): But that's why we're here.

Mr. Peter Sibenik: Yes.

The Chair (Mr. Bas Balkissoon): There is objection to that type of move.

Mr. Peter Sibenik: Yes.

The Chair (Mr. Bas Balkissoon): To me, that type of move—if it's not that process, there should be some other process that allows for variations for whatever the situation is.

Mr. Peter Sibenik: Right.

The Chair (Mr. Bas Balkissoon): And whether it's this government or any other government, I'm looking at practicality. Whatever we put in place has to work for everybody. To me, what's in front of us as a recommendation is not 100% perfect. There are still problems.

Mr. Peter Sibenik: This is the first of seven options. So it may very well be that the committee feels that any one of these options is not acceptable, but ultimately—these deadlines are usually not 30 days. In one case it is, but for the most part the deadlines are four years. There should be sufficient time in most cases to have the committee review occur. In this particular case, there wasn't enough time, in the case of the LHIN legislation, so Bill 16 had to be passed.

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The Chair (Mr. Bas Balkissoon): But there were objections to the bill.

Mr. Peter Sibenik: Yes.

The Chair (Mr. Bas Balkissoon): Ms. Jones.

Ms. Sylvia Jones: I'm just reviewing the seven options again. I think that if you look at the third option, where there is an automatic transfer to the committee if there is something set out in legislation—some kind of timeline for a review, assessment, whatever you want to call it—would option number 3 not be an appropriate way to deal with that? Because then it's not waiting for House leaders to react or windows of opportunity to come forward in terms of debating in the committee. It would be directed to the appropriate committee.

The Chair (Mr. Bas Balkissoon): It'll work if all parties in the Legislature accept that there will be variables. If you look at the LHIN, the argument that happened there is the minister did bring a bill, but people are objecting on the grounds that she wilfully brought it in late or whatever—I'll have to go back to the Hansard for the exact arguments. That's why I think the point was raised with the Speaker and we're sitting here. Some people tend to read those things with rigid time frames, and others would like to see a little bit of leeway. I think, in reality, with the environment we work in, you have to make sure that there is flexibility and that there is reasonable consideration by all parties involved.

Mr. Norm Miller: Flexibility, but if it's automatically referred to a committee, then at least you wouldn't have happening what happened with the LHIN bill.

The Chair (Mr. Bas Balkissoon): But you'd still get the same reason, that the review could not be conducted for whatever was in that bill and the explanation by the minister. To me, that'll still happen.

Mr. Peter Sibenik: I think the Chair is saying that the logjam would happen in the committee as opposed to in the House.

The Chair (Mr. Bas Balkissoon): That's what I'm saying. It still doesn't resolve the issue. The way I pictured it, the complainer was expecting it to be resolved.

Mr. Yasir Naqvi: I wonder, and I don't know the answer to the question—I don't know my standing order rules that well—do we have any mechanism by which a matter could be automatically referred from the House to a committee?

Ms. Sylvia Jones: Well, the example that I'm thinking of is that this committee is responsible and has the ability every time there is an Ombudsman's report, because the Ombudsman's reports automatically come to this committee. Whether we, at a subcommittee level, make a decision that we're going to discuss and bring him in for every single report is our decision.

The Chair (Mr. Bas Balkissoon): But that's only if a report is tabled, and that's why I go back to the tabling issue.

Ms. Sylvia Jones: Oh, I see. But the timeline issue—

The Chair (Mr. Bas Balkissoon): If the Ombudsman doesn't table the report, we can't order him to table it.

Ms. Sylvia Jones: But if it's a timeline issue, then the appropriate committee, whichever one it happens to be, knows that it's in the hopper, so to speak.

The Chair (Mr. Bas Balkissoon): Not really.

Mr. Norm Miller: Point 4: The simplest solution is just don't put it in the legislation, and I guess that's what they're saying. They—

The Chair (Mr. Bas Balkissoon): Actually, I think Delaney raised that issue: Don't put it in the legislation; put it in the regulation. I don't know.

Ms. Sylvia Jones: But there is value in having reviews of legislation.

The Chair (Mr. Bas Balkissoon): Oh, absolutely.

Mr. Yasir Naqvi: But that's why I come to the original point. The Clerk was really clear that that power

inherently exists with all of us who are elected—right?—in the House, that in the House you can request a review of any legislation.

I think I remember that the optimum recommendation from the Speaker and from the Clerk was that these provisions don't exist.

Interjection.

Mr. Yasir Naqvi: Sorry?

Ms. Sylvia Jones: They aren't put in legislation.

Mr. Yasir Naqvi: That they be not put in the legislation.

The Chair (Mr. Bas Balkissoon): There are so many avenues you can—

Mr. Yasir Naqvi: And I remember the Clerk saying—because that power already exists. That's why I find number 4 a bit draconian, actually. We know there are very few circumstances where a bill could be ruled out of order. I know one from the private member's bill point of view, and that's any money bill. Anything which can levy a tax or can collect a tax cannot be done in a private member's bill. That option, to me, as soon as I read it, seemed a little bit too severe—because the threshold on that type of stuff seems to be fairly high—for something very procedural in nature, as what we are discussing here right now.

Ms. Sylvia Jones: And I think there are opportunities with certain legislation that you do want to have it as part of an ongoing review.

The Chair (Mr. Bas Balkissoon): Well, if you remember, we had something from Peter that the Integrity Commissioner or one of the commissioners had some fixed dates—certain things had to take place by fixed dates—and that was okay, because that was understood by everybody. But when you're looking at general legislation from various ministries about programs, services and other things that the government does, it's not as rigid as the Integrity Commissioner's work, so every ministry will be different.

Mr. Yasir Naqvi: Then option 7 probably seems the most reasonable. I think legislative counsel should always be advising against putting in such provisions. All government and private members' bills go through leg counsel for drafting purposes, and that's where I think the strongest legal opinion should come from that says, "Don't put this type of provision in, because it doesn't fulfill any utility."

Mr. Peter Sibenik: I'm not sure that legislative counsel can issue a legal opinion to that effect, because it's perfectly permissible under the Constitution—

Mr. Yasir Naqvi: He could advise, though.

Mr. Peter Sibenik: It could be advice; that's correct. But ultimately the decision is the client's. It's the client who may be insisting on the particular provision.

The Chair (Mr. Bas Balkissoon): Mr. Prue, do you want to weigh in? You've been quiet.

Mr. Michael Prue: It's arcane to me. Just put it in a bloody form, and it's there; that's what I think. Just put it in Orders and Notices, and it's there. I only read those

things every couple of months just to see what's still on the order paper and what's coming up.

The Chair (Mr. Bas Balkissoon): But if you do that and the minister does table a bill like was done in this case saying, "I'm changing the review date," what happens?

Mr. Michael Prue: Is there a majority government or not? If there's a majority government, it happens.

The Chair (Mr. Bas Balkissoon): So whatever we accomplish—

Mr. Michael Prue: Nothing.

The Chair (Mr. Bas Balkissoon): Exactly. That's my point.

Mr. Norm Miller: We're talking about the new bill repealed the provisions of the old bill.

Mr. Peter Sibenik: Yes, and substituted new provisions that extended the deadline.

Mr. Norm Miller: Yes, so that would take it off the—

Mr. Peter Sibenik: But it would go right back on—

Mr. Norm Miller: With a new date.

Mr. Peter Sibenik: Correct.

Mr. Norm Miller: Looking at this, I think the automatic referral to committee and maybe also point six—could you not do a couple so there's more flags going up?

The Chair (Mr. Bas Balkissoon): Anyway, we were here today to receive his notes and go away, and we have a date scheduled in February to come back with recommendations. But I think we've knocked this around a lot. Maybe we need the clerk to summarize this for us, and make the final decision in February.

Mr. Yasir Naqvi: I think we have a little bit of thinking to do, and I can propose a motion on those lines, if everybody gives me permission to do so and maybe explore other options as well.

I have a motion I will read:

That, in order to assist future governments' draft legislation with full awareness of the possible issues they could encounter when including a parliamentary review provision, in order to improve government accountability and oversight, the Standing Committee on the Legislative Assembly directs the researcher to prepare a draft report:

(a) summarizing the testimony thus far presented by the Clerk and Speaker on November 17, 2010;

(b) summarize the examples cited by the Clerk of the Legislature in her presentation of November 17, 2010;

(c) include the contents of the December 1, 2010, memorandum from Committee Clerk Grannum as an information appendix;

(d) include the ruling of the Speaker delivered in the House April 19, 2010;

(e) a canvass of possible options, as listed in the list of options on December 8, 2010, or any other suitable options.

And present it to the Standing Committee on the Legislative Assembly as soon as possible for its consideration.

Maybe at least we can get a sort of shell of a report coming together and we can think a little bit more and—

The Chair (Mr. Bas Balkissoon): Can we add the pros and cons to those options? You've heard some arguments for and against. If you could find some others for each one, because to me—I hate putting rules in place that do have weaknesses.

1330

Mr. Norm Miller: Yes. From the little I know of it right now, I would tend to think of numbers 3 and 6 perhaps together, so there's an automatic referral to a committee—something that's going to catch the attention of those of us around here so we'd—

The Chair (Mr. Bas Balkissoon): But the automatic referral will kick in only when the report is tabled, as he said.

Mr. Norm Miller: An automatic referral—no, he also said it could be based on royal assent, so I would say—

Mr. Peter Sibenik: That's right.

Mr. Norm Miller: —based on royal assent, so it's on the order paper all the time, so that when the date gets near, the committee will be fully well aware and reminded that they need to take on the review.

It looks to me, also, that there would be no harm in—point 6, "New bills and amendments: Legislative counsel should notify the Clerk of the House of a newly introduced bill—or a newly filed amendment to a bill—that requires a review etc. by the assembly or a committee." That's kind of another heads-up mechanism, I would think.

The Chair (Mr. Bas Balkissoon): Shall we take it all together?

Mr. Yasir Naqvi: I have to see the wording Mr. Miller was proposing. Sorry.

Mr. Norm Miller: I was just making a point. I don't know what to have. The motion—

The Chair (Mr. Bas Balkissoon): No, no. He's just saying he would like to see another option, which is a combination of 3 and 6, as an option.

Mr. Yasir Naqvi: Yes, okay. Sorry.

Mr. Norm Miller: I'm just selecting those two together—

The Chair (Mr. Bas Balkissoon): That's okay? Shall we take his motion with—

The Clerk of the Committee (Ms. Tonia Grannum): I'm just getting copies.

The Chair (Mr. Bas Balkissoon): You're getting copies? Okay, so we'll pass it around. Two seconds.

Mr. Michael Prue: May I ask—I just don't want to get so much work for everybody here that we don't come to a conclusion. Is this anticipated—

The Chair (Mr. Bas Balkissoon): We want to spend Christmas peacefully, Michael.

Mr. Michael Prue: I don't intend to read any portion of this over Christmas. I do intend, though, when we come back here, sometime in February or March, to see the report and to deal with it expeditiously and get it off and away so that it will take effect after October for anybody who is lucky or unlucky enough to be back here.

The Chair (Mr. Bas Balkissoon): If you look at all the research, there is no House out there with a clear set of rules that do work. So we're—

Ms. Sylvia Jones: Yes. Understanding that even if we, as a committee, make suggested changes—

The Chair (Mr. Bas Balkissoon): The House could kill it.

Ms. Sylvia Jones: Bingo.

Mr. Yasir Naqvi: This is a recommendation. I do agree with Michael. We're all grappling with what the most optimum option is, right? I think our job is to make sure that we think through how it will all work out. As I look at these options—and I just saw this options document today. This was the first time I saw it, so I'm just going through it. I think if you had a bit of a more compiled document, it would allow us to make that expeditious decision so all the background writing is done and we can sort of, hopefully, land on something which we all are satisfied works, and recommend that to the House. That's how I'm thinking. Everybody looks content.

The Chair (Mr. Bas Balkissoon): That's the only reason I said to write a pro and con for each one of these things here because if it's weak, you might not want to consider it.

Ms. Sylvia Jones: Okay. And what's the timeline for when we will review it?

The Chair (Mr. Bas Balkissoon): We were going to get this back from Peter. We could put that date today, but we're coming back for our meeting when? The second week in—when the House resumes, I think we said?

The Clerk of the Committee (Ms. Tonia Grannum): The House resumes on the 23rd or—

The Chair (Mr. Bas Balkissoon): So we agreed on March. I think we agreed on a date in March.

The Clerk of the Committee (Ms. Tonia Grannum): You want to do it in March?

The Chair (Mr. Bas Balkissoon): Yes, we did—

Mr. Michael Prue: That is the anticipated day of the House returning, but that is not written in any kind of stone.

Ms. Sylvia Jones: And we're not in committee when the House is in recess, correct?

Mr. Michael Prue: I know. That's why I'm worried.

The Chair (Mr. Bas Balkissoon): That's why we had picked March, I believe.

Mr. Michael Prue: If the Premier picks some other date to come back—

The Chair (Mr. Bas Balkissoon): Well, we're picking when we know we're back, which is in March.

Mr. Michael Prue: Okay.

The Clerk of the Committee (Ms. Tonia Grannum): The first week in March? Wednesday, March 2?

Ms. Sylvia Jones: Wait a minute. Why do we have to pick a date in March? Why can't we say the first Wednesday when the House resumes?

The Clerk of the Committee (Ms. Tonia Grannum): February 23.

The Chair (Mr. Bas Balkissoon): The second one.

Ms. Sylvia Jones: Why? We're going to have the report prior to that.

The Chair (Mr. Bas Balkissoon): He said he's not going to read it, and I guarantee—

Ms. Sylvia Jones: He said he wasn't going to read it over Christmas. He's got January and February.

Mr. Michael Prue: Well, yes, I don't mind reading it after.

The Chair (Mr. Bas Balkissoon): Okay. The first Wednesday would be two days after we come back.

The Clerk of the Committee (Ms. Tonia Grannum): The 23rd.

Ms. Sylvia Jones: Right.

The Chair (Mr. Bas Balkissoon): That's why we're saying the following week would be better.

Ms. Sylvia Jones: What's wrong with that? We're back.

The Chair (Mr. Bas Balkissoon): We want to finish it.

Ms. Sylvia Jones: Yes, so my suggestion is that we have the report from research on the first Monday of February—that gives us a couple of weeks to review it—and then we meet the first Wednesday that the House resumes, regardless of what that date actually ends up being.

The Chair (Mr. Bas Balkissoon): Everybody agrees?

Mr. Yasir Naqvi: The first Wednesday when the House resumes?

The Chair (Mr. Bas Balkissoon): When the House resumes.

The Clerk of the Committee (Ms. Tonia Grannum): February 23.

Mr. Yasir Naqvi: Sounds good.

Ms. Sylvia Jones: Thank you.

Mr. Yasir Naqvi: I love Sylvia's diligence.

The Chair (Mr. Bas Balkissoon): I just know a bunch of you don't come back the first week. I'm so accustomed to seeing that happen.

Mr. Yasir Naqvi: I think I need to add a bullet to this.

The Chair (Mr. Bas Balkissoon): You want to add another point?

Mr. Yasir Naqvi: Well, it's not recorded. I added it as I was reading this motion, Chair, because I didn't know that a list of options existed.

I'm adding a bullet, I guess (e), which will say, "Include a list of options with pros and cons." Is that sufficient?

The Chair (Mr. Bas Balkissoon): Norm, do you want to amend your request with this or do you want to put it in separately?

Mr. Norm Miller: No, no, that's fine, as long as he—

Mr. Yasir Naqvi: Yours was just on what types of options, right?

Mr. Norm Miller: I'm just trying to wrap up the meeting—just pick (3) and (6) and get it over with.

The Clerk of the Committee (Ms. Tonia Grannum): The December 1 memorandum—I would

just correctly identify it as the procedural clerk's research. It wasn't my hard work; it was Peter's hard work.

The Chair (Mr. Bas Balkissoon): Okay, a small change. So you understand what he's saying? He wants to see (3) and (6), a combined option, as an alternative.

Mr. Peter Sibenik: As a combined option?

The Chair (Mr. Bas Balkissoon): I think that's what he said. I don't know.

Mr. Peter Sibenik: Or discussed separately?

Mr. Norm Miller: I was suggesting that might be a combined option, but I'd certainly take your feedback as

to whether that does or does not make sense. I was just looking at ways to make it so it automatically happened and there were some flags going up around this place, so that the dates weren't just missed.

The Chair (Mr. Bas Balkissoon): Does everybody understand all the requests? Okay, take it all together: All agreed? Agreed.

Anything else? No?

The meeting is adjourned until the first Wednesday when the House resumes.

The committee adjourned at 1339.

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