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Tuesday 29 March 2011

Journal des débats (Hansard)

Mardi 29 mars 2011

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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Clerk: Katch Koch

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Tuesday 29 March 2011

Mardi 29 mars 2011

The committee met at 0904 in committee room 1.

SUBCOMMITTEE REPORTS

The Chair (Mr. Ernie Hardeman): Good morning, everyone. We thank you all for being here for the Standing Committee on Government Agencies on March 29.

The first issue this morning is to deal with a number of subcommittee reports from December 16, December 23, December 27, February 3, February 17, February 24, March 10 and March 17. Those are all subcommittee reports that have been dealt with or that have been done since our last meeting. We would ask for a motion to deal, first of all, with December 16, if we could.

Mr. Michael A. Brown: I would be pleased to move the subcommittee reports from December 16 through to March 17.

The Chair (Mr. Ernie Hardeman): Okay. We have a motion to approve all the subcommittee reports that I just listed: December 16, 23, 27; February 3, 17, 24; and March 10 and March 17. Any discussion on any of the subcommittee reports? If not, all those in favour? Opposed? The motion's carried.

INTENDED APPOINTMENTS

The Chair (Mr. Ernie Hardeman): The second item is the review of appointments. I think we had received notices as a meeting that we were going to have to do some interviews this morning. The choice of the people to be interviewed was made by the member from the third party, Mr. Hampton, who asked under standing order 108(f)6—the subcommittee member from the third party requested a deferral of the committee's consideration. Of course, it's automatically given that the deferral will be granted. Any member who asks for the interview can ask for that interview to be deferred. We'll just accept that.

The challenge that we face is that the first person to be interviewed, Rosemarie Leclair, was in fact picked from a certificate of March 4. The next day that our committee meets is April 5, and the certificate runs out on April 3. It would be two days short of the time frame, so we need consideration to extend the time on that one.

The other two, Pat Capponi and Susan Lee, were picked from a certificate on March 11, both at the same time. They would run out on April 10, which would be

sufficient time on April 5 when we meet, but they both have suggested that they couldn't be here on April 5. They would want to be a week further, so we would also need an extension of the time on those two.

With that, it's open for discussion under the standing orders. There is unanimous agreement on the issue, not necessarily unanimous consent.

Mr. Michael A. Brown: I just want some clarification. We have two different timelines here, one for Ms. Leclair and one for the other two appointments. If we do not extend the time limit for Ms. Leclair, what happens? Because if I look at section (c) of the standing order, it says, "The intended appointee has not been selected for review by the subcommittee within 14 days following the day on which the minister tabled the certificate." In my view, you could interpret this to mean that Mr. Hampton had 14 days to defer hers. After the 14 days, he didn't really.

We're amenable to having this happen—I'm not saying we're not. I'm just trying to understand how this all works.

The Chair (Mr. Ernie Hardeman): I think that standing order was achieved. I think he met the 14 days when he selected the person to be interviewed. He doesn't have the opportunity to have it deferred, for the actual hearing to be deferred, until the time is set for that meeting. They were unable to achieve that day so then they asked for a deferral—to be moved to a different day when he can be present. But the 14 days, in my opinion, relates to the time between when the minister tables the certificate and the time that all parties agree to which ones they will select for interview.

Mr. Michael A. Brown: So a deferral, then, which would take any intended appointee beyond the 30 days, doesn't automatically appoint them?

The Chair (Mr. Ernie Hardeman): No—what's that?

Mr. Michael A. Brown: If we do not deal with an intended appointee after they've been named within a certain period of time—

Mrs. Donna H. Cansfield: Are they deemed to be—

Mr. Michael A. Brown: —are they deemed to be appointed?

The Chair (Mr. Ernie Hardeman): The person selecting it has no ability to lengthen the time of when it will be deemed to have been made.

Mr. Michael A. Brown: But it's not that person we're talking about, though. It's the committee.

The Chair (Mr. Ernie Hardeman): No, but the committee has to decide to extend the time. If we don't extend the time on the first one, the time will be gone before our next meeting, and they will be deemed to have been appointed without an interview. And if we don't extend the time for the other two, that won't happen until after the next meeting. But we've already been notified that, in fact, they can't be here for the 5th. In essence, it would be same problem, so the suggestion—I would ask you to consider just extending all three, so we can have them all together at a future meeting.

Mrs. Donna H. Cansfield: May I ask a question? Who can't come on the 5th?

The Chair (Mr. Ernie Hardeman): Pat Capponi and Susan Lee.

Mrs. Donna H. Cansfield: So why can't we do the one on the 5th and the two the following week?

The Chair (Mr. Ernie Hardeman): We can very well do that, so that would make it—

Interjection.

The Chair (Mr. Ernie Hardeman): We're quite prepared to do that. The only reason I suggested we do them all at the same time is that we can do three in one meeting and we would have them all done at the same time, but we can do that one, because obviously it expires before the 5th. We still need the extension, but we could do that one next Tuesday.

Mrs. Donna H. Cansfield: So we could extend Ms. Leclair and then we can do it on the 5th?

Mr. Michael A. Brown: Mr. Chair, I'd ask for unanimous consent for Ms. Leclair to be heard on the 5th—is that the right date? April 5?

The Chair (Mr. Ernie Hardeman): The 5th is the one—

Mr. Michael A. Brown: And Ms. Capponi and Ms. Lee to be heard on the 11th?

The Chair (Mr. Ernie Hardeman): I think there's an understanding through the clerk and all of us here that the intent is to try as hard as we can to get her here on the 5th, but if she can't come on the 5th, the extension would only—the unanimous consent on the extension would run out on the 5th, because we said that was the date. So I would suggest that if she can't make it—we'll try to get her, but if she can't make it—we do all three on the 11th.

Mr. Michael A. Brown: On the condition she doesn't come, yes.

M^{me} France Gélinas: Tuesday's the 12th, not the 11th.

Mr. Michael A. Brown: Tuesday's the 12th.

The Chair (Mr. Ernie Hardeman): Oh, the 12th, not the 11th. Is that what you were saying too?

M^{me} France Gélinas: Yes.

The Chair (Mr. Ernie Hardeman): Very good. So we have the unanimous consent, then, for the extension?

Mr. Michael A. Brown: Yes.

The Chair (Mr. Ernie Hardeman): Okay.

Mr. Michael A. Brown: Ms. Leclair on the 5th, though.

The Chair (Mr. Ernie Hardeman): We'll try to get her on the 5th. We won't try for another unanimous consent to go for the 12th if she can't make it, but we will ask to do everything we can to make it on the 5th, to get it done as close to the deadline as we can get it.

Okay. Anything further? If not, we thank you all very much for taking the time out of this busy day to be here this morning, and we look forward to seeing you on the morning of the 12th.

The committee adjourned at 0914.

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