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of Ontario**
First Session, 40th Parliament

**Assemblée législative
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**Official Report
of Debates
(Hansard)**

Wednesday 7 March 2012

**Journal
des débats
(Hansard)**

Mercredi 7 mars 2012

**Standing Committee on
the Legislative Assembly**

Committee business

**Comité permanent de
l'Assemblée législative**

Travaux du comité

Chair: Garfield Dunlop
Clerk: Trevor Day

Président : Garfield Dunlop
Greffier : Trevor Day

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LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

Wednesday 7 March 2012

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Mercredi 7 mars 2012

The committee met at 1306 in room 228.

COMMITTEE BUSINESS

The Chair (Mr. Garfield Dunlop): Ladies and gentlemen, welcome to the Standing Committee on the Legislative Assembly and to our weekly meeting. I think the first thing—

Interjection.

The Chair (Mr. Garfield Dunlop): We've got six people here. We've got a quorum.

Mr. Bas Balkissoon: Laura just stepped out to the washroom. Can we give her a few minutes?

The Chair (Mr. Garfield Dunlop): We're just going to work through this very slowly.

Mr. Bas Balkissoon: She just dropped her stuff and said, "I'm coming back. I'm going to the washroom."

The Chair (Mr. Garfield Dunlop): There's no voting right now, so we can get some discussion on.

What's on the floor today, ladies and gentlemen, is a motion Mr. Bisson moved that the Ministry of Health and Long-Term Care be moved to the Standing Committee on General Government and that the Ministry of Municipal Affairs and Housing be moved to the Standing Committee on Social Policy. Is there any debate on this? Ms. MacLeod?

Ms. Lisa MacLeod: Speaker, I would like to know what the rationale is for that, if the member could provide that to us, because I don't have a background around why this is being suggested. Is this a motion from House leaders from all three parties? I have no background on this.

The Chair (Mr. Garfield Dunlop): Mr. Bisson, have you got any comments on that?

Mr. Gilles Bisson: First of all, no, it's not a motion from the three House leaders. This is a motion that I, myself, brought forward. I just want to explain why and what it's all about.

As you know, this particular committee finds itself chaired by a member of the opposition, so therefore on all matters that come before this committee, you have a tie. I just thought, as I was sitting here last week, with the Ministry of Health being the largest ministry to expend money in the province, it made more sense in my mind to have it under a committee that is actually chaired by the government. That way, there'd be a better ability to do scrutiny.

I since have had some discussions with Mr. Wilson, the House leader for the Conservative Party, who tends to agree with me and support it. However, I don't have that support from the government House leader. I understand his reasons why, and I'm not going to get into all of that. I think we all understand that what I was trying to do is I was just trying to move this ministry over to a committee where it was chaired by the government so that, in fact, you would be in a position where we can give the Ministry of Health greater scrutiny, being the largest ministry that expends money in the province of Ontario.

The Chair (Mr. Garfield Dunlop): Thank you, Mr. Bisson. Mr. Leal, and then Mr. Balkissoon.

Mr. Jeff Leal: Mr. Chair, I certainly appreciate the comments from my colleague Mr. Bisson and Lisa MacLeod, but unfortunately, due to several other issues that have taken up a fair amount of time with the parliamentary liaison committee—I remember just yesterday Ms. MacLeod was there, as was Mr. Bisson, so they certainly can corroborate what I'm going to say to this committee today.

There were some very pressing issues yesterday dealing with two bills, Bill 13 and 14, the anti-bullying legislation, and how we're going to handle those two, which are of great importance to the people of Ontario—and indeed the issue with the review of the aggregate act. I know in my community and in several communities across Ontario, that is a very pressing issue, particularly since we're looking at the expansion of the 407. There's going to be a lot of aggregate needed for that particular project. A lot of temporary quarries could be opening.

This issue that Mr. Bisson has brought before us, I think, does need some discussion at the House leaders' level. There will be an opportunity on Thursdays—meaning tomorrow—to rightfully put this on the agenda.

But more important than that, Mr. Chair, there will be a need for, I think, our legislative research people to put together a backgrounder on this. I mean, I could go back to 1943, when a friend of my family—my grandfather was one of his organizers—George Drew from Guelph, Ontario, became Premier of Ontario. Colonel Drew is how he was affectionately known in those days because he had a very distinguished record during the First World War.

Part of his plan then—I don't want to digress too much, Mr. Chair, but he had a 12-point plan. One of the things at that particular time was reforming the

legislative process in the province of Ontario and having a big ministry—well, it was fairly big in those days—of health care to report to the standing committee on social policy. There is at least a long history of the Ministry of Health going to social policy, dating back to the mid-1940s.

So I would think before we make any final decision, House leaders need to look at this. But I think we, as a committee doing our job, need this background research. For the time being, Mr. Chair, those are my remarks right now.

The Chair (Mr. Garfield Dunlop): Mr. Balkissoon.

Mr. Bas Balkissoon: Thank you, Mr. Chair. Maybe you could clarify something for me; I sat in your position before. I thought at the last meeting we had the report on the standing committees to deal with it and we just deferred it because Mr. Bisson said he would take that to the House leaders and come back to us. Then we agreed that we would have our subcommittee meeting, and I know for whatever reason—we've tried to have two of them—Mr. Bisson could not be there.

I'm in a bit of awkward situation that you're accepting this as a tabled motion against the previous 111 that we had. I want to echo what my colleague has said. From what I'm hearing Mr. Bisson saying, it didn't come from the House leaders. He is seeing from his own view a political reason why this should happen. But I think before we restructure this whole place, which has had some traditions over a long period of time, we need to really have an opportunity to review this and to get some research.

I mean, there have been minority governments in the past. This committee, I suspect, has always been the way it is presented to us because that's the long-standing tradition.

I find this a bit of an awkward motion to deal with right now without having some historical background, without the House leaders having their own discussion and agreement—that you put a couple of members from the Legislative Assembly to make a critical decision on something that I think is very important not just for us as politicians but to deal with the bureaucracy of all the ministries so that when they come here we, as a committee, have all the right research people and the people with the skills to serve our committee.

I find this very difficult to deal with today—you know, all of a sudden dropped on us. It has come here without agreements. The standing committees were not dealt with in November when we returned, for obvious reasons. Why are we rushing this without proper review?

I think that in a minority situation—we all talk about it; we want to co-operate with each other. To me, this is not going to lend itself to co-operation if we have these things thrown at us last minute.

The Chair (Mr. Garfield Dunlop): On that, Mr. Balkissoon, this was a motion moved at the previous meeting and it's something that we need to address at this meeting. I'm not—

Mr. Bas Balkissoon: I don't recall us accepting the motion because we deferred the item.

The Chair (Mr. Garfield Dunlop): He did—I thought you had moved the motion. Mr. Bisson.

Mr. Gilles Bisson: Just to be helpful, I first of all want to thank Mr. Leal and Mr. Balkissoon for trying to find a way forward.

I take at face value what you're saying in the sense of, let's have a discussion at House leaders, because in fairness, Mr. Leal is right: That didn't happen because of time last week. I do know, and I want to put on the record, the government House leader at this point is not in favour. But let's have the discussion. I think that's fair. I just want to make one point, so therefore I'll just stand this motion down; I'll withdraw it, and we can have this discussion at House leaders and see what happens.

I just want to make one point, however: It is the right of all members of the committee, including members of the government or members of the opposition, to move motions, and we don't need to give notice when filing motions. The reality is, that's the way that this place works.

The second thing is, my logic, as I said, is a pretty simple one. You know, you can classify it as being political, and I get that, but it seems to me that when the Ministry of Health is the largest ministry, with the largest budget of any government expenditure, we would want to have a committee that has as much scrutiny as possible. That was my point.

So I withdraw the motion, and I thank you very much, members of the government who have suggested a way forward.

The Chair (Mr. Garfield Dunlop): Thank you very much, Mr. Bisson.

Ms. MacLeod?

Ms. Lisa MacLeod: Well, I was actually going to suggest that maybe we defer this until such time that we could have research, but also a suggestion from the House leaders.

In any event, I think, given the fact that the member has withdrawn, I have nothing further to say.

The Chair (Mr. Garfield Dunlop): We still have a couple of comments. I understand you've withdrawn the motion?

Mr. Gilles Bisson: I've withdrawn.

Mr. Bas Balkissoon: I will stand down, since he's withdrawn it.

The Chair (Mr. Garfield Dunlop): Okay. Mr. Leal, you have—

Mr. Jeff Leal: Just shortly, Mr. Chair, I appreciate the move by Mr. Bisson. I take it at face value, and I respect that, though could we ask our legislative team to do a little bit of background research for us so we have some documentation when we maybe discuss this down the road at some point?

The Clerk of the Committee (Mr. Trevor Day): What specifically are you looking for in terms of background?

Mr. Gilles Bisson: It may be premature.

Mr. Jeff Leal: It may be premature at this time. I'll withdraw that. Thanks, Mr. Chair. I'm just trying to be proactive, but I'll wait.

The Chair (Mr. Garfield Dunlop): Okay. So, members of the committee, we still have a draft recommendation, a report of the standing committee that we have to deal with. You should all have a copy of that in front of yourselves. Are there any questions on that?

Mr. Gilles Bisson: Again, to try to be helpful, the standing orders are clear, and I'll just read. Under standing 111, it says, "(b) At the beginning of each Parliament and, if necessary, during the course of a Parliament, the Standing Committee on the Legislative Assembly shall prescribe the ministries...." So that's essentially what we're doing. I'm reserving the right to come back later and do what I've got to do by way of agreement with the House leaders.

The Chair (Mr. Garfield Dunlop): So, members—

Mr. Gilles Bisson: I'm not waiving them; I'm going to exercise my rights.

The Chair (Mr. Garfield Dunlop): All right. Ms. MacLeod?

Ms. Lisa MacLeod: Given the discussion, may I move deferral of this until next week?

Mr. Bas Balkissoon: It wouldn't be next week; it would be the following week, the next meeting.

The Chair (Mr. Garfield Dunlop): Two weeks.

Ms. Lisa MacLeod: Okay, till the next meeting. Yeah, I don't want to come back and see you guys next week.

The Chair (Mr. Garfield Dunlop): We have a motion moved by Ms. MacLeod that we—

Ms. Lisa MacLeod: Can I move deferral of this committee report, this memorandum, until the next sitting of this committee?

The Chair (Mr. Garfield Dunlop): Are there any comments on Ms. MacLeod's recommendation or motion? Okay.

All in favour of the deferral? Okay, we agree.

Ms. Lisa MacLeod: Everybody, I just won my first motion in committee.

Interjections.

The Clerk of the Committee (Mr. Trevor Day): The committee has been invited to the NCSL, the National Conference of State Legislatures. The Legislative Assembly is invited every year to go. We have received our invitation. I guess what we'd be looking for is, is it the will of the committee to request authorization from the House leaders to go?

Mr. Gilles Bisson: When, where and how long?

The Clerk of the Committee (Mr. Trevor Day): I've got it here. It's in August. It's four days in August around the long weekend. It's actually August 5 to 9, in Chicago.

Interjections.

Mr. Bas Balkissoon: As Chair, I went several times. It's a very big conference, like 6,000 or 7,000 people.

The Chair (Mr. Garfield Dunlop): So, ladies and gentlemen, this is dated March 5, the National Confer-

ence of State Legislatures. Any questions on it? Or do you want to leave it—

Ms. Lisa MacLeod: Well, Chair, you'll probably recall that Speaker Peters did host one of the groups of state legislators and Canadian provinces here. I think it was two summers ago.

It's an opportunity to talk a little bit about process, but specifically the interesting thing is when you're talking about—I know Mr. Balkissoon may want to also jump in—areas of mutual concern, particularly when we're talking about the Great Lakes. I know that today, in the current state of affairs, there are many linkages between some of the other jurisdictions. I think that's important for us to consider.

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I myself am a fellow of the build program, as I know Mr. Balkissoon is. So there are a lot of linkages that we've made over the years with our colleagues from adjoining jurisdictions. It's also important to know that it won't be just American legislators. I do believe that they send representatives from Manitoba and Saskatchewan, as well as other—

Mr. Bas Balkissoon: And Quebec.

Ms. Lisa MacLeod: And Quebec.

Mr. Bas Balkissoon: Quebec is well represented.

Ms. Lisa MacLeod: They send a number of delegations. You can take Porter Air there too, by the way. I heard Pat Quinn—not the Pat Quinn from the Leafs this year—taking Porter Air.

The Chair (Mr. Garfield Dunlop): What we're asking for today, ladies and gentlemen, is authorization for nine people and two staff.

Mr. Bas Balkissoon: —change it, because Peter has changed it in the past.

Mr. Steve Clark: I make that motion, Mr. Chair, just as you so eloquently worded it.

The Chair (Mr. Garfield Dunlop): That the request be put in for nine members and two staff.

Mr. Steve Clark: Absolutely.

The Chair (Mr. Garfield Dunlop): Are there any other questions on that request?

Interjection.

The Chair (Mr. Garfield Dunlop): All in favour of Mr. Clark's motion? Okay. That's passed.

The final thing on our agenda today, ladies and gentlemen, is the proposed budget for attendance at the conference, etc. The request is a budget of \$43,790. There's no additional money required, but what you're saying is that we need approval.

The Clerk of the Committee (Mr. Trevor Day): Basically what it is, is that we're travelling outside of Canada. We have to inform the Board of Internal Economy. We don't require any additional funds from the board. It's all within our budget, but we need the committee's approval. So we'd be taking that to the board and telling them how much it costs.

Mr. Jeff Leal: Chair, I'll move that.

The Chair (Mr. Garfield Dunlop): And this is strictly for the conference. This is a budget for that conference.

The Clerk of the Committee (Mr. Trevor Day): We've estimated based, again, on accommodation for the highest possible—nine members and two staff—but I don't know if it will actually be this high. We've had to guesstimate at this point.

The Chair (Mr. Garfield Dunlop): We've got a motion to accept this by Mr. Leal?

Mr. Jeff Leal: Yes.

The Chair (Mr. Garfield Dunlop): Is there any debate on Mr. Leal's motion?

Mr. Jeff Leal: I don't think so.

Mr. Gilles Bisson: I have a question. Mr. Day, because you see your way through the night, how are you going to do that when there is actually no Board of Internal Economy?

The Clerk of the Committee (Mr. Trevor Day): We're going to set everything in motion and get it all ready to go. I think the initial letter will be to the Speaker, asking him to take this forward at the appropriate time. So we'll be contacting the House leaders for permission to go and putting a letter out to the Speaker saying, "This is the amount of money it will cost, but we won't require any additional funds," and we'll wait to see.

Mr. Bas Balkissoon: Is there a registration deadline?

The Clerk of the Committee (Mr. Trevor Day): There is, and it is sort of approaching, but I think we'll be fine.

Mr. Bas Balkissoon: Because it's always difficult to get hotels, you might want to put a hold on something, if you could. It's [*inaudible*] because it includes staff.

The Chair (Mr. Garfield Dunlop): Any further debate on this or further questions?

Ms. Lisa MacLeod: Do we have a cost of what it will be?

The Chair (Mr. Garfield Dunlop): Oh, sorry. Yeah, \$43,790, if everyone goes. That's the maximum amount.

Ms. Lisa MacLeod: Oh, my. Okay.

The Chair (Mr. Garfield Dunlop): That's if everyone goes. Everyone may not want to attend.

I need this approved, then. All in favour of this, first of all? Do I have enough hands to get approval? Okay. That's approved. Thank you.

The final thing we'd like to just toss out here today is any further questions on the standing orders or any further comments or direction we should take?

Interjection.

The Chair (Mr. Garfield Dunlop): A standing orders review.

Mr. Gilles Bisson: There's a whole bunch of discussion there.

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Gilles Bisson: There's a whole bunch—

Mr. Bas Balkissoon: We're going to have to deal with that separately, Chair. I mean, that could be a likely one, because the last committee reviewed it. It depends

on what members throw out. You are required to do a lot of research. It depends on what is being changed. You may want to look at other Parliaments.

The Chair (Mr. Garfield Dunlop): What I was trying to—

Mr. Gilles Bisson: Sorry, I didn't hear the last part. "Change"?

Mr. Bas Balkissoon: Depending on what you want to look at reviewing in the standing orders, you may want to consider what other governments do.

Mr. Gilles Bisson: Oh, I see. That's not what I heard. Sorry.

The Chair (Mr. Garfield Dunlop): I think what the attempt was today was to have some discussion on sort of a process to follow as we look forward over the next few months.

Mr. Bas Balkissoon: Okay. I didn't come prepared for that.

Ms. Lisa MacLeod: Okay, and I agree to member Balkissoon's point: I don't think we were prepared for that. I think that was a discussion we wanted to have at subcommittee, and unfortunately, that hasn't occurred yet. So I would suggest that we defer that until we're able to meet as a subcommittee, to make a recommendation to the larger committee and set out some ideas. We might be able to hammer out a process with our research team so that we actually are able to provide members of this committee with some direction, rather than a brainstorming session. I think we might be able to crystallize exactly how we wanted to perform the duties that have been outlined by the House leaders in the assembly for us.

So I would suggest, if it's possible, for the subcommittee to meet, potentially today or tomorrow, so that when we arrive back after the March break we can actually set the plan forward. It's going to be a very important process. This is going to be an opportunity for us to really look at (a) how we govern ourselves and the assembly; but (b) to also look at opportunities for us to engage the public, whether it's through what we do on the floor of the House or whether that is working on how we communicate with the public.

I think we have a great opportunity here. I wouldn't want for us to not manage expectations and just get into talking about process when we don't have the appropriate background material on it. So I would suggest that we have that subcommittee as soon as possible.

The Chair (Mr. Garfield Dunlop): Okay. Next, Mr. Bisson, and then Mr. Balkissoon.

Mr. Gilles Bisson: Well, I was hoping, in fact, that we could have a bit of an initial discussion here at committee today, with all members of the committee present. Not to give final decisions about where we're going and what standing order changes we want, I want standing order 3 and you want standing order number whatever, but just sort of a general discussion of—I take it there are going to be a number of things that are going to happen. The various caucuses, with work done internally, are going to make some recommendations about what standing order

changes they want. We don't need a subcommittee to decide that. It's actually the caucuses that decide that, and then that'll be brought back to committee.

The other thing is that I think it would be very important for us to ask the Clerk of the Legislature to appear before this committee at our next meeting, to have a bit of a discussion; not a discussion, but a bit of an overview on the part of the clerks, because I think the clerks are the repository of knowledge when it comes to understanding what the principles—there are standing orders, but then there are the principles by which we guide ourselves in those standing orders. Those principles are that a government, at the end of the day, has got to be the one that governs—and there are some reasons why our standing orders are written the way that they are, that they propose motions, they table legislation. There are reasons why that kind of stuff happens.

But anyways, my point is, it would be informative, I think, for the committee to have the Clerk's office come and give us a presentation on not just the standing orders, but sort of what the heck it really is all about.

Then, the other thing is that I wouldn't mind having a conversation in regard to the general themes of what it is that we would like to see happen in the standing orders. Aside from specific changes that I'm sure we've all looked at, I think there are some general themes that I would like to look at that I wouldn't mind the Clerk speaking to, and that is, how do we make modifications to the standing orders so that members, quite frankly, can do the job that they're sent here to do? I think we have a very solid system of committee. If you compare our committee structure to a whole bunch of other jurisdictions, it's not bad. It could be a lot better, but it's not bad. But how can we change how committees operate?

For example, I'll just give you a couple of things that I've been thinking about. Currently, committees can't meet in the intersession. Should we contemplate having an ability for a member of the committee to be able to ask the Chair so that a committee can actually meet in the intersession to do work?

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Issues of standing order 126: Should we be looking at not having a two-thirds threshold but finding some method by which members are able to bring forward issues of interest so that the committee can spend some time to look at an issue in order to start getting the ball bouncing on that issue that's important to the caucus or the individual, taking a look at essentially how we can empower members to do the work that they're sent here to do? I think that the complaint that we all have—it doesn't matter what side of the House you sit on; we've all sat in government and some of us have sat in opposition. It's equally frustrating, no matter what side of the House you sit on. I think we need to find ways, through the standing orders, to try to empower members to do their job in a way that recognizes the intent of what the parliamentary system is all about: that a government, at the end of the day, must govern—if it's a majority gov-

ernment, then we all know what that means—and how we're able to make this work a wee bit better.

I'm not sure that that is a discussion that's best suited for a subcommittee. I would argue that it's a general committee that has to deal with that.

The Chair (Mr. Garfield Dunlop): So if I'm making myself clear, Ms. MacLeod is saying to have a subcommittee meeting to determine this; you're saying to bring the Clerk in for the next committee meeting.

The next question would be to Mr. Balkissoon and then to Ms. Cansfield.

Mr. Bas Balkissoon: I just want to comment on Ms. MacLeod—that the subcommittee can meet today or tomorrow. Unfortunately, I have to sit in the chair all day tomorrow, so I'm not available. My suggestion would be, maybe the Tuesday we return.

I clearly understand what Mr. Bisson is saying, but to be honest with you, I don't have a whole bunch of items I wanted to table, because I really haven't consulted with my caucus members. I'd like a chance to do that.

If we could all, I guess, speak to our caucus members and come to the subcommittee with something that we need to look at, then we can ask research to do the work for us. We can have the Clerk come and we can add more research if it's necessary. But I agree with you: The Clerk should come and give us, from the Clerk's perspective, what can be done to make changes to make this place more efficient. That's the way I would look at it.

The Chair (Mr. Garfield Dunlop): I personally have no problem having Deborah coming here, and going over the standing orders with her. Ms. Cansfield?

Mrs. Donna H. Cansfield: Thank you, Chair. I don't either, and I appreciate that Mr. Bisson has already had some conversation, because you've put some things on the table. Certainly, that's an opportunity that we would also like, in terms of time.

There's the point of asking the Clerk to come and, from their perspective, looking at where they see there could be changes or modifications or whatever. But then there's also the impact of suggested changes on the running of the House. It's almost like it's two times the Clerk might have to come, or even more often, because unfortunately sometimes what happens is, we don't think about the ripple effect or the impact on something else as we look at these changes.

It really is something for the subcommittee to consider. They may come back with some recommendations that speak to a broader opportunity for the Clerk's engagement somehow. Again, I appreciate the discussion on what the changes could be. We haven't had that here, to throw anything out at this point, but there's the other issue around that involvement of the Clerk, and I think the subcommittee has a role to play in the ongoing process.

The Chair (Mr. Garfield Dunlop): Thank you, Ms. Cansfield. Ms. MacLeod, then Mr. Leal.

Ms. Lisa MacLeod: Just to pick up on Madame Cansfield and Mr. Balkissoon's points, I really do believe we have to focus our efforts right now on building a

strong foundation for which we can guide a process that will give us the answers that we're searching for. Right now, it's easy for me to rattle off a list of changes I might like to see or the Ontario PC caucus would like to see, but that said, I think that we're not going to get a good solution if we just do that here without setting up an appropriate process. That's why I would just reiterate that we send this back to subcommittee to determine our process, involve the Clerk, as Ms. Cansfield and Mr. Balkissoon have said—and perhaps that's one time, it could be 10 times—so that we can do the work the best way possible.

Only once we have a list of suggestions from our own caucus can we then provide that to the legislative researcher, who can look at other jurisdictions and provide us with a procedural background from our clerk in this committee but also from the Clerk of the Assembly, and then can we ask her the right types of questions that will get us to the end of what we want to see, and in some cases that's going to be reform, right?

I just want to make sure that we're doing this right, that I'm not going into an event with either the Clerk or even here right now unprepared, because I don't think we're going to get the answers we want unless we do it the right way. I know that's boring because it's process-driven, but I'm a firm believer that unless you build a solid foundation, your home is going to sink, so the reality is, I think we have to build a solid process so that the answers that we come out with at the very end are going to be solid and they're going to make our assembly work even better.

The Chair (Mr. Garfield Dunlop): Okay. Now Mr. Leal, then to Mr. Clark, then to Mr. Bisson.

Mr. Jeff Leal: Thanks very much, Mr. Chair. In fact, when you look at this operation of the House over many, many decades, there were three periods where there was a substantial change to the standing orders. The government of Mr. Rae brought in substantial changes to the standing orders. I'll give you the whole context here. Mr. Harris brought in some substantive changes to the standing orders, and then Michael Bryant, who was our House leader. So all three parties that have been in power over the last 30 years have brought in substantive changes to the standing orders, and I think it's timely now that we took a look at them.

But, Mr. Chair, we may want to solicit opinions from former Speakers. The reason I mention this is because former Speakers, of course, are the referees for the standing orders. David Warner, a number of years ago, wrote an opinion piece in the Globe or the Star about the functioning of the house. Mr. Edighoffer was in the audience today; he was a longstanding Speaker. Mr. Turner from my riding of Peterborough was the Speaker between 1981 and 1985. Mr. Peters. So we might be able to canvass some opinion from them, and I think all opinions we're going to need if we're going to profoundly change the standing orders that I think reflect the needs of Ontarians today.

The Chair (Mr. Garfield Dunlop): Thanks, Mr. Leal. Mr. Clark, then Mr. Bisson.

Mr. Steve Clark: Yes. I just want to speak in favour of taking a measured approach. Obviously, I think it's important that we do meet in the subcommittee. I learned first-hand in the last session, when I tabled a motion that would change the standing orders after I met with the Clerk, that you can talk for days, weeks, months about all the necessary things that have to change, whether it be a standing order, whether it be changes to question period, whether it be doing electronic petitions or opening up our proceedings or committee hearings over the Internet. There are literally dozens of things that we all individually could put on the table, and I think we do need to have some time at the committee, within our own caucuses and individually to get this thing right, to make sure that we bring the right minds together and move forward on some very necessary changes. I think it's a unique opportunity in the minority Parliament situation, but I do believe, and I certainly knew from some of the meetings I had with the Clerk after I tabled that very small motion that this can be a very substantive consultation process and discussion.

So I support the discussion going back to subcommittee and having a planned approach with the clerk as we move forward.

The Chair (Mr. Garfield Dunlop): Okay. Mr. Bisson?

Mr. Gilles Bisson: I'm not so sure that we're all on different pages here. I think we're somewhat on the same page. I'm not opposed to having a subcommittee meeting in order to say, "Let's talk a little bit about process." The point I was making: I think all members of the committee need to be present in regard to the substantive discussions that we have to have around the standing orders. I think that was the point—

The Chair (Mr. Garfield Dunlop): Oh, absolutely, yes.

Mr. Gilles Bisson: That was the point that I was trying to make.

Interjection.

Mr. Gilles Bisson: Yes. The second thing is, just to be very clear, and I'm just sort of thinking this through because I've thought about it somewhat, there are probably two or three or four things that are going to drive the changes to the standing orders. There are going to be individual caucuses who will put forward proposals. I know that we've been thinking about it and I'm sure the Conservatives and yourselves have been thinking about it, where you're going to have a package of items that you're going to bring to this committee in order to take a look at the changes to the standing orders. So I just want to be clear that at that subcommittee level, it's not about vetting each other's proposals; it's only about how we get into the process of dealing with them.

Then there's a second point, which is that individual members, as we sort of work our way through all of this, are going to actually have some ideas of their own based on the evidence that they've heard and the experience

that they've accumulated through this committee and the reading of the standing orders, which I hope we all did. And I really, really suggest—there's a very good book, O'Brien and Bosc, great bedtime reading. You should read it every night. It's very interesting.

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So there's a process that the caucuses will drive what it is that they want for standing orders changes and, sure, we can talk about how we're going to deal with that. There's going to be individual members at committee who are going to decide, "Well, Lord, I just thought of something; I never thought about that. Maybe we can deal with something."

But the other thing is, and this is why I'm suggesting we bring the clerks at the beginning of this—not so much to talk to us about specifics of what our ideas are, but first of all they've been working with the standing orders for a long time and I bet you they have a couple of changes they would like to see. I think it would be interesting to know what those are at the early beginning. We may not agree with them, but I would like to hear what they have to say because there have been, as my friend Mr. Leal has pointed out, the fingers of all government House leaders on these standing orders, and that quite frankly has restricted our ability as members to do our job. That's sort of the bottom line.

But the other thing is, I want the clerks to come before us to talk about the context of the standing orders. Because the one thing that I've learned to appreciate over the 20-some-odd years that I've been here: There's a time that you think you understand the standing orders, and it takes a long time before you recognize it's not just the standing orders but you need to understand the context of the parliamentary system—why the standing orders are written the way that they are—so that we don't do what government House leaders have done, which is, for their own benefit, change the standing orders in such a way to advance their agenda.

We should be more concerned as a committee—and listen, all parties are guilty of this, and I say that freely—that we actually try to do the job of how the heck can we empower members so that when Donna Cansfield says, "I'm really interested in an issue that I think is not being talked about in Ontario and I want to have a way of being able to do that outside of a question or a private member's bill," because you maybe get one of those per session, we can actually use our committees to do some of that stuff. That's the context I'm getting at.

So I would ask that we actually have the clerks come and talk to us about what are some of their ideas about changes to the standing orders at our first meeting and to give us a bit of a context of how the standing orders are supposed to operate for the functioning of Parliament.

The Chair (Mr. Garfield Dunlop): Before I turn it over to Ms. MacLeod again, what I'm hearing right now though is that—and I think it's fairly supportive that the committee feels that the Clerk should be one of the first presenters here with us. I think what we're looking at right now is going to a subcommittee meeting and laying

out a process and she should be one of the first people to come. Ms. MacLeod, is that—

Ms. Lisa MacLeod: Yeah, and I think there is consensus that there are people that we're going to want to talk to in order to help us make our decisions.

But again, I think what I sense is the will of a lot of people on this committee is that we actually establish the process first so that that can guide us along. In fact, I'm intrigued by Mr. Bisson's views on how we will arrive at some of the changes to the standing orders through various caucuses—Mr. Leal pointed out from previous Speakers, and of course Mr. Bisson mentioned the clerks.

I think there's another group that we should be consulting, and that is the public, at some particular point in time. But we need to have a process established in order to have them appear before committee and we have to have an idea that can focus us through that process and guide us on what our ideas are. I think a very important point to Mr. Balkissoon's point earlier, and I agree wholeheartedly with him, is we have to look at other jurisdictions.

This is going to be a lengthy process. I understand the House leaders and the assembly have tasked us with a process that can go up until September, until before we come back to the House. Although it seems like a great deal of time, the more we talk right now proves that we have to have a very firm process in place so that we can get that report written, translated and then hopefully make some serious recommendations to the assembly when we return in the fall.

I guess I would just suggest that yeah, there's a lot of good ideas that have been here today on the table, but we need to make sure that we're prepared to move forward through that process.

Otherwise, we're just going to continue to talk in circles. No real recommendations will be made and we will be worse for it in the assembly because we have a golden opportunity as private members of caucuses to actually make this assembly work better for us and for the people who have sent us here to Queen's Park. So we actually for the first time in many years have an opportunity to work together to get it right for ourselves.

The Chair (Mr. Garfield Dunlop): I just want clarification that, with the authority of the House, we can work through the summer, go up to September. Other than that, our time frame is when the House adjourns, without that approval.

Interjection.

The Chair (Mr. Garfield Dunlop): So I think the will of the committee now is that we refer this to a subcommittee for the process, and the point now is when we can meet for the subcommittee—

Mr. Gilles Bisson: And also to invite the Clerk.

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Gilles Bisson: I'm asking that we invite the Clerk to our first meeting.

The Chair (Mr. Garfield Dunlop): Of the subcommittee?

Mr. Gilles Bisson: No, of the general committee.

The Chair (Mr. Garfield Dunlop): Okay.

Mr. Gilles Bisson: I don't have a problem with the subcommittee meeting. I understand what my colleague is saying. I would just like, at the very first meeting, that we have a bit of an overview of the thoughts from the Clerk.

The Chair (Mr. Garfield Dunlop): Okay, so what we're hearing now is we're meeting and the subcommittee will develop process. Then what Mr. Bisson is saying, basically, is suggesting that we have the Clerk attend our next meeting.

Mr. Gilles Bisson: The specific idea in what I'm asking the Clerk to do specifically is to give us the table's view in regard to the standing orders that are, in their minds, needing to be changed, because I do know that there are some that I've talked to them about. But the bigger thing is to give us the context.

The Chair (Mr. Garfield Dunlop): All right. Ms. MacLeod.

Ms. Lisa MacLeod: I have no problem with our Clerk coming before us at that committee. However, in the event that the subcommittee meeting does not occur or all members of the subcommittee are not present—so it's not actually a full subcommittee meeting—my preference is that we defer Ms. Deller's appearance before committee until such time as the subcommittee has met. Is there agreement?

The Chair (Mr. Garfield Dunlop): Okay, so one's contingent on the other. Ms. Albanese?

Mrs. Laura Albanese: Yes, I concur with Mrs. MacLeod's suggestion, because I think that it's important that we have an idea of how the process is going to work. It would help us in better understanding the presentation that the Clerk would do and also in posing questions. That would be my personal opinion.

The Chair (Mr. Garfield Dunlop): Okay, and I think that's what we're understanding here today. I think right now it's a matter of setting up a subcommittee time in order to make this happen.

Mr. Gilles Bisson: —the subcommittee won't be today because you're not available, right?

Ms. Lisa MacLeod: Can we do it on Friday?

Mr. Gilles Bisson: Excuse me, Friday I'm going home.

Mr. Bas Balkissoon: I would say the first Tuesday that we're back, maybe 4 o'clock, we meet.

The Chair (Mr. Garfield Dunlop): The first Tuesday—

Mr. Gilles Bisson: Why don't we do it Monday morning?

The Chair (Mr. Garfield Dunlop): Look, ladies and gentlemen of the committee, the clerk will take care of the scheduling and coordinate it.

Mr. Gilles Bisson: Can I suggest that I'm free on Monday mornings?

Mr. Bas Balkissoon: But we wouldn't have a chance for our caucus to get together. I'd like to do it after our first caucus meeting.

Mr. Gilles Bisson: So when are you suggesting? After Tuesday?

Mr. Bas Balkissoon: I was thinking more like 4 o'clock on Tuesday, or even Wednesday, when we come back.

Ms. Lisa MacLeod: So we can bring it to our caucus. I'm cool with that.

Mr. Gilles Bisson: Can I just get in a bit of a—I don't expect that we're going to be having a definitive "Here's our paper on the standing orders" by that point.

Mr. Bas Balkissoon: No, no. I'm looking for—if people have input on a particular clause that they have an idea on, then I could at least bring it to the subcommittee.

Mr. Gilles Bisson: Okay, but there's a process question, and I'm agreeing with my colleague in the sense of the only thing we're going to be discussing in subcommittee is what's going to be the process by which we're going to deal with things. We'd like to have an interim report, for example; I can just think of one thing off the top. So the issue of what gets put into the hopper as far as review I don't think is critical for the subcommittee meeting.

Mr. Bas Balkissoon: Okay, well then I'm good for Monday or Tuesday.

The Chair (Mr. Garfield Dunlop): Okay.

Ms. Lisa MacLeod: Just to that point, I understand where Mr. Balkissoon's coming from, Mr. Bisson. He was suggesting—and I know where you're coming from—

Mr. Bas Balkissoon: At least I'd have an idea.

Ms. Lisa MacLeod: He wanted sort of an idea so that we could actually start directing the clerks at that time—

Mr. Bas Balkissoon: For research.

Ms. Lisa MacLeod: —for research purposes.

Mr. Gilles Bisson: But we could still do that at the Wednesday meeting.

Ms. Lisa MacLeod: Which is fine.

Mr. Bas Balkissoon: That's fine. Okay, as long as I request the research and somebody doesn't object to it.

Mr. Gilles Bisson: Let's be clear, just for the record—

The Chair (Mr. Garfield Dunlop): Okay, hold on.

Mr. Gilles Bisson: Just for the record?

The Chair (Mr. Garfield Dunlop): Yeah, go ahead, Mr. Bisson.

Mr. Gilles Bisson: Just for the record, we're not going to lock ourselves down on Tuesday at the subcommittee meeting; we're going to have a general discussion about procedure, we're going to go back to our caucuses to have a discussion as Mr. Balkissoon suggests; the Clerk will come talk to us on Wednesday. We'll continue the discussion after the Clerk's presentation.

Ms. Lisa MacLeod: My understanding, Mr. Chair, is that we were actually going to lock ourselves down to a process with a subcommittee report the next day to actually lay out the—so that we could actually get to work.

Mr. Gilles Bisson: Well, we can get to work, but—

Mr. Bas Balkissoon: Mr. Chair, I'm in agreement as long as all of us here agree that if a member requests additional research at any point in time, it wouldn't be denied.

The Chair (Mr. Garfield Dunlop): That's a given. We expect that.

Mr. Bas Balkissoon: Okay. So that'll do the job.

The Chair (Mr. Garfield Dunlop): So here's the process right now: We have our subcommittee meeting, and we're inviting the Clerk to that first meeting. She'll be the first person who will present to us after we adopt the report of the subcommittee. That's provided we actually do have a subcommittee report, and the actual meeting takes place.

Are there any other questions the committee would like to have the Clerk be prepared for at that meeting?

Mr. Gilles Bisson: I guess we can deal with it later, but at one point I'd have some requests of research to put together some information, but it would probably be better to do that next meeting, I think, right?

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The Chair (Mr. Garfield Dunlop): Yeah.

Ms. Lisa MacLeod: I actually agree with you. And I think that what Mr. Balkissoon was saying was, when we start to talk to our caucus colleagues—but there may be some ideas from us right now that we could actually ask them. For example, I think it will be very helpful for all of us to actually have a copy of the standing orders for our federal House of Parliament, as well as the rules of procedures that govern Britain, and the assemblies that are actually responsible to that government as well, which I guess would be Northern Ireland and Scotland, because I think that would be the most similar. Some of my colleagues may have other ideas—I had heard other jurisdictions—but perhaps that's a start so we can actually see how they govern themselves internally, for their rules and procedures. That's a start, just so we can familiarize ourselves with that practice.

The Chair (Mr. Garfield Dunlop): The more information that they can be asked to present to the committee, the better it would be for the research department as well. Are there any other—

Mr. Bas Balkissoon: Mr. Chair, maybe just a question for the researcher: If you're doing that, would it be very simple to do a short comparison of major issues that are different?

The Clerk of the Committee (Mr. Trevor Day): No, it wouldn't.

Mr. Bas Balkissoon: It's going to be too difficult?

Interjections.

Mr. Bas Balkissoon: That's why I asked the question.

The Chair (Mr. Garfield Dunlop): I think it's real simple. I don't think there's anything to this. Go ahead. You can have it ready for tomorrow morning.

Mr. Gilles Bisson: We'll never see Larry again. "Where's Larry?"

The Chair (Mr. Garfield Dunlop): Okay, I think we have some direction here now. We just have to set up the subcommittee meeting.

The Clerk of the Committee (Mr. Trevor Day): The last thing I just wanted to check is that when the Clerk comes, on Mr. Bisson's direction, she may have a list of possible proposed changes, things they've seen over time that—loose ends that need to be tied up.

Mr. Gilles Bisson: Also, I want her to talk to the context so that this committee understands that when you're changing standing orders, what does that mean overall?

The Clerk of the Committee (Mr. Trevor Day): Okay.

Mr. Bas Balkissoon: It has a ripple effect.

Ms. Lisa MacLeod: Just quickly, because I don't want to get into horse trading right yet on standing orders as much as I want to make sure that when we have that opportunity to actually have folks come in, I actually envisage public hearings, like we did last time, where we could have some constitutional experts come in and actually speak to us about some of their recommendations. I think that will be appropriate for Ms. Deller at the time.

I would be more interested in her going through our current standing orders and just suggesting to us what Mr. Bisson said—not necessarily what her laundry list might be, but what the implications are if there are changes to certain standing orders. Maybe that's more appropriate, because I think if we're talking in terms of a process where we're going to make recommendations, that should be done relatively around the same time, once we have a firm process, so we know what to do with those. It's easy for someone to come to the committee—I'm sure even our staff here today would have some ideas on how to do it—but where do they go? I know that they'll go into Hansard, but how do you funnel that through so it's an end product? That's a big concern for me.

The Chair (Mr. Garfield Dunlop): I think we're getting some direction here for Trevor to pass on to the Clerk.

Gilles, did you have anything more?

Mr. Gilles Bisson: No, I'm just scratching my psoriasis. It's bothering me.

The Clerk of the Committee (Mr. Trevor Day): So we've got proposed changes and context, and possibly some implications of change. Is that it?

The Chair (Mr. Garfield Dunlop): Anything else anyone has for the clerk of the committee today?

Mr. Jeff Leal: We've covered a lot of territory today.

The Clerk of the Committee (Mr. Trevor Day): The last thing is, I guess, from the Clerk's point of view, Parliament fulfills certain functions for certain areas. Some are public hearings; some are accountability. If she can outline what our major functions are and then if there's interest in that function, we can delve deeper. If not, it can be moved aside, and she knows what standing orders apply to which ones.

Ms. Lisa MacLeod: Just one other thing, Mr. Day; you just raised something in my mind. Perhaps at the time when Ms. Deller appears before committee, she can talk about her experiences, having gone to other Com-

monwealth Parliaments, because she has obviously had that experience, from being on the CPA, the Commonwealth Parliamentary Association. I know she has visited other jurisdictions. Perhaps she could give us, very briefly, some of the best practices, and maybe we can expound upon them at another time, but maybe that goes hand in glove with what we've been talking about earlier, with what's happening with the British parliamentary system.

The Chair (Mr. Garfield Dunlop): Okay. Any other comments from anyone?

This meeting is—

Mr. Gilles Bisson: Don't forget: O'Brien and Bosc, bedtime reading.

The Chair (Mr. Garfield Dunlop): Okay, ladies and gentlemen, this meeting is adjourned until—I guess it's the 21st.

The committee adjourned at 1355.

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