



ISSN 1180-436X

Legislative Assembly
of Ontario

First Session, 40th Parliament

Assemblée législative
de l'Ontario

Première session, 40^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 4 April 2012

**Journal
des débats
(Hansard)**

Mercredi 4 avril 2012

**Standing Committee on
the Legislative Assembly**

Standing orders review

**Comité permanent de
l'Assemblée législative**

Examen du Règlement

Chair: Garfield Dunlop
Clerk: Trevor Day

Président : Garfield Dunlop
Greffier : Trevor Day

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Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 4 April 2012

Mercredi 4 avril 2012

The committee met at 1302 in room 228.

SUBCOMMITTEE REPORT

The Chair (Mr. Garfield Dunlop): We'll call the meeting to order.

We have a subcommittee report. Ms. MacLeod, can you read that into the record, please?

Ms. Lisa MacLeod: Your subcommittee met on Tuesday, April 3, 2012, to consider the method of proceeding on a review of the standing orders of the Legislative Assembly of Ontario, and recommends the following:

(1) That the committee's review may include but is not limited to the following areas of interest:

Speaker and other presiding officers:

(a) Authority to deal with members' disability issues (i.e. sitting to vote)

(b) Use of sign-language interpreters

(c) Timing of Speakers' rulings (not before QP)

Meetings of the House:

(d) Join question period and routine proceedings

(e) Move PMPB from Thursday afternoons

(f) Make sitting times better for out-of-town members
Debate:

(g) Speaking times extended

(h) Take-note and emergency debates (possible decided by Speaker)

(i) Opposition days: right of reply and deferrable votes

(j) Information on confidence convention

Legislative process:

(k) Separating omnibus bills

(l) Committees to consider issues prior to introduction of bill

(m) Bills not to receive second and third reading in the same sitting without UC

(n) Time allocation motions vs. timetabling

Financial scrutiny and other accountability tools:

(o) Estimates process: extend third Thursday deadline

(p) Money bills: tighter restrictions on wording

(q) Pre-budget in the standing orders

(r) Question period: British model (filed in advance, Speaker to determine relevance); concern about "lob" questions

Committees:

(s) Authorization to meet at the call of the Chair (inter-session included)

(t) 126 inquiries: simple majority/more power to members

(u) Debating committee reports: limited debate in House

(v) Committee of the Whole House: different times to sit (possibly after 6)

(w) Referral of government bills to predetermined committees

(x) The use of select committees

Engaging the public:

(y) More access to committee meetings (web-streaming)

(z) Information on e-petitions

Private members' public business:

(aa) Complete study of PMPB

(bb) Remove co-sponsorship of bills

Sundry:

(cc) Increase response time for written questions (45 days)

(dd) Reduce the number each member is allowed (four instead of 10)

(ee) Information on quorum.

So moved.

The Chair (Mr. Garfield Dunlop): Thank you very much, Ms. MacLeod. First of all, I want to ask the members of the committee who aren't on the subcommittee: Any thoughts to begin with? We thought we'd work our way through the—

Mr. Bas Balkissoon: Mr. Chair, just a question. Under "Legislative process," (l), I had made a note that Mr. Bisson presented this, but the way it reads is like all issues come to committee. I thought that was just to provide an option. I want it to read correctly.

Mr. Gilles Bisson: What's that?

Mr. Bas Balkissoon: Under "Legislative process," (l), you wanted "Committees to consider issues prior to introduction of bill" as an option, and you said "similar to the bullying bill." It's to allow committees the option—not all bills.

The Chair (Mr. Garfield Dunlop): In certain circumstances.

Mr. Bas Balkissoon: Yeah.

The Chair (Mr. Garfield Dunlop): Okay. We'll just add that in.

Mr. Bas Balkissoon: I think we should clarify it.

The Chair (Mr. Garfield Dunlop): Okay. I understand.

Mr. Gilles Bisson: So, just to be clear, what I'm asking for is that it seems to me that committees can be used for the ability to deal with bills in a non-partisan way. Right now, the standard is that you refer a matter back—at first reading you introduce a motion, or you introduce a bill that goes back to first reading. I'm saying that if committees themselves would have the ability to do some of that work themselves and say, "There's an issue that we all agree on. Mr. Balkissoon is very interested in transit and developing a transit strategy," or whatever the hell it might be, that members have the ability to do that.

Yes, we can do that under 126, and yes, we can do that under reviews, but is there another way?

The Chair (Mr. Garfield Dunlop): Okay.

So our plan this afternoon was to work our way through the list that the subcommittee started with. We have the resources of the Clerk and the Deputy Clerk here with us. Is everyone okay with that, if we—

Mr. Bas Balkissoon: As long as we just put that—

The Chair (Mr. Garfield Dunlop): Yeah, okay.

To Deb, do you have any questions on this, or Todd, on what we've provided so far?

The Clerk of the Assembly (Ms. Deborah Deller): It's an ambitious list.

Mr. Gilles Bisson: Oh, yes, it is.

The Chair (Mr. Garfield Dunlop): No kidding.

Mr. Gilles Bisson: We tried to whittle it down, but—

The Clerk of the Assembly (Ms. Deborah Deller): Yeah. We kind of worked on the list that went before the subcommittee, thinking that when it came out of subcommittee it was going to be narrowed down a little bit. We hadn't anticipated it would be longer, but that's not a bad thing because I think that what you've done is sort of taken a look at the standing orders in a holistic kind of way, which is a really good thing to do, and not just pick out the kinds of things that are of an annoyance to one or more of you at the moment.

I think perhaps what the committee kind of needs to do, though, is sort of take a look at those issues that they think there is general agreement on, and right off the top, "Speaker and other presiding officers," item (a), I think is probably one of those items that the whole committee can look at and say, "Well, that's probably a really good idea." Currently, if we have a member with a disability, it requires unanimous consent to accommodate that member. The case in point is currently Ms. MacCharles, where we had to have unanimous consent for her to vote from a seated position. The problem with unanimous consent and our worry all the time is, what if we don't get it? Then you have to deal with how you accommodate a member's right to vote in the absence of unanimous consent. Something like that, to me, is a fairly simple thing and, in my mind, a really good addition to the standing orders to make.

You may want to see if there are other things on your list of that nature that everybody can generally agree on, and you can set aside those things. We can go away and

write up a draft of a standing order for you to look at in the context of the whole package later on.

There are some things that I would say are a matter less of standing order changes than—

Mr. Gilles Bisson: Cultural.

The Clerk of the Assembly (Ms. Deborah Deller):—cultural changes in your list, and we can have that discussion as we get to them.

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There are some things on the list that are currently permitted under the standing orders, or not permitted, as the case may be. We just haven't used it for such a long time that they've fallen into disuse, and probably there are a number of members who aren't aware of them.

If we go to the discussion that just occurred on the committees to consider issues prior to introduction of bills—I understand that what Mr. Bisson is saying is slightly different than I understood it, but there is a standing order that allows, at the completion of a standing order 126 matter, for that to come forward to the House as what's called a committee bill. It's introduced by the committee Chair, the other members of the committee have their names on the inside cover of the bill when it's introduced to the House, and it then goes through. It's the same as any other public bill; it goes through the same bill process. But there is that provision currently in the standing orders. Again, it has fallen out of—it hasn't been used often, but we haven't used it at all.

Mr. Gilles Bisson: It's also very difficult in a majority Parliament to make it work.

The Clerk of the Assembly (Ms. Deborah Deller): In the current requirements for 126, which I see is also on your list to kind of review, in a majority Parliament, yes, it makes it a little more difficult for a committee to come forward with a bill.

There used to be a process in this House—and it's still current in other Parliaments—where committees would consider what was referred to as a white paper. Where the House or the government is not quite prepared to come forward with draft legislation but wants a matter to be considered by the House, then that matter can be referred to a committee in the form of a white paper, which sort of fleshes out what the policy would look like. The committee can then hold hearings and develop a recommendation to the House about what a future piece of legislation might look like on that subject.

The instance where it was done here that some of you may recall was graduated driver's licensing. In the lead-up to the actual legislation for graduated driver's licensing, there were committee hearings that developed what that policy should look like. So again, that's a provision that—I mean, it doesn't really require a standing order change because it's possible under the current standing orders to do that.

Mr. Gilles Bisson: Question: If I remember correctly, that was ordered by the government as a white paper discussion; it wasn't a 126.

The Clerk of the Assembly (Ms. Deborah Deller): Right. No.

Mr. Gilles Bisson: Oh, okay.

The Clerk of the Assembly (Ms. Deborah Deller): That's what I'm saying. It was ordered by the House to committee. It was a white paper that was sent to committee for its consideration. So there are those kinds of things that there's already a provision for or there's already an ability for the House or committee to do it. It's just a question of putting those into use.

So I'm kind of in your hands, Mr. Chair. I'm not sure. Do you want to go down the list?

The Chair (Mr. Garfield Dunlop): Yes. Our intention was to go down through the list.

The Clerk of the Assembly (Ms. Deborah Deller): Okay.

Ms. Lisa MacLeod: I've got a quick question. Are we going to vote on the motion and then do it, or are we having discussion?

Mr. Jeff Leal: You want us to approve the subcommittee report—

Ms. Lisa MacLeod: Yes, we should probably adopt the standing committee report and then have the discussion.

The Clerk of the Committee (Mr. Trevor Day): Yes, if you like. Again, if there was anything that might come off or be changed, the report would be adopted as amended if we have the discussion first, but I'm happy if you choose to adopt the report as it sits—

Ms. Lisa MacLeod: I'll ask my colleagues in the subcommittee. Are you prepared at this point in time?

Mr. Bas Balkissoon: I'm happy to adopt it, as long as we just clarify that one point I raised.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: I just want to ask two questions. First, Lisa, what did you just say? I didn't hear you—the last part.

Ms. Lisa MacLeod: Just slightly before you arrived, I read our report from yesterday that you and I and Bas and the Chair worked on, and I was wondering if we should, I guess, adopt the subcommittee report after I had moved the motion and then have the discussion. All three caucuses had representation yesterday.

Mr. Gilles Bisson: Okay, that's good. To the second point: I just want to make clear that if something else comes up, we're not bound just to this.

The Chair (Mr. Garfield Dunlop): We'd have to amend it, then.

Mr. Gilles Bisson: Yes, just to be clear.

Ms. Lisa MacLeod: I think it's clear, too, that this "may include, but is not limited to."

The Chair (Mr. Garfield Dunlop): Not limited to, yes.

Okay, so all in favour of the subcommittee report?

Mr. Gilles Bisson: If I had read the first line, I would have seen that.

The Chair (Mr. Garfield Dunlop): All in favour? That's carried.

STANDING ORDERS REVIEW

OFFICE OF THE CLERK

The Clerk of the Assembly (Ms. Deborah Deller): This is good. You have a road map.

Interjections.

The Clerk of the Assembly (Ms. Deborah Deller): I should say that I was glad to see the "but not limited to," because in your deliberations there will be things that come up where you're going to say, "Oh, that's a good idea," or, if you do end up visiting other jurisdictions, you're going to say, "That's something that would be a really good idea," and you want to have the flexibility to make sure you can add it in.

"Speaker and other presiding officers": I have nothing really to say about (a); I think it's a very good idea. In my mind, there is no negative impact of doing something like that.

You have under (b) the use of sign-language interpreters, which I guess I would classify under the Speaker's ability to deal with members with disability issues. So I'm not entirely sure why that's separated out, except I will issue this caution: We did at one time have a member who was hearing-impaired and required the assistance of sign-language interpreters. The House passed a motion agreeing to provide those interpreters. The impact of that was that there was a tremendous cost attached to it that was borne by the assembly. So the only thing I would say about that is, it then requires a motion at the Board of Internal Economy to approve costs. So in some instances, in accommodating members with disabilities in the House, which I think the House would always want to do, there are financial consequences to that which also have to be considered.

Mr. Gilles Bisson: Spoken like a very good Clerk.

Mr. Bas Balkissoon: Chair, just for clarification, and maybe Ms. MacLeod could raise it, I think when it was raised yesterday it was to do with special debates like the budget, the throne speech, that the broadcast has sign language included, so—

The Clerk of the Assembly (Ms. Deborah Deller): Sign interpretation. This was not dealing with an individual member's disability—

Mr. Bas Balkissoon: —we wanted to define the events.

The Clerk of the Assembly (Ms. Deborah Deller): —it was adding sign interpretation.

Ms. Lisa MacLeod: This came up two nights ago to me. Thank you very much, Mr. Balkissoon, for raising this for me. It did come up, and upon reflection it did make a lot of sense to me—it's something of provincial significance that would impact every Ontarian—that we are accessible to them.

That said, I do understand that this has been raised in the House in the past as a result of various members. At that time, if it occurs again, and it likely will, we have to be prepared for that, understanding, of course, that there is a significant cost. But at the end of the day—and this is

coming from a fiscal conservative—democracy ain't cheap.

The Clerk of the Assembly (Ms. Deborah Deller): Then the one thing I would add about the use of sign interpreters for the proceedings of the House—

Mr. Bas Balkissoon: But only special proceedings—and we need to list those in the standing orders—like the budget speech, the throne speech and anything else that committee can identify. Is that okay?

The Clerk of the Assembly (Ms. Deborah Deller): Certainly, you can do that. Again, the consequences are going to be financial ones.

Mr. Bas Balkissoon: Yes.

The Clerk of the Assembly (Ms. Deborah Deller): The other thing to keep in mind is that all of our proceedings are closed-captioned currently, and there is a larger population of the hearing-impaired population that would rely on closed-captioning than American Sign Language currently. That's not to say that you shouldn't do it.

Can I make a suggestion that, included in any discussions or consideration you might have with respect to sign language, you also give some consideration to additional assistance to the sight-impaired community? From time to time, we have communications from members of that community who have some difficulty identifying who the members are that are speaking and that kind of thing. Currently we're trying to deal with those in a technical way, but it might be something worthwhile taking a look at, and in particular, if you're visiting other jurisdictions, to see whether any of those other jurisdictions have done any work in that area.

Ms. Lisa MacLeod: Has any jurisdiction in the Commonwealth come to mind when you look at this—others that are more accessible to those with a disability?

The Clerk of the Assembly (Ms. Deborah Deller): No. There are other jurisdictions that provide sign language for either all or some of their proceedings, but beyond that, we're actually in the front of the line.

Ms. Lisa MacLeod: Oh, wow. I like to hear that.

The Chair (Mr. Garfield Dunlop): Yes, Mr. Leal?
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Mr. Jeff Leal: Thanks, Mr. Chair. To the Clerk: In the past, has there ever been any cost estimates to do a full implementation to allow facilities for people that need it because of disabilities?

I mean, clearly, if you move ahead on this, you have one-time costs, and then you would have the ongoing operational costs. Has the Board of Internal Economy ever had any estimates or have they, in the past, requested a pretty extensive costing on such an initiative? As I said, there are two distinct cost areas here. Once you do the one-time costs, they're in place—

Mr. Gilles Bisson: You're talking about providing sign language interpretation permanently?

Mr. Jeff Leal: Yes, Gilles.

The Clerk of the Assembly (Ms. Deborah Deller): Not on an ongoing basis. In the face of particular requests for certain circumstances, we've had requests for a cost

estimate of what, for example, one day of sign language interpretation would cost and that kind of thing, but not in a comprehensive nature.

Mr. Jeff Leal: Okay.

Mr. Gilles Bisson: But I think—

The Chair (Mr. Garfield Dunlop): Go ahead, yes.

Mr. Gilles Bisson: —to your point, Clerk, I agree. If we're going to make accommodations in the House in order to facilitate the participation of members or other members of the greater community, I agree with you. We need to take a look at: Okay. What appropriation needs to be done by BOIE? That's your point, and I think that's fair. That's good.

The Chair (Mr. Garfield Dunlop): Okay. So are you finding this discussion okay, everyone? Just to kind of walk through the list like this? It's not etched in stone here. We're just trying to get a good feeling for everybody here.

Mr. Gilles Bisson: How was your fundraiser last night?

The Chair (Mr. Garfield Dunlop): It was great.

“Meetings of the House,” then.

The Clerk of the Assembly (Ms. Deborah Deller): No, let's back up here, because you've got under (c) here—

The Chair (Mr. Garfield Dunlop): Oh, sorry; timing of the Speaker—

The Clerk of the Assembly (Ms. Deborah Deller): —“Timing of Speakers' rulings.” I wasn't a party to the subcommittee's discussion so I'm not sure, except that it does say in parentheses “not before [question period].” I'm not sure that you would want to put into the standing orders a directive to the Speaker about when rulings should be given. The Speaker gives some considerable consideration to the timing of the delivery of rulings, and much of it is based on the significance of the ruling, the particular opportunity that will have the maximum audience in the House for a ruling.

The two most recent rulings given by the Speaker have been lengthy, I agree; they've also been significant and, in the Speaker's mind, important for the House to hear. So what the Speaker wants to do is ensure that as many members as possible are in the House and paying attention to those rulings.

The issue with having them after question period is that—

Mr. Bas Balkissoon: Everybody leaves.

The Clerk of the Assembly (Ms. Deborah Deller): —the House disperses, and so the Speaker now is talking to only a few members, and not always the members whom the Speaker would want to be talking to.

The Chair (Mr. Garfield Dunlop): Okay, Gilles, you have a question, then Bas.

Mr. Gilles Bisson: I understand the context of why this was raised, because certain members raised concern that if he goes on too long, it might chew into question period. I have never seen that in 22 years. I very much doubt that any Speaker, I don't care who it is, even me—and I would never want to be the Speaker, and I want this

on the record, seriously—would ever obstruct the House from being able to have a question period. So I think I can live with what's now.

The Chair (Mr. Garfield Dunlop): Bas?

Mr. Bas Balkissoon: The issue was raised on the basis that when you have a lengthy one or even a short one, that it chews up question period time. But if you look at question period, we always end before midday. So really, it's how to accommodate these without affecting the time on question period. Is that possible?

The Chair (Mr. Garfield Dunlop): Lisa?

Ms. Lisa MacLeod: To Bas's question, I think that's what's critical. This was raised by our deputy House leader, who was concerned with a ruling that occurred before question period that was quite lengthy and one that we, possibly, in the opposition, would have wanted to maybe, perhaps, action or do something else once the ruling had come in, but did not want to compromise question period. I think it's worth looking at various options, and that's why the official opposition asked that this be looked at.

If it's not in the standing orders, perhaps we do something in the standing orders that suggests that if the time allotted for question period expires before the rotations are complete, given extenuating circumstances such as a ruling by the Speaker, maybe that's how we accommodate it. I would ask that you consider that, because it was an issue that was brought up by our caucus.

The Clerk of the Assembly (Ms. Deborah Deller): Question period is going to be 60 minutes regardless.

Ms. Lisa MacLeod: Regardless. However, we felt that—

The Clerk of the Assembly (Ms. Deborah Deller): Oh, I see. I see what you mean. If the ruling had gone the other way: Is that—

Ms. Lisa MacLeod: How about I don't comment on that specific ruling? I can just say that if any party decided that they wanted to action something on any specific ruling—I'll make this as generic as possible. The feeling was, at least from our deputy House leader, given the circumstances with the media and all the other things that go on outside of what goes on in the chamber etc., that we may have had some issues. She had asked me to raise this.

The Chair (Mr. Garfield Dunlop): Yes, Mr. Balkissoon?

Mr. Bas Balkissoon: The issue that arises for us, I think, is if you look further down the page, under financial scrutiny and the accountability tools. If we were to change the question period model, would it have a major impact? That's what my concern would be.

Ms. Lisa MacLeod: The other thing, Clerk: Perhaps when we're talking about the House calendar and reintegrating routine proceedings with question period, maybe this isn't going to be as much of an issue.

The Clerk of the Assembly (Ms. Deborah Deller): I can tell you that with the advent of the current House schedule, it has become more of a challenge for the

Speaker in terms of when to actually deliver rulings and when to hear points of privilege and that kind of thing. It does make it a little bit more—because the mornings are tighter, and in the afternoons you don't have the full benefit of the numbers of members being in attendance.

Ms. Lisa MacLeod: So perhaps we could just consider that in that whole package. That would be much appreciated.

Mrs. Laura Albanese: I wanted to ask: Can we, as a committee, really direct what the Speaker is to do?

Mr. Bas Balkissoon: Through the standing orders.

Mrs. Laura Albanese: Through the standing orders.

The Clerk of the Assembly (Ms. Deborah Deller): Yes, the standing orders can. I guess what I'm trying to say with respect to (c) here is that I would counsel some caution in trying to establish by standing order when Speakers should deliver rulings. I think that what you want to do is give Speakers as much discretionary power as possible in the standing orders.

The Chair (Mr. Garfield Dunlop): All right. We'll move on, then.

The Clerk of the Assembly (Ms. Deborah Deller): So, "Meetings of the House": I guess I spoke to this last week with the marrying of question period and the rest of routine proceedings. So you already know my opinion about the fact that I think by separating them we've given to routine proceedings a lesser priority, a lesser profile, in the day's proceedings.

In addition to that—and I'll give you an example. This afternoon, we're going to do a tribute to a former member who is deceased, and I find it disheartening that we have those tributes with family here and there are very sparse numbers of members in the House. Part of that is—you know, routine proceedings and question period used to be a time in the House that the House built up to, and that whole package was the sort of centrepiece of the House proceedings. Now that we've split the two out, it does give a lesser sense of importance to what I consider to be equally important components of the day's business.

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

Ms. Lisa MacLeod: Just to underscore what the Clerk has just indicated, I remember that when I first arrived here—and many of you were here at the same time—when we would do tributes to our deceased members or former members, the Legislature was full and every member was in their seat.

Our caucus has talked about this quite frequently. We've had our share of departed and deceased members where we've had trouble getting people in the seats, but the reality is, now we do have committee at the same time, and if you don't have committee business or other meetings here at Queen's Park in the afternoon, after question period you've left.

1330

That's a really valid point, and I think it speaks to the importance of bringing back the question period with the routine proceedings. It's just one of the many reasons

that we support bringing those two elements of our day-to-day routine back together.

The Clerk of the Committee (Mr. Trevor Day): If I could just put it on the record, Ms. MacLeod has asked, for the benefit of the committee, for the daily schedules of Canadian jurisdictions. We will be getting you that information so that the committee will have that to look at.

The Clerk of the Assembly (Ms. Deborah Deller): I should warn you, some of them are very complicated.

The Chair (Mr. Garfield Dunlop): They're very what?

The Clerk of the Assembly (Ms. Deborah Deller): Complicated.

Mr. Gilles Bisson: Good bedtime reading.

The Clerk of the Assembly (Ms. Deborah Deller): Good bedtime reading.

The one thing about the schedule of this House is, it's pretty straightforward. With the exception of the distance between the morning session and the afternoon session, every day is pretty much the same. What you will find is, in some jurisdictions, every day is different. There are benefits to that, so you'll want to learn about those as well, but schedules are quite different across the country.

The Chair (Mr. Garfield Dunlop): Okay. Private members' public business: Gilles, did you have a question?

Mr. Gilles Bisson: No, no. So we're at meetings of the House?

Interjection.

Mr. Gilles Bisson: Okay, sorry.

Interjection.

The Clerk of the Assembly (Ms. Deborah Deller): Private members' public business on Thursday afternoon: I think that's really going to be something for the committee to decide. The important thing for me in the most recent changes was that it expanded the number of private members' items from two to three in a week. I think that's a good thing, because it increases the opportunities that members have to initiate a matter for consideration in the House. So for me, the important thing is that it did get increased.

In terms of when the best time to do it is, you as members kind of need to discuss that and make that decision on your own in terms of what fits best in your minds with your own schedules. I think it's important to consider the ability of out-of-town members when you're talking about Monday mornings and Thursday afternoons, but again, the whole question of when private members' public business falls is something that the committee should have a full and fair discussion about.

Ms. Lisa MacLeod: One of the interesting comments that came out of yesterday's meeting—and I apologize; I'm not sure who made it, and perhaps it was our clerk from the committee—but it was suggested that we don't need to keep private members' public business together, all three PMBs, but they could be spread out for an hour at various parts throughout the week. I'm wondering if

you have any experience of seeing something like that, or if this would be a problem.

It seems to me it wouldn't be a bad idea, given that from time to time we do have an afternoon where there might be—it is the case that sometimes a caucus will put forward a bill through a private member, and then there's a private member's bill that not all of the caucus supports, so there becomes a bit of a dance that way about members wanting to either be there or not, for a particular vote. None of us are so naive as to think that that does not occur. So I'm just wondering if there is a way.

Again, I'm not sure who raised it yesterday, but I thought it was an intriguing idea, that it goes on for an hour regardless of what day it is, and split them up. I'm just wondering if it's anywhere—

Mr. Gilles Bisson: I'm just going to add to that—

The Chair (Mr. Garfield Dunlop): Jeff's first, Gilles, and then Bob's after—

Mr. Jeff Leal: Thanks, Chair. I think there is some need to have some flexibility when we discuss private members' bills. I know with our caucus, on Thursday afternoon, particularly our northern members are arranging for their flights, to get flights at appropriate times so they can get back in their ridings to do their constituency stuff all day Friday.

So if that block could be broken up somewhat to deal—you know, some of the ideas that get discussed—my experience here is that some real novel stuff gets discussed through private members' bills. I think it's somewhat at times disrespectful on all sides of the House when we have good ideas that go through this process, but often there's just a corporal's guard there to really engage what I think are some pretty fundamental issues that are being raised. So if there's a way to have some flexibility in terms of breaking up the three bills and slotting a time, I would think that would enhance, particularly, backbenchers and their role in the Legislature.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: I'll let my colleague go first.

The Chair (Mr. Garfield Dunlop): Okay, and then Bob. Go ahead.

Mr. Jonah Schein: Just as we move down this list, it would help me if we had a little bit of context before each note here. Like, why are we considering moving—I hear now that it's for the benefit of out-of-towners that we've moved private members' business from Thursday afternoons. I wonder if somebody from the subcommittee could just present why we're actually debating putting these things forward. That would help me.

The Chair (Mr. Garfield Dunlop): It was a discussion topic about standing orders more than anything. We thought, as a committee looking at changes to the standing orders, that this might be something of interest to different members.

Mr. Jonah Schein: I understand why, and some are straightforward, like the idea of making the Legislature more accessible. That makes sense. But without context,

I don't understand why we're bringing some of these forward.

Mr. Gilles Bisson: Chair, I think Mr. Schein raises an important point, because in the context of being here and not knowing what the subcommittee talked about—what's the context? So if members need context, they ask for that, and the subcommittee can tell you why. I think that is a fair comment, so I'll start with that and I'll be very brief. I'll not be more than about 60 seconds.

The reason that was raised is because out-of-town members often want to be here because there's something in private members' that's interesting, and you end up missing your flight, so you don't get home till Friday. That's simply why this is being talked about. When you get to orders of the day, if you were dealing with a general government bill, then you would say, "Oh, I'm the critic. I need to be here on Thursday. I'm scheduled. I'll be here"—otherwise, "Oh, that's Mr. Tabuns. I don't need to be here. Therefore, I'm getting on the plane at 3:45." It's as simple as that.

I have two questions to the Clerk on this—

The Clerk of the Assembly (Ms. Deborah Deller): Sorry, I don't want to belabour the point, but I think part of what you need to keep in mind here is that for new members particularly, some historical context is probably—

Mr. Gilles Bisson: Very important.

The Clerk of the Assembly (Ms. Deborah Deller):—also important. Mr. Schein has only ever seen private members' business on Thursday afternoon. What has happened here is that it was switched a couple of years ago from Thursday morning to Thursday afternoon. I think there are varying opinions on whether that was a good thing or a bad thing, and I suspect that's what led to it being—

Mr. Gilles Bisson: I just want to hear from the Clerk very quickly after she's heard from Mr. Delaney—two questions. If we were to do three private members' bills on Tuesday, Wednesday and Thursday mornings—one-hour debates or an hour and a bit, whatever it is—and then we'd have the ability to defer the votes to after question period, is that a good or a bad thing on those two points?

The Chair (Mr. Garfield Dunlop): Mr. Delaney, then Mr. Balkissoon.

Mr. Bob Delaney: I think this is a really interesting idea that is well worth exploring. It's as much a quandary for those of us who are in the GTA as it is for those who, as Gilles points out, have all got to scoot and go home. I very much—

Mr. Gilles Bisson: And our members used to always complain from Toronto, "Why am I always here?"

Mr. Bob Delaney: Exactly. Here's my proposal on this. We're likely going to grapple with a number of different ways of doing it. I'm wondering whether, as a committee, we can agree on a trial basis to try more than one different way of doing it for a period of, I don't know, a month and give it two or three trials, then try a different way and then maybe try a third way or try two

ways, whatever the committee ends up with, and at the end of it have the benefit of some hands-on experience with more than one different way of doing private members' bills so that we can make an informed choice.

The Chair (Mr. Garfield Dunlop): That's a good point. By the way, we do have a whole section on private members a little later on.

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Mr. Steve Clark: Now that Mr. Delaney made that suggestion, I think it's a good one. That's always been the complaint that I've seen, coming from the east: You've got to schedule your time; you've got to get back to your riding and try to have a full constituency day. So, I think the convention of switching it up and having some different options, whether it be Tuesday, Wednesday and Thursday morning for an hour or some other suggestion, is very innovative, and I think that's the way we should proceed: try to mix it up a bit and get some feedback from the members.

The Chair (Mr. Garfield Dunlop): Okay. Laura? I'm sorry. Bas and then Laura.

Mr. Bas Balkissoon: Just a question of the Clerk. Are there places where maybe when a member tables their private member's bill at first reading, then it gets vetted at a committee as to whether this is a valid bill requiring debate in the House? I see so many bills going for debate in the House versus how many make it into legislation. I also see a lot of bills that come to the House just to provoke one another. Maybe a committee could vet those all out and say, "You know what?" and then we'll have less bills actually in a full debate, and it could become a wholesome debate. Is there any model around that works that way?

The Clerk of the Assembly (Ms. Deborah Deller): Can I—

The Chair (Mr. Garfield Dunlop): Laura has a comment as well, and then—

Mrs. Laura Albanese: My comment gets back to Mr. Schein's comment. What I was trying to say earlier is that maybe it would be helpful to have a little bit of context on each of the items as we're going through the standing orders here, the agenda that we have before us, not only specifically to the one that we're discussing right now.

The Chair (Mr. Garfield Dunlop): The intent was, this was a brief overview of the committee?

Mrs. Laura Albanese: Yeah, exactly.

The Chair (Mr. Garfield Dunlop): We can give a bit of a quick summary.

Mrs. Laura Albanese: Very brief, just as Mr. Bisson did.

The Chair (Mr. Garfield Dunlop): Okay. However, we've discussed this one to death, I think—

The Clerk of the Assembly (Ms. Deborah Deller): Can I just respond, then, to the—

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

The Clerk of the Assembly (Ms. Deborah Deller): First to Mr. Delaney: Your suggestion of putting things into place on a trial basis is one that we've done before,

and my strong advice, especially if you are making significant changes to the procedures, is that you make a recommendation that they be put into place on a provisional basis. It's a motion that we can show you an example of, that's happened in the House, that the standing orders be changed provisionally, and you put a deadline on that so that if by such-and-such a date there has been no amending motion that comes forward, it's permanent; otherwise, you may want to tweak it or change it or try something else out. So, yeah, that's certainly the way you should proceed with that.

Gilles's question was if private members' business was one hour on Tuesday, Wednesday and Thursday morning, with the ability to defer votes. I can't really see a downside to that. Then presumably the time for government business is made up for on Thursday afternoons.

Mr. Balkissoon's issue: You're going to want to look at some procedures for private members' public business in other jurisdictions. Specifically with your comment about a committee that vets private members' business: The House of Commons does that in a kind of way; they have a liaison committee, and it decides on which items will be votable and which items will be nonvotable items, so that nonvotable items are simply dealt with and disposed of in the House. In other words, they get a—

Mr. Bas Balkissoon: Yes, but without debate? Would there still be a full debate?

The Clerk of the Assembly (Ms. Deborah Deller): For the nonvotable items, it's a shorter debate process, and then the votable items are the ones that—

Mr. Bas Balkissoon: Full debate.

The Clerk of the Assembly (Ms. Deborah Deller): They actually could come back to the House on more than one day, and sometimes the debate can be as long as five hours in total, with the matter then going off to committee. It's what I would say is a very complicated procedure. It probably doesn't need to be as complicated as it is, but some form of that is something you may want to consider.

Mr. Bas Balkissoon: Okay, but there's no Parliament in Canada that allows a committee to make a final decision on a bill and just report to the House? A private members' bill; not government business or opposition.

Mr. Gilles Bisson: I think we're getting into the weeds here. Yeah, we're getting in the weeds, because I think—

The Chair (Mr. Garfield Dunlop): We're not making a final decision here today. We're walking through what we're going to do in the future.

Mr. Bas Balkissoon: Chair, I was just trying to find out—if there's anybody out there doing it, I'd like the researcher to come back.

The Chair (Mr. Garfield Dunlop): Yeah, and we've asked for that information from the research department, to come back to us with.

The Clerk of the Assembly (Ms. Deborah Deller): One last comment on this issue of moving it from Thursday afternoons is that you actually set aside a decision on that until you've gone through your consideration

of private members' public business, because once you decide what form it takes, it's going to be easier for you to decide when during the week and when in the schedule it should take place.

The Chair (Mr. Garfield Dunlop): If you look down on your list, you might see that the second-last one, private members' public business—we actually want to do a complete study of private members' public business. I'll consider the study done because we've dealt with it today.

All right. Next—

Mr. Gilles Bisson: Can I ask you, Chair: Did we skip over joining question period and routine proceedings? Did I miss that?

The Clerk of the Assembly (Ms. Deborah Deller): No, you were here.

Mr. Gilles Bisson: I don't want to go back into debate, but we're going to look at it. Okay, good. That's fine. Move on.

The Chair (Mr. Garfield Dunlop): Sitting times, debate.

The Clerk of the Assembly (Ms. Deborah Deller): Sitting times for out-of-town members: I think that's kind of the same issue you need—

The Chair (Mr. Garfield Dunlop): Yup.

The Clerk of the Assembly (Ms. Deborah Deller): "Speaking times extended"—okay.

Mr. Gilles Bisson: I think the Clerk needs context and I think new members need context.

There was a time—and you said this when we were together the last time. When I came here, there were no limits on debate. What that did was, we just went, "Okay, this bill? Forget it. We're not going to talk about it. This one, we're going to talk about." So there tended to be more meaningful debates on issues. That's the issue we're trying to get at. So it's not about extending speaking times per se; how do we get at the issue of having meaningful debates on issues that we all care about? When we all agree on something like bullying, we just have a way of dealing with that stuff and moving it on.

The Clerk of the Assembly (Ms. Deborah Deller): On that issue, I think what you might do is take a look at the procedure that Saskatchewan has with allocating—and this goes to one of the suggestions Mr. Leal had last week, which was, there's a certain allocation of time in the aggregate, and you then work out how you're going to spend that time on each of the matters. There's an onus in that scenario on the government to come forward with its legislation in a pretty timely fashion, and there's an onus on the opposition to make sure that they pick their fights or are a little bit more careful with what they decide they want to string out debate on.

Mr. Gilles Bisson: Does anybody else do that?

The Clerk of the Assembly (Ms. Deborah Deller): The Yukon.

Mr. Gilles Bisson: Okay. Anybody else? Scotland?

Can I make a request to the Clerk and make it a very simple 10 seconds? Can we look to see if there are other

jurisdictions that do what Saskatchewan does? Because it's essentially kind of a funny programming motion.

The Clerk of the Assembly (Ms. Deborah Deller): Yeah. It's kind of a programming process without specifics.

The Chair (Mr. Garfield Dunlop): Jonah? Any questions?

Mr. Jonah Schein: So are we proposing to extend the clock or to remove the clock? I'm not sure if that's what's happening.

The Clerk of the Assembly (Ms. Deborah Deller): I think what you're doing is looking at either one of those two options.

The other thing to determine is: Do you need time limits on speeches? I think if you're going to get into that discussion, then you have to have some kind of a safety catch to prevent what led to time limits on speeches in the first place, which was an extraordinarily long filibuster that frustrated the government's ability to govern. If you wanted to trial-balloon an elimination of time limits on speeches, I think you'd also have to have some kind of limit or ability for that debate to be ended at a certain point.

One of the things you can do that we've kind of fallen into under time allocation is this sort of three days or six hours or just half-hours of debate at second reading as kind of the minimum requirement. The other thing you might consider is: If we eliminated time limits on speeches but maintained a maximum period of time for a debate at second reading on a bill, then it's kind of up to each party to self-govern in terms of who speaks and for how long.

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The Chair (Mr. Garfield Dunlop): Bas?

Mr. Bas Balkissoon: Actually, the Clerk covered it. I just wanted to make sure there was protection against filibusters.

The Chair (Mr. Garfield Dunlop): Okay.

Mr. Gilles Bisson: But on that point, filibusters have served a very useful purpose in the history of Parliament.

Mr. Bas Balkissoon: But it must come to an end at some point. That's all I meant.

Mr. Gilles Bisson: Yeah, I know, but I'm saying that the issue we're trying to get at here is, there was a time when there were absolutely no time limits and the House actually worked better because we never time-allocated. There was no such thing as time allocation. It was really up to the parties to get together and to say, "What are we really interested in talking about?"

So I think what we're trying to get at—I recognize, because I've been in government; same thing—government has got to get its agenda through. So let's go from the basis that the government has got to be able to govern and get its agenda through. However, the opposition has got to be able to scrutinize, and how do we do that? Do we remove time limits altogether and go back to the past? I think the culture of this House—we'd have to change it to get there.

Do we look at the Saskatchewan model? It's an interesting model, which is essentially a huge programming motion that says the government has to say, by such and such a date, "Here are all the bills that we want to pass within the session. And now, Mr. Oppositions, Mrs. Oppositions, figure out how you want to debate it."

Or do you have a limited time on debate for each bill and then it's up to the parties to be able to decide, "Bisson's going to get up for 10 hours and nobody else," or "Jonah Schein's going to get up for 10 minutes"? I think it should be the other way.

The Chair (Mr. Garfield Dunlop): We understand you're in favour of filibustering, okay? So that's fine.

Mr. Gilles Bisson: No, no, no. Chair, with all due respect, I am not arguing—

Mr. Bas Balkissoon: I hear you, but I'm just saying there should be a safety net—

Mr. Gilles Bisson: I know it was a funny comment, but I'm not in favour of filibusters. I'm trying to figure out how we can have meaningful debate in this place and allow the government to pass their bills and allow the opposition to scrutinize. That's my point.

The Chair (Mr. Garfield Dunlop): Yes, and I'm just trying to point out that we're not trying to decide it here. This is a series of things we'd like to discuss through this process.

Mr. Clark?

Mr. Steve Clark: I just want to understand the consensus here. The Clerk has talked about some other jurisdictions, so we're going to get a report looking at those different models. She made an excellent point that some of the jurisdictions, from an opposition perspective—it allows the opposition to pick their battles, but it also gives that consensus opportunity amongst the government and the opposition. Is that how we're moving forward? She's going to take three or four jurisdictions and come back on this particular issue? Because if that's the case, then let's move on.

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

Ms. Lisa MacLeod: I just think, further to Mr. Bisson's point, I spoke to this last week about making sure we have quality debate, not just quantity. I think of a lot of new members who come to this place, and asking them to speak for 20 minutes is quite a daunting task. I remember, for me, it was, and now, of course, you can't stop me from talking. It doesn't matter who you are.

Mr. Bob Delaney: Let it be noted that that's on Hansard.

Ms. Lisa MacLeod: But the reality is, I think, sometimes I've also felt, in debating, that I've been constrained. I think it's important for us to look at, if the flexibility is feasible; if it isn't, then we move on. But I think that's really important for us to have that consideration. I take it away—not even the filibustering issue. I think we have to look at how we actually bring quality debate and have members speaking at a time when they have comfort, because sometimes an hour doesn't necessarily mean—people feel compelled to eat up time, and

maybe that's not the best thing that we need to be doing here.

The Chair (Mr. Garfield Dunlop): Jeff, and then we've got to get down this list here.

Mr. Jeff Leal: Mr. Chair, I'll just be very quick. Ms. Deller, the Saskatchewan model, which I happen to think has some merit: I'd like to know the perspective of the opposition in Saskatchewan. Do they feel that there is adequate time for them to do the appropriate scrutiny for bills in Saskatchewan? That's what I'd like to know, from that perspective.

The Clerk of the Assembly (Ms. Deborah Deller): It's important to keep in mind, when you do visit other jurisdictions, that what you want to do is have us set up a program for you where you're hearing from both sides of the House and the clerks, and about how it actually works.

The Chair (Mr. Garfield Dunlop): All right. Let's move to the next item, then.

The Clerk of the Assembly (Ms. Deborah Deller): "Take-note and emergency debates": Emergency debates—

Interjection.

The Clerk of the Assembly (Ms. Deborah Deller): Yes, opposition day—the evolution here is that opposition days were intended to replace what we once had with respect to emergency debates. The reason for that is, it gives the members of the opposition an opportunity to initiate something for consideration in the House, and it's not dependent on whether or not the Speaker thinks it has merit. So I'm not a big fan of going back to the days of emergency debates.

Take-note debates, they use in Ottawa still. The idea in a Parliament is that what Parliament is supposed to be about is to make decisions. Take-note debates result in no decision, but it's an opportunity for some discussion. I guess the question is, is there time in the House for that to happen?

The Chair (Mr. Garfield Dunlop): Lisa has a question.

Ms. Lisa MacLeod: Just to bring context to this debate, and why this is here, we had considered that if there was an emergency possibly it could occur in the evening, with support from the House. It would be on an issue that is of importance, I believe we said provincially or nationally. I will give you a couple of examples where I think members might want to take off their jersey and have a discussion.

One is bullying right now: We're talking about that, people are bringing a lot to the table, but that might have been an issue where we could have started before a bill was brought.

Another issue that I think I would have liked to have learned a little bit more about as a member here was what was happening in Attawapiskat. That, I think, would have been beneficial to us to have a discussion—maybe not on legislation, but to seek answers from a minister but also provide our own advice.

I think from time to time we've lost that here. Because not everything is suitable for question period, and not everything is just "go get them": go after the minister or the parliamentary secretary. This is a big province. I'm from Ottawa, so I hear a lot of things, but it's mostly through a federal lens. I'm going to be very honest with you; I'm sure you all expect that. So I look at things and I think, could we be doing a better job there? Or could I understand this a little bit more from what my colleagues—and I know Mr. Bisson is here, and that's in his riding. I think that there's an opportunity, and that's why I'd put that out there. I know when I was working on Parliament Hill, there was one on BSE and another one on the Mirabel airport, where the opposition had an ability, or even the government, to discuss important matters of the day.

That's why that's there. I hope that brings context to why it's there. Maybe those two options aren't the appropriate ones, but maybe we should have the discussion on what is.

The Clerk of the Assembly (Ms. Deborah Deller): Yeah, it's like a placeholder. I think it would be worth taking a look at what the House of Commons does with respect to—certainly with take-note debates. We might also provide you with some information—I'm sorry, Larry; I'm making a lot of work for you—about the UK. Our late show is called the late show, but it's an adjournment debate. In the UK, they use adjournment debates for a lot more reasons than we do. In other words, it's not just an opportunity to talk about dissatisfaction with an answer to a question that occurred in question period. It can be used as an opportunity for the kinds of things that you're talking about, where it's simply a debate on a particular issue that is of concern at that moment.

The Chair (Mr. Garfield Dunlop): Jeff, and then Gilles.

Mr. Jeff Leal: The emergency debates in Ottawa, historically, have been due to international circumstances—Suez in 1956, the Cuban missile crisis in 1962—and the Parliament of Canada responded to those things. We defined some areas, right? But traditionally, in Ottawa it's always been an emergency debate related to an international incident where Canada potentially was going to be playing a significant role—maybe the commitment of men and women into a theatre.

The Chair (Mr. Garfield Dunlop): Gilles, you had a comment?

Mr. Gilles Bisson: Two things. One is to take a look at the UK adjournment debate; I think that's useful. I would only say this. I don't know if that's appropriate, but that it be up to the discretion of the Speaker, because at times, to be blunt, all of us will use it for political reasons. Is that really the intent? Or is it the intent to have a real, meaningful debate on a matter of importance to the public? So if we can look at it from that context.

The Chair (Mr. Garfield Dunlop): Any comments? We'll move on to the next topic.

The Clerk of the Assembly (Ms. Deborah Deller): Opposition days: I think we talked about this at some length last week, about embedding a right of reply for the mover of the motion; it is there currently, but you might want to take a look at it and put some—

Mr. Gilles Bisson: I would only argue, it is there, yes, but what you could do is, to clarify the chicken thing, what happens is—just for members, again, context from our conversation—parties decide not to use their time as a way of forcing the mover of the opposition day to speak out all their time, so you don't get the right to reply. So maybe we can make that more explicit?

1400

The Clerk of the Assembly (Ms. Deborah Deller): It goes back to culture.

Mr. Gilles Bisson: I know, but I think by a standing order we could make it explicit. That's my point.

The Chair (Mr. Garfield Dunlop): Next one?

Mr. Gilles Bisson: The last part, on deferral: Is there any view that the Clerk has that deferral of opposition days would be a good or a bad thing?

The Clerk of the Assembly (Ms. Deborah Deller): I think that the only reason it's not deferrable under the current rules was the intent was that it was to be a matter that was taken up and dealt with—in other words, there was a decision on it—in the same sessional day. But beyond that, there's no real issue in my mind with allowing a deferred vote on an opposition day.

The beauty about it, if you were to go the route of saying, "Okay, we're good with deferred votes on opposition day," is that then you could reduce the bell from 10 minutes to five minutes on opposition day and use the five-minute excess for the right of reply, so that it doesn't take any time out of the amount of time allocated to each caucus.

Mr. Bas Balkissoon: But that would be on the basis of deferring every vote.

Mr. Gilles Bisson: We can defer every vote.

The Clerk of the Assembly (Ms. Deborah Deller): No, it wouldn't be, because you'd still have a five-minute bell, and within the five-minute bell, if a deferral slip is forthcoming it can be deferred. But otherwise, the vote would occur as it usually does.

Mr. Gilles Bisson: We can defer anything else, except for private members' and for opposition days, right?

The Chair (Mr. Garfield Dunlop): Next one, then, Deb. Information?

The Clerk of the Assembly (Ms. Deborah Deller): Okay. "Information on confidence convention": Confidence is not a procedural matter. It's not something beyond the provision in the standing orders that allows want-of-confidence motions to be moved, and you can see there's a number of them allocated to each opposition party currently in the standing orders. Confidence is a sort of constitutional and political matter. I've talked to some of your caucuses about that. There are what are considered to be explicit confidence motions, implicit confidence motions and conventional confidence motions.

For example, the vote on the budget motion is conventionally considered to be a confidence motion. There are explicit confidence motions, which is a motion that specifically says, "This House has lost the confidence of the government" for whatever reason, or conversely, "The House continues to have confidence in the government."

Then there are the more difficult-to-define motions on money bills, for example, that may or may not be confidence motions. But you're never going to have a Speaker ruling on whether or not something is a confidence motion. That is something that's determined by the government of the day. I think that, in certain circumstances, it would be hard for a government, in the face of losing a motion that is conventionally considered confidence, to withstand that and remain in office. All I would say about that is, you can't really write confidence into the standing orders.

The Chair (Mr. Garfield Dunlop): I want to remind the committee that we'd like to get through this list today, because the Clerk and the staff have a lot of work to do next week on this. Mr. Bisson?

Mr. Gilles Bisson: I realize that, and we have all summer. We can sit every day this summer if we wish, and I think we need to do this right.

The Chair (Mr. Garfield Dunlop): You said that.

Mr. Gilles Bisson: I have just two things under "Debate" that we didn't raise in subcommittee. One is, is there a good reason why we couldn't change the rule that you can't have the same bill debated twice in a session? Currently, let's say you introduce a bill or a motion that says, "In the opinion of this House, we think there should be a response to SARSX," and for whatever reason the motion needs to be debated again. Is there a good reason why we shouldn't be able to do that?

The Clerk of the Assembly (Ms. Deborah Deller): Yes, I think so, because the House could be revisiting over and over and over again the same subject that they've already made a decision on.

Mr. Gilles Bisson: Okay; I put up a white flag right there. I'm done. I just wanted to ask the Clerk.

The other thing is, currently in the standing orders we're limited to five opposition days and essentially a 10- to 12-week session fall and spring. There's no reason why we couldn't have more; that's just a question of ordering the House.

The Clerk of the Assembly (Ms. Deborah Deller): That would be entirely up to you.

Mr. Gilles Bisson: Okay, thank you. So I want to put more opposition days on the list.

The Chair (Mr. Garfield Dunlop): Okay.

Mr. Gilles Bisson: See, I wasn't very unreasonable as to my time.

The Chair (Mr. Garfield Dunlop): Oh, I see. Okay; Legislative process: separating omnibus bills.

The Clerk of the Assembly (Ms. Deborah Deller): "Separating omnibus bills": I think last week I mentioned—and I still think it's a worthwhile thing to look at—some Australian jurisdictions where, rather than

have omnibus bills, they might have multiple bills that deal with a thematically similar subject and there is an ability to debate and to consider those bills together. So it doesn't chew up any more time than it would if we had an omnibus bill, but what it does is allow the House to vote separately on each one of those matters. I think that's something very worth looking at.

The Chair (Mr. Garfield Dunlop): Comments?

Mr. Gilles Bisson: A quick question.

The Chair (Mr. Garfield Dunlop): Go ahead.

Mr. Gilles Bisson: If you required Committee of the Whole after every bill at second reading, would that be a good thing—only to deal with that issue, not to debate the value or the merits, but to separate out? Is that a way to deal with it? I know it's a crazy idea, but I put it out there.

The Clerk of the Assembly (Ms. Deborah Deller): Okay. Sorry, we might be talking about two things, because I'm not talking about having one bill—okay, I should back up, then. Separating omnibus bills, in and of itself—you have to remember what the requirements are of passing legislation. There must be three readings. So if what you're talking about is having a single bill introduced at first reading and then somehow farther down the process separating it, you're going to have an issue that you haven't given first reading to those separated bills. So there's a complexity to it that I'm not entirely sure would even be possible to do. There is an ability currently to sever bills if they have distinct parts.

You may differ, but my preference would be to go at it the other way, which is, you have thematically similar bills introduced as single bills and group them for consideration, rather than having the omnibus bill somewhere down the road separated out and considered differently just because you want to meet the first, second, third reading requirement on each bill.

Mr. Gilles Bisson: Is that what they do in Saskatchewan? In a funny kind of way with their big programming motion, is that kind of what they're doing?

The Clerk of the Assembly (Ms. Deborah Deller): Well, not really. I guess you might say that in any programming motion you could require that a number of bills be considered simultaneously.

The Chair (Mr. Garfield Dunlop): Lisa?

Ms. Lisa MacLeod: Is there a process in place—and I think you may have touched on it. Let's remove omnibus bills for one moment, because one of the things that I have some questions about is actually the severance of a bill, where it could come to the House and there could be a vote on certain parts of one bill and then an element of that bill be voted on separately, so there would be two votes and do that as a severance.

The Clerk of the Assembly (Ms. Deborah Deller): Yes. The vote on the individual sections of a bill occurs at the committee stage, at clause-by-clause stage—

Ms. Lisa MacLeod: Yes, but could it occur in the House?

The Clerk of the Assembly (Ms. Deborah Deller):—and if we used Committee of the Whole, it could occur there too, in Committee of the Whole House.

To my knowledge, the only ability of any Legislature to sever bills is when there are distinct parts to the bill. In other words—there are very few bills constructed this way, but some bills are constructed so that there is part I and part II, and they are very distinct within the bill itself. In those cases, by motion, bills can be severed and considered separately, but beyond that, I wouldn't—

Ms. Lisa MacLeod: Not by clause.

The Clerk of the Assembly (Ms. Deborah Deller): I don't know of anywhere where you can separate out specific clauses of a bill and have them voted on separate to the bill itself in the full House.

Ms. Lisa MacLeod: This was raised to me by one of my colleagues who works on Parliament Hill, who suggested that for one of our bills before the House.

The Clerk of the Assembly (Ms. Deborah Deller): Okay. Well, we can take a look at it.

The Chair (Mr. Garfield Dunlop): “Committees to consider issues prior to introduction of bill”: Deb, do you want to deal with that one?

Interjection.

The Chair (Mr. Garfield Dunlop): Number (1).

Mr. Bas Balkissoon: I thought we discussed that—

The Clerk of the Assembly (Ms. Deborah Deller): Did we talk about that at the outset, I think, about—

The Chair (Mr. Garfield Dunlop): Oh, yeah. Okay, sorry: “(m) Bills not to receive second”—

The Clerk of the Assembly (Ms. Deborah Deller): In the same sitting. Now, are we talking here about spring sitting, fall sitting?

Ms. Lisa MacLeod: Yes. I can give some context. That was actually Mr. Bisson's idea, and it was so that we actually provide a bit little more thought into our debates and we don't rush to judgment, that we actually take the time to consider—and it would allow committees to have the opportunity, through the intercession, to meet and spend a little bit more time.

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One of the things we talked about a great deal yesterday is our time spent in committee—and we'll talk about it down there a little bit further. We don't often have enough time to probe witnesses, to ask detailed questions and then do a bit more study. A lot of this has been time-allocated and very rushed.

I hope I've done you justice, there, Mr. Bisson. That's what you had suggested and I had agreed with you.

The Clerk of the Assembly (Ms. Deborah Deller): Again, this is one of those things that used to happen naturally, where, because the committees used to do the bulk of their work in the spring and the winter recesses, bills that got second reading in the spring or the fall were sent out to committee. So in fact, you rarely saw second and third reading of a bill, unless there was complete agreement in the House. It's one of those things that used to happen naturally.

I'm going to say something very clerkly now, which is that one of the beauties of a parliamentary system is that it has the effect of slowing things down a little bit. Often, that's a good thing, because there are often unintended consequences—not just changes to the standing orders but legislation as well. So it's usually better to get a fuller appreciation of the impact of legislation.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: Given that it's going to be hard to change the culture of the House, maybe a standing order change is in order.

The Clerk of the Assembly (Ms. Deborah Deller): It's something you could consider, certainly. And you know what? It's probably something to be considered in the context of the discussion that you're going to have on the speaking times and the Saskatchewan model, too, of the amount of time.

Mr. Gilles Bisson: Let's look at that. That would be good.

The Chair (Mr. Garfield Dunlop): Okay, time allocation versus timetabling.

The Clerk of the Assembly (Ms. Deborah Deller): Timetabling: I presume what you're talking about there is the programming model, where you take a number of different bills, motions, whatever and put them together—not put them together but determine a timetable?

Mr. Gilles Bisson: Can I clarify? If we didn't do programming motions, Saskatchewan model, and we decided not to go that way, is there a way of dealing with time allocation in a more progressive way?

In context, for members who are here, there was no time allocation ability in the past unless all the parties agreed. It really meant to say that you had full discussions about bills and you had to pick your priorities: "This is not important; we're not going to talk about this. That is important; we're going to talk about that." I won't say whose governments, but under certain governments virtually every bill gets time-allocated. So if we can't do a programming motion and we decide not to do the Saskatchewan model, is there another way at it? That's a tough question.

The Clerk of the Assembly (Ms. Deborah Deller): Yes, and one that I'll probably want to think about for a bit.

Mr. Gilles Bisson: Okay, go away and think about it. That's all we're asking you to do: Go away and think about it. You don't have to give us an answer today.

The Clerk of the Assembly (Ms. Deborah Deller): No, but it would be worth taking a look at the whole time allocation process.

Mr. Gilles Bisson: That's what we're getting at. We don't need to have a debate; we just want you to look at it. Chair, I'm a fairly helpful guy.

The Chair (Mr. Garfield Dunlop): Oh, I can see that. Okay. Let's go to (o), then.

Mr. Gilles Bisson: What's the other one, sorry?

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Gilles Bisson: You said, "Let's go to OLIP"?

The Chair (Mr. Garfield Dunlop): To (o), yeah.

Mr. Gilles Bisson: Oh. I heard "Ontario legislative intern program." Jeez; sorry.

The Chair (Mr. Garfield Dunlop): Bas?

Mr. Bas Balkissoon: Which one?

Ms. Lisa MacLeod: — restrictions on bills?

Mr. Bas Balkissoon: No, I'm on (p), not (o). Somebody else raised (o).

Ms. Lisa MacLeod: Oh, sorry.

The Chair (Mr. Garfield Dunlop): "Estimates process: Extend third Thursday deadline."

Mr. Gilles Bisson: Again, Chair, just for context, all I was getting at, is under the current standing orders, by the third Thursday in November, estimates are deemed to have been read. I'm just saying, maybe we want to do a change to the standing orders that allows that not to happen and in fact that estimates continue until the next budget so that we can do a proper job of estimates.

The Clerk of the Assembly (Ms. Deborah Deller): I think you probably want to take a look at the whole estimates process and not just the third Thursday question. The reason is that the third Thursday deadline allows for the subsequent parts of the estimates process to be completed; that is, the concurrences and supply and everything. You want to make sure that there's a sufficient time for that to be done before the December adjournment. That's why the third Thursday in November is the deadline for that.

The other thing you might take a look at, though, is that in the estimates process one of the things you might consider when you get to committees, which is the next section, if you are going to discuss any kind of ability for committees to meet at the call of the Chair, of course that would allow the estimates committee potentially to have more meetings, and then your third Thursday in November might not be as much of an issue.

The Chair (Mr. Garfield Dunlop): Okay. Any comments on that?

Mr. Gilles Bisson: No. That's fine.

The Chair (Mr. Garfield Dunlop): All right. "Money bills: tighter restrictions on wording." Is that yours, Bas?

Mr. Bas Balkissoon: Yes. If I could raise this with the Clerk, there have been private members' bills and opposition day bills, and a lot of times it does not read in the bill that it has a budgetary impact but it's worded in such a way that you can read beyond the wording that it does have a monetary impact, and it makes itself into the debate based on the current standing orders wording. It needs to be fixed, because a lot of times the government has no choice but to vote against it because we know it has a monetary impact and it's not in the budget. But I understand that when it goes to legislative staff for drafting, they help the member along to avoid that. I'm just saying, if we want to clean up the place, as my friend Gilles says, and we want to have really good debates, then we need to do something in this particular area.

Mr. Gilles Bisson: Can I just comment before the Clerk speaks? I don't think you want to limit the ability of private members to be able to deal with issues in that

way. We understand that in the parliamentary convention we have now, only the government can spend money, but to have the debate is not a bad thing.

Mr. Bas Balkissoon: But I mean, a lot of us, as Toronto members, sit through them and we always have to vote no, and then somebody tables—

Mr. Gilles Bisson: That's a party discipline issue; that's my point.

Mr. Bas Balkissoon: No, no, it's not.

Mrs. Laura Albanese: I would say also that we're disadvantaged as perhaps backbenchers from the government, not having that same ability, or perhaps being more cautious, because we sit on the government side. So it's not so much a question of discipline, but then, if I'm following the rules, why would not other members have to follow the rules as well?

Mr. Gilles Bisson: I'm not going to get into a debate today. Maybe hear from the Clerk.

Mr. Bas Balkissoon: I raise it with the Clerk, because quite often I see the bills and then I understand that the legislative staff is stuck in that they help the member along not to make it look like—

The Clerk of the Assembly (Ms. Deborah Deller): In point of fact, Mr. Balkissoon, I'll admit that you've hit on a pet peeve for those of us who reside in the Clerk's office, because you're right: What we consider to be something that could very well be a money bill is getting around the question by sometimes pretty creative drafting.

Mr. Gilles Bisson: What's wrong with that?

The Clerk of the Assembly (Ms. Deborah Deller): Yes, and I should say, to balance out the discussion, that in some jurisdictions they have much looser restrictions on what constitutes a money bill.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: Just to your point, Mr. Balkissoon, I understand what you're saying, that you don't want the opposition to be in charge of the purse. I understand the argument. In the system of government that we have, only the government can decide when it's going to spend money—no, no, hang on. The House decides, but the government can only propose where money is going to be spent. It's only the government that can do that by proposition to the House.

Mr. Bas Balkissoon: Okay, but—

Mr. Gilles Bisson: Let me just finish.

Mr. Bas Balkissoon: —put it back in your own shoes.

Mr. Gilles Bisson: That's what I'm trying to do. So I'm saying, I'm accepting the fact that in our parliamentary system only the government can propose a motion that expends new money. All right? But—

Mr. Bas Balkissoon: But I'm looking at it from a government standpoint.

The Chair (Mr. Garfield Dunlop): I don't think we need to have this debate today, guys.

Mr. Bas Balkissoon: But I need to clarify why I'm looking at this.

The Chair (Mr. Garfield Dunlop): Okay.

Mr. Bas Balkissoon: My friend puts a bill and it has a monetary impact. My finance minister tabled a budget. I've got a minister that's bound to that budget. We as the government have to ensure that that doesn't get approved, because it changes the whole budget and it goes into overexpenditures, and then we get blamed for not managing the public purse properly. It's not right. If the rules were to have that if you propose monetary spending, you have to propose where you're going to find the savings to do it, I don't have a problem.

Mr. Gilles Bisson: Then you have to give the ability to tax from the opposition. Do you really want to do that?

The Chair (Mr. Garfield Dunlop): I think we've had enough debate on this. We'll move to the next item. Obviously, it's something that we're going to need to discuss more.

The Clerk of the Assembly (Ms. Deborah Deller): It's probably worth leaving on the list.

The Chair (Mr. Garfield Dunlop): "Pre-budget in the standing orders."

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The Clerk of the Assembly (Ms. Deborah Deller): That, I assume, is requiring some pre-budget consideration into the standing orders. The only thing I would say about that is—obviously, there's nothing wrong with putting that in, but what you need to consider is how election periods might impact on the ability of a committee to fulfill that pre-budget requirement. In an election year, that sometimes happens.

Filing questions in advance and having the Speaker determine the relevance of questions: You won't ever get anybody to run for Speaker. No, I'm kidding.

Interjections.

Ms. Lisa MacLeod: We talked about this yesterday, just given how different the British model is, and there seems to have been more flexibility. As well, there wasn't—what I viewed, anyhow, was that there aren't multiple questions or supplementaries, if you will. There's an ability there for a member to ask a substantial question, maybe not even to hold the government to account. I actually watched it for about an hour a couple of Saturdays ago and was just intrigued that they were able to bring, which is very infrequent now, an issue from one's riding to the floor of the assembly and ask a question. Wow, that's a novel idea. It didn't need to be a supplementary and it didn't have to be a "gotcha."

In fact, I've actually said to many ministers in the past, "I won't bring this up in question period as long as we can move it along." Sometimes, however, you like for the folks back home to know that you're raising it in the Legislature, and they want it to be transparent. So my view on this was: Let's look at that.

Then it would allow, I think, even government members, who do have a right—and I do believe this—to ask the executive questions, as you said last week: It might give them an opportunity to talk about things other than the speaking points of the day, which I recognize has gone back 20 or 30 years, the practice.

Mr. Gilles Bisson: I do it all the time. I get up in the House and I ask questions about my riding. Why else am I here, unless in my critic—

The Chair (Mr. Garfield Dunlop): I was thinking of your government—

Mr. Gilles Bisson: Oh, God. Do you want the story? They never gave me another question.

The Chair (Mr. Garfield Dunlop): Steve?

Mr. Steve Clark: I just want to echo: When I was given this dem reform portfolio last session, I looked at the UK model many, many times, and I was astonished how it empowered the individual member to ask their own government pertinent questions.

The other issue that I thought was interesting was the whole Prime Minister's question time, which ensured that the Prime Minister was there and allowed him at other times not to be there. But also from a ministerial standpoint, you didn't have every minister get briefed every day; you had time set aside for individual ministries where there could be a really good debate, I thought, and really good questioning on a particular minister so that they were better prepared, so the answer was more thoughtful.

I just think that having a review and looking at the UK system does open up a lot of discussion points for that individual member's rights that I think is very important.

Ms. Lisa MacLeod: It has been eroded.

Mr. Steve Clark: It has been eroded; no question.

Mr. Bas Balkissoon: Chair, I submitted this, and I just want to clarify: The request was that we look at the British model, where you have to file a question in advance but provide the flexibility that if a member had an urgent issue or an emerging issue and they wanted to ask a question, then the Speaker would decide on those extras. The filed questions would be dealt with in the normal fashion, but the other one would have the Speaker's option.

Mr. Steve Clark: All I wanted to do was to clarify, because I didn't know what you discussed. I think there are a number of other issues around the UK system that should be part of a review in addition to what you mentioned.

The Chair (Mr. Garfield Dunlop): Gilles.

Mr. Gilles Bisson: I just want you to know, I would be viscerally opposed to filing questions to the Speaker. I think the issue is, what they do in Westminster is, they have time for the Prime Minister to be in the House to answer all questions. I don't think they can defer, from what I've seen on TV; maybe they can, by the standing orders. That's quite a different issue.

Mr. Steve Clark: I know it is.

The Chair (Mr. Garfield Dunlop): All right. Let's move to committees now.

Mr. Gilles Bisson: Oh, hang on, the Clerk wanted to say something.

The Chair (Mr. Garfield Dunlop): Oh, I'm sorry, Deb.

The Clerk of the Assembly (Ms. Deborah Deller): I think it's worthwhile taking a look at the whole question

period procedure. I think there are a number of different processes in different areas you can take a look at. In this whole review, I think one of the things I'd sort of caution against is thinking you have to adopt something that somebody else is doing. There's room here to come up with something that works uniquely for this place.

One of the things you might consider with question period is allowing the Speaker—if you're going to allow the Speaker any additional power—to have some more flexibility about whether or not a supplementary is required, because often the Speaker could easily make that call: that the question has been answered sufficiently and there really is no requirement for a supplementary.

Interjections.

The Clerk of the Assembly (Ms. Deborah Deller): I think you want to be careful about filing questions and having the Speaker determine what is or isn't a question that is relevant enough.

In a dispassionate way, if you take a look at any Hansard of any question period, you will see an example of, on the same subject, a question may be being asked from the opposition side and one being asked from the government side, and yet there will be some back-and-forth heckling about which one of those questions is or isn't relevant, yet they could be on the same day on the subject. Just because the question is phrased differently doesn't make it any more or less relevant. The Speaker, then, gets put into a situation of having to decide whether, if one of those questions isn't relevant, then the other question—

Mr. Bas Balkissoon: But if the questions were filed, that probably wouldn't happen.

The Clerk of the Assembly (Ms. Deborah Deller): It might not.

Mr. Bas Balkissoon: And that's where I was coming from.

The Clerk of the Assembly (Ms. Deborah Deller): I think you have a really big cultural shift to make if we're going to say that you want to start giving notice for questions, though.

Mr. Gilles Bisson: I think it's an interesting suggestion. I think, if we can look at the UK, they have an interesting model for question period where the Prime Minister needs to be there. Let's look at it.

The Chair (Mr. Garfield Dunlop): Okay. Let's move to committees, everyone.

Ms. Lisa MacLeod: Just one final point: Last year, I did actually give a question to a minister, and I think the response that I got back as a result of actually giving it to that individual a few hours in advance became actually more partisan, I think, than would have been the response. I think that's the one caution that I do have. Sometimes—and we all do it—it's how to get at somebody. So we have to really look at the unforeseen consequences there and those circumstances.

The Clerk of the Assembly (Ms. Deborah Deller): I think you need to give some consideration about what question period is about, too, when you're considering making any kind of changes. The principle of question

period is that it's a period of time that's intended for the legislative to hold the executive to account; for the executive to account for its decisions and actions. That's what question period is.

If the intent, here, is to actually get information, then presumably what you want is to have the member of the executive most equipped to provide that information to answer the question. You need to consider: What's the purpose of question period and what are you trying to achieve in making any changes?

The Chair (Mr. Garfield Dunlop): All right. We'll move to committees, number (s), "Authorization to meet at the call of the Chair (intersession included)."

Mr. Gilles Bisson: That's pretty simple.

The Clerk of the Assembly (Ms. Deborah Deller): Yes. I've made several comments on this. I appreciate that there may be some particular issues involved with the whips from parties and managing that. To be honest, I'd like to see committees a little less managed anyway, so I'm kind of in favour of allowing committees to meet at the call of the Chair.

The Chair (Mr. Garfield Dunlop): Okay. Anything else on that? No?

On to (t): "126 inquiries: simple majority/more power to members."

Mr. Gilles Bisson: Chair? I think it's a simple issue. It used to be 50%. We moved it to two thirds for a reason we all know. We should look at bringing it back to 50%.

I would like to look at 126s from the lens of: How can we allow individual members on both sides of the House to be able to say, "I'm really interested in housing policy"; "I'm really interested in Internet policy"—whatever it might be, to be able to bring those things forward to have some meaningful discussion, use the facilities of committees to look at things to see if we can germinate that idea into something, right?

The Clerk of the Assembly (Ms. Deborah Deller): Yes, and that's all I would say about that.

In looking at this one, I think the 126s were intended to allow for private members to initiate matters for consideration. I think that any consideration of this should be viewed in that context. What you need to take a look at is to maximize the opportunity for members to initiate items for discussion.

The Chair (Mr. Garfield Dunlop): Next, (u): "Debating committee reports: limited debate in House."

Mr. Gilles Bisson: Just by way of context, it was raised as the context of: Committee reports come back; they're not debated. Is there any value to debating them?

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The Clerk of the Assembly (Ms. Deborah Deller): Yes. I think it's a shame, sometimes, that committees spend an awful lot of time and effort in writing substantive reports and presenting them to the House, and then they die there.

Sometimes, the government will pick up certain elements of a committee report and implement it later on, but I think there is some value in having a limited debate in the House about the report where the committee

members can actually share with the rest of the House what led to certain recommendations in the report and enlighten the House about what the report is.

The Chair (Mr. Garfield Dunlop): Committee of the whole?

Mr. Gilles Bisson: Look at that, Chair. We're just zinging along.

The Chair (Mr. Garfield Dunlop): We are.

"Committee of the Whole House: different times to sit (possibly after 6)."

Mr. Gilles Bisson: I love Committee of the Whole House.

The Clerk of the Assembly (Ms. Deborah Deller): I do too, and I have to confess, it hadn't occurred to me to have a provision where it could sit after six, but it's not a bad idea. So I think it's worth pursuing.

Mr. Bob Delaney: Are you the only one in this room who has actually sat in the committee of the whole?

Mr. Gilles Bisson: We used to call it COW.

The Clerk of the Assembly (Ms. Deborah Deller): And me.

Mr. Gilles Bisson: Oh yeah, of course. All of these clerks have been there. We used to call it COW, not Committee of the Whole House. Some of the best work we've done was in committee of the whole. It really is a very good process, because it allows you, for a limited time, to get into committee to make specific changes to bills to move on. You don't waste time in committee.

The Clerk of the Assembly (Ms. Deborah Deller): Todd reminds me that it was 15 years ago today that we were in day three or day four of—

Mr. Gilles Bisson: God, I'm getting tired already.

The Clerk of the Assembly (Ms. Deborah Deller):—of a nine-day committee of the whole session.

Mr. Gilles Bisson: I can tell you, I can share stories about that. It was so funny. As a matter of fact, I did so last night.

The Chair (Mr. Garfield Dunlop): Okay, (w) "Referral of government bills to predetermined committees."

The Clerk of the Assembly (Ms. Deborah Deller): Just in your travels, take a look at other jurisdictions. Almost all of them have some form of committee of the whole, just as an aside. So it is a worthwhile thing to look at.

Referral of government bills to predetermined committees: I think this intended to mean if it's, for example, a court of justice bill, then it goes to justice policy committee—that kind of thing.

Mr. Gilles Bisson: Can I give a context? It was because we thought that if committees can build expertise, then they can deal with specific policy matters.

The Clerk of the Assembly (Ms. Deborah Deller): And I think if you want to strengthen and legitimize the role of committees, it's good to allow committees to build an expertise in policy field areas. So as much as you can make that possible, I think it's a good thing.

Mr. Gilles Bisson: Can I make a suggestion to that point?

The Chair (Mr. Garfield Dunlop): Yes, and then Jeff after you.

Mr. Gilles Bisson: Jeff, do you want to go first?

The Chair (Mr. Garfield Dunlop): No, you go ahead, and then Jeff.

Mr. Gilles Bisson: Just a very quick suggestion. Maybe what we need to look at—and I don't know what happens in other jurisdictions—is more committees but less members, as a suggestion, because we're limited, as far as caucuses, to be able to put as many members as we have in committee, and I certainly don't want to sit on more—

Mr. Bas Balkissoon: We'd have trouble with meeting space.

Mr. Gilles Bisson: Well, no, we do have the meeting space, depending on how we schedule it. We've got five committee rooms in this place, right? So my question is, can we look at, is there any value to having—I'm not saying a heck of a lot more committees, but you'd have more committees. Instead of having large committees, you'd have smaller committees, so that when you go into committee you have an expertise. When you look at natural resource policy, the members from the caucuses that are there know something about it—health, education, whatever it might be.

The Chair (Mr. Garfield Dunlop): Jeff?

Mr. Jeff Leal: I'm recommending to look at, in Ottawa, the Senate committee on banking and finance. It probably is the best research committee that was ever established in terms of background, and every five years, when we renew the review of the Bank Act in Ottawa, it's standing room only in Ottawa to get out there because of the extensive research, even though the Senate is appointed—but to look at the research capability of that particular committee that does significant work. It has ramifications for every citizen in the nation when they do their deliberations.

Ms. Lisa MacLeod: To Mr. Leal's point: I agree. I have some experience with the Senate standing committee on defence and foreign policy.

Mr. Gilles Bisson: Transform what?

Ms. Lisa MacLeod: I'm sorry; I think I'm getting strep throat.

Mr. Gilles Bisson: Transform—

Ms. Lisa MacLeod: No, defence and foreign policy. Or transformers—whatever.

Mr. Gilles Bisson: My grandson is starting to like them.

Ms. Lisa MacLeod: Yes, I know. You've got it on the brain. You must have an Easter present there for him.

I want to echo this, because it came up in subcommittee yesterday, the fact that we want to see some committees with in-depth experience and knowledge of important issues of the day. One of the things I had asked the Clerk for was to look at what they're doing in Ottawa, particularly in the Senate, given we have different constraints than they do. They're appointed for a lot longer than we are. They don't have to go to the

polls. They also sit a little differently than the House of Commons. Usually it's a week after—

Mr. Jeff Leal: But the quality of work that's done.

Ms. Lisa MacLeod: It's absolutely something that is really important for us to look at: being able to actually study an issue and make a recommendation to the House either for a policy change or legislation, or to have further study.

Now, to your point, and I think we should talk about this because we will have an opportunity to talk about engaging the public: The more relevant we are in our committees—where we're actually doing substantial not only discussion and study but also presenting ideas—the more the public will actually come to committee. It speaks also to this other issue that concerns me, which is this notion that, "Okay, a bill is passed, we now have less than a week." We've all been there, where there has been less than a week assigned to us getting to committee, to bringing people together from across the province to testify as a witness or a deputant, and you're simply not giving them enough time.

One of the issues that I also raised yesterday really bothered me. It was about two years ago, and we had a First Nations chief come into committee. The leader of the third party was asking a question, and the time had expired. I believe he had five minutes or 15 minutes or something. I had asked for unanimous consent, just given this man's stature in our province and the fact that we had a leader of one of the three parties at the table. It wasn't partisan. I felt that there was a good—I was learning something, and I wanted that to continue. We didn't have, for example, a mechanism in place that would have allowed that to happen. So we had that discussion on committees yesterday. There's a whole lot of issues. I think the good thing is—and I say this to our Clerk—it's recognized by every caucus because I think there is a genuine interest of all the members, at least around this table, to actually do some more substantive work at committee, and we're really trying to figure out a way to do that and be more thoughtful, be more productive, but also be more engaging with the public. I think that's why, when we get to committees, we have an awful lot of this, and that is why I've offered my ideas on this issue, because I think we can be doing an awful lot better.

Then, to go back to Mr. Leal's point, I think the gold standard in Canada is obviously in the Senate of Canada.

The Clerk of the Assembly (Ms. Deborah Deller): I cannot tell you how critically important I think the committee system is to the parliamentary process. I think it is one of the single most important components of the parliamentary process. It is the liaison between the House and the citizenry. In my mind, it has to be done well in order for the system to succeed. You can solve an awful lot of issues by having a strong committee system, even up to and including voter turnout. If the public is engaged by way of committee, if committees are seen to be working and dealing with issues that are real issues that

real people are dealing with in a way that makes sense, they are going to be paying more attention.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: Can I make a very quick comment to that point? The select committee on the Constitution was a very divisive issue in not only this province but across this country. It was a select committee that was formed and, ad infinitum, travelled across this province. I was on it. It was everywhere. I don't think there's a town we didn't go to. But we built a consensus in Ontario about how to approach the Constitution, and what could have been a very divisive issue for Ontario ended up becoming almost a consensus—not quite. Maybe I'm over-categorizing, clerks, but I think it added to not making it a divisive issue. So I think, to your point, committees can really do a lot of good for government, the opposition and the people.

The Clerk of the Assembly (Ms. Deborah Deller): You don't have to go all that far afield. I almost hesitate to say this today, but in our own backyard, our public accounts committee in this jurisdiction is a shining example of a committee that works very well.

Interjection.

Mr. Gilles Bisson: Chair, on the record, except for this morning.

The Chair (Mr. Garfield Dunlop): Okay, we're going to move on to (x), "The use of select committees." Anything on that? Anything on select committees?

Ms. Lisa MacLeod: This came up yesterday as well. I think, further to what I had talked about a few minutes ago, just so that we're able to do what Mr. Bisson said, which is to actually send members out who have a genuine interest in a particular topic, on an issue, whether it's social or economic or whatever in nature, where we can have an in-depth understanding. Look, a lot of this—and let's be perfectly clear about it—a lot of our job is relationship-building. A good committee structure, or a select committee, allows people who view a certain issue as important to our province and who may have differences of opinion on how to solve that to come together and create not only relationships with themselves but also help foster those among the different caucuses to come up with something that's more sensible, perhaps, than a partisan-driven or ideologically driven piece of legislation.

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To Mr. Bisson's point, he had said that they were able to come to a consensus. It may not have been perfect all the time, but there was at least consensus on the Constitution. We've done this extremely well when we've done it, and I believe we've done it only once since I've been here, which was the Select Committee on Mental Health. I can tell you, whenever I speak to—and this is a very important issue to me—people in the mental health field, we in this House have a lot of credibility on that issue. Every member that was a part of the assembly has credibility on that issue. No one member has more than another. We came together to create that. It was a good idea and we need to do more of it. I think it takes

the partisanship away from some of the important issues of the day.

Mr. Gilles Bisson: I just want to say, that is a really important point.

Ms. Lisa MacLeod: This is coming from the most partisan person here, too.

Mr. Gilles Bisson: Listen, I'm going to say something; it'll rain on people's parades. Select committees should be used very selectively; I don't know what the proper word is. Ornge is an example. I think there's a pressing need to review what happened in Ornge. I don't want to get into the debate, but I just use it as an example. Is a select committee the proper way of doing it? I spoke to this in the House when we brought this debate forward. If we had more committees with smaller numbers that had the ability to look at issues that are important to members and the public, then you can actually review an issue like Ornge—if you had the standing orders that allowed that to happen.

We've got to be mindful of how we use select committees. Select committees are, in my mind—this is a really unique thing. We need to look at SARS; there's a SARS epidemic that we need to deal with. There's the Constitution. That's the kind of thing that I think select committees could be used for. My argument is, give the opposition the ability to scrutinize the government because, you know what? The British parliamentary system is really smart. It says, "You as a government have the right to introduce bills. You're the only ones who can do that. You're the only ones who can spend money. And you must get your way in the end—unless it's a minority Parliament."

Interjection.

Mr. Gilles Bisson: No, no, but that's fair, right? And that is really wise. Man, that is built on 1,000 years of history. But on the other hand, the opposition has a role to scrutinize, and at times the government may feel that to be uncomfortable, but man, that is really good democracy. When the opposition overplays its hand in scrutinizing the government, guess who wins? It's really the government.

The Chair (Mr. Garfield Dunlop): Jeff.

Mr. Jeff Leal: It's interesting. I get constituents who ask me every day, "Why don't we have a select committee looking at the petroleum industry and gasoline prices?" You know, an interesting topic, particularly now with retired executives from the petroleum industry casting some interesting observations about that industry—a timely topic, but people—

Mr. Gilles Bisson: Imagine having good standing committees with the ability to do that.

The Chair (Mr. Garfield Dunlop): Thanks.

"Engaging the public: (y) more access to committee meetings (web streaming)."

Ms. Lisa MacLeod: That was also mine and that's probably not meant necessarily as a standing order issue. It was something that popped up yesterday that I had suggested, and I think there was a consensus among members that perhaps we consider, maybe not televising

everything, but certainly webcasting every committee meeting.

I think it speaks back to that legitimacy I spoke to earlier, the fact that if they don't see us doing it, 95% of what we do here is lost unless we communicate it. I think it's really important that if we're dealing—for example, there might be somebody out there who would like to participate in this debate, who has some ideas or experience or expertise. I think that it's important that that's available to them.

I want this on the record: I want to thank the assembly in the last couple of years for really moving forward and webcasting the assembly. My constituents, by and large, do not have access to televised debate on cable; they're on satellite, particularly in the rural communities. Secondly, I can tell you—because I'm also not someone who gets the assembly in my own home—my husband will access our debates because you post them, and he can watch me in question period either an hour later or after he's had a great time talking about F-35s with his own boss after their question period.

Interjections.

Ms. Lisa MacLeod: He thinks we're tame, Deb. In any event, God bless him.

The Clerk of the Assembly (Ms. Deborah Deller): Okay, so I've asked for—

The Chair (Mr. Garfield Dunlop): Oh, sorry. Bob Delaney has a question too, or some comments. Sorry to interrupt.

Mr. Bob Delaney: About two or three years ago, I had a private member's resolution, which I had to have as a resolution because the subject was really a little out of scope for the Legislative Assembly, which on a voice vote passed. It said that if a provider proposes to provide cable TV services, then that provider must dedicate at least one channel to broadcasting the proceedings of the provincial Legislature in that province. So Rogers or Shaw or Bell or whatever would have to dedicate one channel to broadcasting the Ont.Parl channel, which at the moment a lot of local TV providers won't carry. I was basically saying, "Well, let's take a stick to them."

Particularly out in the rural areas, you often are caught between a rock and a hard place in that you may or may not have reliable broadband, which you need to have in order to catch streaming video, but by the same token, your local cable TV provider won't provide you with the broadcast feed. So I think among all three parties we can put the word out to our federal colleagues that we would like to see sponsored a federal bill that would be binding on the CRTC that says that if you want to be licensed to carry content, then one of the things you must do—and the feds will say, "Okay, and you also have to broadcast ours." Fair game. But you've got to carry in every province the proceedings of the federal Parliament plus the provincial Parliament in that province. I think we could get somewhere if we brought that up to our federal colleagues.

Interjections.

The Chair (Mr. Garfield Dunlop): Folks, hold on a second. We've got about five more minutes with the Clerk, and we've got three questions here alone on this one.

Ms. Lisa MacLeod: I'll be very quick. My comment is just to say that Mr. Delaney's point is great. I actually put a motion similar to that on the floor. I recognize that this isn't about the standing orders, but it is important to the integrity of this House. We do own TVO. We could also compel them at least to carry question period at least once a day. That might be something we look at. It was something Bob Runciman talked about when he was here. I've talked about it. I would recommend that members consider that.

The Chair (Mr. Garfield Dunlop): Okay, Jonah and then Gilles.

Mr. Jonah Schein: Just something to add which is not on there for consideration: I know at Toronto city hall, we've got very engaged residents who participate in city hall. They find it a more accessible space. I'm wondering if consideration would be given to allowing people to bring smart phones into the galleries as well so that people can participate and contribute through social media.

The Chair (Mr. Garfield Dunlop): Gilles, just a comment?

Mr. Gilles Bisson: I was actually going to echo what Lisa said, because I agree with you, Mr. Delaney. I don't know how we bind the federal government to do anything we want. They haven't listened to us in 100 years. Why should they start now? That would be my first comment.

Number two is, I think Lisa makes a good point, which is that we should look at making sure—we've already done the first step, which is broadband. Maybe we need to expand that to other things. And we need to look at TVO/TFO as an option.

Maybe we could have our own CPAC. I would love our own CPAC. That would help to engage—

Ms. Lisa MacLeod: All Gilles, all the time.

Mr. Gilles Bisson: No, no, but all BS aside, it would be really good, in my view, and I know it's an expenditure issue, but a CPAC thing that is not partisan in the sense that they're one party or the other but that allows us to focus on provincial politics. My view is, there is much more going on that affects people in this Legislature than ever happens in the House in 100 years federally.

The Chair (Mr. Garfield Dunlop): Okay. "Information on e-petitions" is fairly self-explanatory.

Ms. Lisa MacLeod: The concern that we had there—I think we all had voiced concerns yesterday, and I put it to this committee, that we have the appropriate security mechanisms to ensure that the true names are actually signing it. We're all, I think, for opening technology up, but we just want to be sure that it is a secure network and that no one is breaching—

The Clerk of the Assembly (Ms. Deborah Deller): And I think we're compiling information for you from

jurisdictions that do allow e-petitions to find out what their processes are.

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On the issue of web streaming, I have asked for a bit of a report, just for our own benefit, about what we would require in terms of extra bandwidth and cost and everything of web streaming committees on a more regular basis.

One other thing I would just say about technology is: I would implore you not to let the use of technology diminish the role and responsibility of committees in travelling to communities across the province when they're conducting hearings to allow maximum participation from the public.

E-petitions is fine. The study on private members' public business: I think that's a really big one that you want to take a look at really in depth—

The Chair (Mr. Garfield Dunlop): Well, we discussed it earlier. The sundry?

The Clerk of the Assembly (Ms. Deborah Deller): And then the sundry: Again, that's just going to be a matter of discussion among yourselves.

Mr. Steve Clark: Can I just ask a question?

The Chair (Mr. Garfield Dunlop): Yes, Steve.

Mr. Steve Clark: I know that when I spoke to a number of federal MPs and showed them some of our order paper responses, they were a bit shocked, because the whole premise that I thought on order paper questions was, it's too long and too detailed to ask in question period; that's why you file it.

The Clerk of the Assembly (Ms. Deborah Deller): That's right.

Mr. Steve Clark: What's happening now is that they're so short compared to some of the order paper questions and responses that I see from the federal government, which are very detailed and really in the spirit of an order paper question. So is that why you've added "45 days"? Whose item was 45 days?

The Clerk of the Assembly (Ms. Deborah Deller): That wasn't us.

Mr. Steve Clark: Is that another jurisdiction that does it that way?

Mr. Bas Balkissoon: No, no. The written response time now, I think, is 30 days, and our request was that it needs to be expanded because it's taking up so much staff time to prepare.

Mr. Steve Clark: I can't believe that. The answers are nothing.

Mr. Bas Balkissoon: We're always late.

Mr. Gilles Bisson: Can I make a suggestion in regard to order paper questions? Give legislative research more ability to respond to members' needs, because that's where you get your information. Order paper questions are quite a different matter, and the reality is, you get a far better bang for your buck as a member by going through legislative research. I want on the record to applaud those people; they do an amazing job. We need to give them more ability to do their job.

The Chair (Mr. Garfield Dunlop): Bob?

Mr. Bob Delaney: Just for perspective, I believe it's 45 days in Ottawa.

The Chair (Mr. Garfield Dunlop): Okay.

Okay, folks, I think we've—

The Clerk of the Assembly (Ms. Deborah Deller): Can I just, first of all, say I am absolutely prepared to come as often as the committee would like? For my part, I have really enjoyed the two meetings that we've had.

Mr. Gilles Bisson: Aren't you getting tired of us?

The Clerk of the Assembly (Ms. Deborah Deller): I'm not. These are the kinds of discussions I wish occurred more often around this place, so I'm very happy to have been part of it. Thank you for giving me the opportunity to have the chat.

The Chair (Mr. Garfield Dunlop): Thank you, Deb.

Ms. Lisa MacLeod: Thank you very much, Clerk. Again, this is probably—if last week was my favourite committee meeting since I've been here, this was a very close second.

One question I do have, and I say this as someone that is on the parliamentary liaison working group—and I do recognize that there are two others here from the other two caucuses: At first I thought this job could be done in about four weeks. What I'm almost wondering is: In your opinion, given what we're undertaking, do we have enough time?

The Clerk of the Assembly (Ms. Deborah Deller): You've sort of set a deadline of August 31, I think, to sort of wrap up your deliberations. I think that's the amount of time that the House has given you as well. I think you can get a good chunk done by August, as long as you get down to some work. I really think you've made a really good start, and then with some information we give you.

You may not have time to finish it all, and you may decide on August 31 that you have some changes that you'd like to see but you'd like to continue discussing some others, and I don't think there's anything wrong with that.

One of the things I was going to say is: Please try not to rush this. These things can be critically important down the road. So even if you only get the private members' piece and maybe committees done, then I think you've gone a long way to improving—

Mr. Gilles Bisson: I agree with the Clerk, but here's the thing: When I suggested "more committees and less members," this is why, because you can create the expertise on a committee that allows you to look at this stuff in more detail over a longer period of time. Members have raised the use of technology in the House; those are all important things.

The bells are ringing. Thank you very much; we're going. Bye.

The Chair (Mr. Garfield Dunlop): Thanks very much, everyone. We'll adjourn until April 18.

We'll come back with a lot of research and we'll pick out some topics to start working on.

The meeting is adjourned.

The committee adjourned at 1455.

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