



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 2 May 2012

**Journal
des débats
(Hansard)**

Mercredi 2 mai 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

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
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 2 May 2012

Mercredi 2 mai 2012

The committee met at 1306 in room 1.

STANDING ORDERS REVIEW

The Chair (Mr. Garfield Dunlop): We'll call the meeting to order, everyone. The topic today is to open a discussion on our thoughts on committees, anything at all about committees: how you feel about the current system, changes that could be made, size, composition. We're just looking for a starting point for conversation, so that we can get some points down that people would feel comfortable discussing as a starting point. Has anyone got anything immediately that they can think of? Maybe I can start with one, okay? Just to throw it out there.

I've sat both in government and in opposition in my time here, and I've noticed that when we're in government—or whoever is in government—you usually have five people down that side and only one person is really engaged, because the other ones are just there to vote at the time, in most cases. That's what I've noticed over the years, both when I was there and in cases with the current government. But in a minority situation, I'm seeing far more interest in the committee structure. A lot more people are engaged in the conversations, etc. So that's one area that I think—when we do have a majority government, how do we engage the committee members more? That's kind of a starting point that I just suggested.

Deb, could I ask you if you've got any comments on this to begin with, as the Clerk? I think it was you who clearly said at one of the prior meetings that the committee structure is one of the most important parts of the democratic system. It's our bond between—

The Clerk of the Assembly (Ms. Deborah Deller): The committee system is a fundamental component of a parliamentary setting. I think that's what I was getting at. Committees are an important part of the process, being the liaison between the members and the public—the only liaison, really, between members and the public in a formal sense.

What you were referring to with respect to this idea that one person, predominantly on the government side, would take the lead in committee: I think it's a fairly recent development. By "recent," I guess over the last 20 years is what I'm talking about. It's not unique to this government. It's been what recent governments have engaged in, I think, because they want to exercise more control over specifically what's happening in committee.

My observation, as a result of that, has been that there was a time when witnesses would appear before a committee for public hearings, make their presentation, make their case, and there would be sort of a free discussion among the members with that witness. Frequently, there would be an agreement among the committee that this was either a worthwhile criticism of the piece of legislation or a worthwhile subject for amendment to the existing piece of legislation. There were what we called friendly amendments; in other words, where all the committee members would sort of gather in the corner over here and agree on what would make sense in terms of amending the legislation to address the issue that was raised by the witness. That doesn't happen very much anymore.

Again, I think that's a cultural thing. I don't know that there's anything in the rules that you could do that would really solve that particular issue.

The Chair (Mr. Garfield Dunlop): Donna?

Mrs. Donna H. Cansfield: You're probably right, and I don't know how that will change. Typically, it's not just the individuals but because there are differences of opinion in terms of the government's or the opposition parties' perspective on things. So it's not so much the control; it's just that there's a difference of opinion, and it's a collective difference.

I would like to raise an issue that has been of interest to me in committees, and that's the issue around consultation, meaningful consultation. I've sat on committees here for only nine years, and one of the things—and I have no difficulty with travelling. I actually agree with Deb that it's an opportunity for a variety of initiatives to occur, both within and amongst the members themselves, but for me the issue is: How do you find and come to terms on what meaningful consultation actually is? So there's consultation that ultimately leads to changing the bill, that kind of thing; there's consultation on a broader, "We just want to hear from you," but there's some things that we're not going to be able to change, for whatever reason; but also the determination of how and where that consultation takes place.

I'll give you an example. We ended up, on consultation on nuclear power, in Orono, which maybe had 15 people in Orono—and I'm not suggesting that they don't have a valid opportunity for input and discussion, but we could have gone down the road to a far larger jurisdiction and encouraged the Orono folks to participate, but we

didn't. So I think what we did is we purposely missed out on a good consultation process, because we ended up restricting it. I guess there was some discussion or bargaining that went on in and amongst, again, the House leaders, or however that's determined, and I know that some members like to have people in their own ridings, but I think if the idea of consultation is to be meaningful, and the idea is to reach as many people as possible, then there has to be a better way to do it than has historically been done. That's one.

The other is: How do we engage and use digital, visual, audio, teleconferencing, etc., in a more meaningful way to reach out to folks? I just put that on for discussion as well.

The Chair (Mr. Garfield Dunlop): Okay. Lisa had some comments.

Ms. Lisa MacLeod: Yes. I think, to Ms. Cansfield's point, since my time here—and I've served just a little bit less time than her, but both of us three mandates—what strikes me is that over time, there has been less consultation with everyday Ontarians, and I think it speaks to two things: Both the quality and the quantity of consultation has declined. If you look back in one of the research papers that Larry has provided us with, there used to be a time in Ontario when Oliver Mowat, Leslie Frost and John Robarts used select committees of between three and six individual members, who would study an issue and provide that as information to the government, and they would derive policy from that. We've gotten away from that, and whether that's through the standing committee or a select committee, that's important, because we're offering an ability for the public to consult.

The second thing I think is really important is the way we consult, and I think there is obviously the tried, tested and true way of actually going to people's communities and allowing us to be accessible to them, which I think has been in decline, but the other thing is that today technology is a very important part of our life. A few years ago, and some of you may recall—you may have been on the committee with me when we were dealing with Bill 165, when we struck the independent child advocate, and through all-party support, we struck that bill. It was passed. And one of the regrets that I had at the time was, the independent child advocate was going to look after children, and there was no way or forum for kids to actually—particularly vulnerable kids—reach out and speak to our committee in a way that might be a little bit more familiar to them.

We have to sometimes assess, particularly when we're dealing with children's issues, if the method that we're consulting is appropriate. I understand the constraints that we have and how official our business is. That said, when you're talking, particularly, about children in care, whether it's a foster home or it is through the children's aid society, there might have been a better way for us to have done that.

There might have been a better way for us to, for example, have consulted with native communities with respect to that. I've talked in the past about my experi-

ence with the HST bill, where I felt it was appropriate for the leader of the third party to have a little bit more time to talk to a First Nations chief.

It somehow, to me, seems that we can be quite constrained while we're sitting around this table, and it could be quite intimidating. I'm used to it now, because I know all of you. I can recall, however, when I was first elected here, I was about 30 years old and it was very hard for me—if you guys can believe this—to spit anything out at the time. I was incredibly—

Laughter.

Ms. Lisa MacLeod: Don't worry. I know where you sit; I know where you live; I know where your office is.

Interjection.

Ms. Lisa MacLeod: I'm just extreme.

Having said that, I think that we ought to consider that in how we do this. I think we can Skype people now, and we can also communicate via phone, but I don't know if it's necessarily that this is just the only way we can consult.

I'm just wondering if there are ways—and let's look at British Columbia, for example. They have a unique situation with their First Nations community that I don't think we've fully adopted here in Ontario. How do they consult as a Legislature on those matters with the First Nations community? Are there other places in the Commonwealth, when they're dealing with children's legislation, child protection or what have you, where there's an ability for those affected to make a presentation to committee that doesn't require them to be in a committee room wearing a suit in front of a whole bunch of people that may appear intimidating? I just think that we may want to consider that.

I just want to reiterate one of my primary points: We need to have flexibility, not only to deal with it that way, but, as Robarts and Mowat and others have done here, figure out what the issues of the day are, and, in a non-partisan way, whether we are able to address that as an assembly. I think it would go a long way in seeing the speedy passage of good legislation, but also we would be doing our due diligence at the front end, rather than, in a year or two when a bill actually is implemented, finding out what the unintended consequences might be.

I know I've loaded you with a few different points, but I'm just afraid I might not get any more talking time in here, because the Chair might stop me.

The Chair (Mr. Garfield Dunlop): Any other comments on committees? Gilles, you must have—

Mr. Gilles Bisson: I was waiting for the presentation.

Interjection.

Mr. Gilles Bisson: Well, we've had a bit of a chat, and, just for the record, I would say the following: Committees—well, no; I'm going to reserve my comments for later.

The Chair (Mr. Garfield Dunlop): Laura?

Mrs. Laura Albanese: To the point made by Ms. Cansfield and Ms. MacLeod in looking at the spectrum of consultation, I would add, to the new media and various ways of engaging people, perhaps to keep in mind

the diverse makeup of our province, and therefore, wherever possible, to at least advertise when there's a public consultation going on, when a committee is asking for a consultation, to spread that word as much as possible to the multicultural communities that are part of our society.

The Chair (Mr. Garfield Dunlop): Can I ask, Trevor, how we do that today with our advertising? Do we specifically select those areas?

The Clerk of the Committee (Mr. Trevor Day): Generally, what we'll do is we'll ask the committee where they want to advertise. We've got some basics that we almost always use: the parliamentary channel, the website and the newswire. Those are pretty much standard. After that, we look at something that might be all of Ontario; and in terms of French-designated areas, we try to put that in. But it's largely in the hands of the subcommittee members to say, "Here's the audience we're trying to get to," or, "Here are the locations we'll be travelling to, so that's what we're trying to do."

1320

From our part, I think there is probably an area where we could look into this in advance, because we do get asked for suggestions from committee members—the clerk, when you're in subcommittee—on how best to do this, that or the other. So I think there is a role for us in terms of getting ready for those types of questions.

The Chair (Mr. Garfield Dunlop): But let's say there's a bill that might have a major impact on, say, the Chinese community that they might be very interested in, one way or another. Do we put ads in the Chinese newspapers—

The Clerk of the Committee (Mr. Trevor Day): If directed by the subcommittee, we do. It is the subcommittee that makes that direction—

Mrs. Laura Albanese: But if I may add, there are certain issues that are of interest to any community. If you're part of a community that is new to Ontario, you may not get to know that there are consultations. Let's say you live in a condo and we're having condo consultations, or we're looking at a bill—you may be Chinese, you may be Vietnamese, you may be Portuguese, you may be of any background, and perhaps be not fully integrated yet and not even know that this is going on unless it's advertised in your own language. There are issues that concern all Ontarians, even those who don't speak the language well.

The Chair (Mr. Garfield Dunlop): Steve is going to be on, and then Bas. But I just know myself that over the years, a number of times I've had to call around to stakeholders and say, "Do you understand this legislation is before the House and you have an opportunity to apply?" I'm not sure Deb would agree with this, but I think that's something that we, as MPPs, automatically have a responsibility to make sure we inform our stakeholders. But technically it's in the hands of the subcommittee to make sure that happens.

The Clerk of the Committee (Mr. Trevor Day): The members of the subcommittee will direct us to where

they'd like us to advertise, and we ensure that it's in there. We have an ad agency that works with us, so we don't necessarily go paper by paper. We say, "We're going to this community; how many people can we get it to in this location? What's your biggest subscription here?", to try to get the appropriate ad out, on the direction of the subcommittee.

The Chair (Mr. Garfield Dunlop): Steve and then Bas and then Gilles.

Mr. Steve Clark: Chair, I just wanted to add to some of the comments about access, and I've said this before at committee. I know that we do, in the Amethyst Room, have the ability to stream our proceedings online. I have no idea of the cost of equipping other rooms to do that, nor do I understand whether there's a cost to posting those committee proceedings online as we do our archived question period. But I do think, in picking up on comments that the other members have made, that that would be, I think, money well spent for us: to have that available to the public so that if someone chooses not to come for a hearing on a committee, they can still view our proceedings; they can still see the witnesses; hear the discussion. I think that's a very productive process for us to have, given the fact that there are a number of network satellite companies that don't have our proceedings. That, at a very minimum standard, should be something that we investigate and get a report on, because I firmly believe that that is something that other jurisdictions do today and that we're sadly lacking in, in terms of those types of access points.

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

Mr. Bas Balkissoon: I just wanted to throw in two bits. What the subcommittee does today is sort of decide, based on this legislation—the members on the committee—what's best to send out to the public, but I'm wondering if there's an opportunity here, based on what my colleague said—there are a lot of the ethnic papers. If they were to get a daily updated status as to what government is doing, like, "This piece of legislation was presented at the House today, etc.," they would themselves pick it up based on what they know is going on in their particular ethnic community and they would start their own news reporting that would make that community aware of it. That may help us also to decide later on, when the committee does have the real hearings, to advertise it in that ethnic community, because there are a lot of people here who monitor ethnic media. They'll know what that media is reporting.

What we need to do is not depend on the subcommittee alone to decide; we need some kind of a group here that is actually monitoring what the communities are reporting. A lot of the ethnic media would love to say what we're doing here, but they have trouble trying to find out.

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: I'm not sure how you deal with that, but I agree with you.

Mr. Bas Balkissoon: By sending out daily news reports or something.

Mr. Gilles Bisson: That may be the case. I don't know. I have not processed it, but I hear what you're saying.

We were talking about the business of the subcommittee generally. One of the things that we would like to see—at least I would like to see; I don't know if the committee wants to—is, we need to find a way to essentially do a couple of things. One is, committee should have the ability to sit through the summer through some kind of a process that doesn't necessarily take a motion in the House. If members feel strongly about something, normally, committee members are able to decide if it's worth their time and it's worth doing a week or two in the summer to do a hearing or do clause-by-clause on a particular bill.

I don't see this as any danger to the government because, in a majority situation, the government members still are going to have their way. In a minority Parliament, I don't see too much of a danger for government either, because at the end of the day, most of our committees are tied, anyway. So there's a bit of safeguard built in.

But the point is, committees are where everything really should happen. We should be less reliant on the House. I'd be happy if we had less time in the House for debate and we had more time in committee for meaningful discussion.

The reality is that the House has become, I think, ineffectual in its perception in the public because it's not as meaningful as it once was, as far as what was going on in debate. The way it used to work: Everything was done in committee, and by the time it got to the House, there was already a fair amount of agreement about what had to be done and you had a real debate about the issues that mattered.

If we do anything in this committee section, we figure out some way to empower—not to empower; that's probably the wrong word—we find some way to make committees more relevant to the discussion of how we deal with issues in legislation so that the meaningful work is done here and, rather than having more debate in the House, the actual discussion happens here in committee. I think one of the ways you've got to do that is you have to give committees the ability to meet at the call of the Chair in the intersession.

During the session, it's a lot harder because of scheduling. I don't think you want to muck around with committees deciding their own schedules during the session; I think that would be a bit of mayhem, quite frankly. But if we gave committees the ability to meet in the intersession, that would be good.

The Chair (Mr. Garfield Dunlop): Bas?

Mr. Bas Balkissoon: Just one comment: I think we talked about this before. Somebody mentioned that there used to be committee weeks, and then the Clerk mentioned that it was successful because committee members were getting a per diem to be there so that they would be there. But if you look at today's current situation of how we sit in committee, if one committee meets during the break and another one doesn't, is that fair to the members?

Mr. Gilles Bisson: But it's the choice of the committee, right? For example, we have nine standing committees. Some of those standing committees may feel strongly about having to sit in the summer for extra time to deal with, for example, estimates, or a particular bill that the government has or a private member has in committee. I think you leave that up to the committee, because it's not every committee that's going to want to, for some very real reasons.

The overarching principle or point that I'm trying to make is: We need to think about how we can make discussion more meaningful about how we deal with legislation that comes through the House. I'm just suggesting that that could be more properly done at committee if we think about ways of doing that than trying to do it in the House.

Mr. Bas Balkissoon: But the call of the Chair becomes a little bit problematic for members; they don't know what their schedule will be, and then something happens and they've got to change their schedule, whereas if you have a period of time scheduled for committee work, committee travel or whatever in the House schedule and you lower their House time, as you're saying—maybe everybody will be agreeable.

Mr. Gilles Bisson: No, no. I argued quite the opposite. I said that when the House is in session, you have to have a static schedule. I agree with you. You should not make it a fluid schedule; it needs to be static. What I'm putting forward is: The call of the Chair is what happens in the intersession, because currently, the only way a committee can meet in the intersession is by a motion in the House, and what I'm arguing is that it should be up to the committees, not the House, to decide if they want more time in committee during the intersession.

1330

Mr. Bas Balkissoon: That's what I commented on. On the breaks we're not sitting around doing nothing. A lot of us plan a lot of activities around our ridings. If a committee calls a meeting to do committee work, then everything that member schedules for that break is now thrown out of whack.

Mr. Gilles Bisson: Well, two things: Number one, it would take a majority of the committee to decide. It's the majority of the committee that decides; it's not the Chair who says, "Hey, everybody, we're having a meeting." There's a proposition that's put forward by way of letter to the Chair, and the Chair calls a subcommittee. The subcommittee makes a decision, brings it to the general committee, and then the general committee has a vote, so it's the majority of the committee.

The second point: I would just say, we're elected to do what? We're elected to be legislators, and if it means, say, an extra week or two of committees in the summer, I don't think it's a bad thing.

Mr. Bas Balkissoon: I'm not saying I object, but I think it has to have a better schedule, not just a call of the committee or call of the Chair. It has to be designated so members know how to plan their time.

The Clerk of the Assembly (Ms. Deborah Deller): Typically, what did happen was the committee would

have a discussion about how much time and when it wanted to meet during a recess, and then, honestly, all the members—today they'd take out their BlackBerrys; at the time, it was their daytimers—would figure out when the most agreeable time was for the committee to meet, and then that's when the committee would ask—but they would ask for time still. So it wasn't sort of an issue of the Chair just establishing the meeting dates and times and then the committee members not being able to attend.

Mr. Bas Balkissoon: But, Madam Clerk, even with the committee trying to schedule it, I remember sitting on the poverty committee, and quite often we'd pick dates and half the members couldn't be there, but we went ahead because we had already told the stakeholders that we were going to meet with them. I don't consider that meaningful if half the members miss out, because, after the fact, to try and share what the group heard, yes, you get the gist of it, but you don't get the real material that was presented.

The Chair (Mr. Garfield Dunlop): I guess another thing: Do you think we're getting—well, the minority government has been a bit different, but I'm wondering: Are we covering often enough on committees? In the last three or four years, how much time have we really spent in the summertime on any kind of a committee? I know I was here one time for estimates because the minister couldn't come.

Mr. Bas Balkissoon: I know in the last two years, I've travelled all summer.

The Chair (Mr. Garfield Dunlop): On committee?

Mr. Bas Balkissoon: Well, last year and a part of the year before on the poverty committee, and before that it was, I think, the justice committee or something I travelled on. It was like six—

Mrs. Laura Albanese: Were you on mental health, as well?

Mr. Bas Balkissoon: Mental health, yes.

The Chair (Mr. Garfield Dunlop): So you're saying there's a fair amount of travel right now in committee?

Mr. Gilles Bisson: No.

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

Mr. Bas Balkissoon: Right now, it's not happening, no.

The Chair (Mr. Garfield Dunlop): No.

Mr. Bas Balkissoon: But before, it did. I was on them.

Mr. Gilles Bisson: No, no.

Mr. Steve Clark: Not since I've been here.

The Clerk of the Committee (Mr. Trevor Day): I guess the last couple—we're looking at maybe a week.

The Clerk of the Assembly (Ms. Deborah Deller): Could I just get back, because I think—

The Chair (Mr. Garfield Dunlop): Hold on, everybody.

The Clerk of the Assembly (Ms. Deborah Deller): The discussion between Mr. Bisson and Mr. Balkissoon—I think the only real difference Gilles is pointing out is that currently a committee will have a discussion about if it

wants to meet during a recess and when, and then they'll agree to that and they'll put it in a letter, and it will go to the House leaders to determine. Then it forms part of the motion that the House passes, usually on the last day or close to the last day.

The issue then becomes if the committee, for whatever reason, can't—you know, maybe there are witnesses that are only available outside of that time that has been established. Maybe it doesn't make sense to go to Thunder Bay on that particular date that they're authorized to go. In other words, it doesn't allow any flexibility for the committee.

The only difference with this would be that the committee would still get together, make a decision about when it wants to meet and where over the recess, but now it doesn't have to go to the House. It can make that decision by itself, and it can change that decision by itself.

The Chair (Mr. Garfield Dunlop): So this is definitely a topic of interest to the committee, then, the travelling time, and I think—

Mr. Gilles Bisson: There's a whole bunch of stuff in committee, and I don't know when we're getting into it. I thought we were going to get a presentation, so I was kind of holding back.

So, there's the issue of being able to meet at the call of the Chair, as we just talked about. I think the other one is, we need to take a look at standing order 111s and standing order 126s, so that members have an ability to raise issues in the committee that can have some reasonable amount of time to deal with the review on whatever. It was, at one time, under standing order 126, that any member of the Legislature could request a—what was it, so many hours of—

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

Mr. Gilles Bisson: Twelve hours of committee hearings, and the committee just had to do it—

Interjection.

Mr. Gilles Bisson: Go ahead.

The Clerk of the Committee (Mr. Trevor Day): Sorry, that particular standing order, it referred to, on a committee, one of the three subcommittee members was able to raise it.

Mr. Gilles Bisson: Yeah, so it was actually, at that time, I think it was standing order 123, if I remember correctly. It became standing order 126. Why would I know that? Because I've got a sick life.

But the point is, we moved the threshold to two thirds, and I think we need to relook at that two-thirds threshold so that we look at doing standing order 126 for what it was intended for.

Then under standing order 111, only the committee, by way of a majority, is able to deal with looking at a particular item. It works particularly well in a minority Parliament. It doesn't work very effectively for the opposition in a majority government. If there's some way of getting that as well, I think it's one of the issues that I'd like to think about.

Then, the other issue is—and I'm just going to rattle these off—under regulations and private bills, there's an

inability in that committee to do a proper job of reviewing regulation. Not to get in a huge debate, but what's happening now is, almost everything that's being written is being left to regulation, so when a bill comes into the House, pretty well the entire bill is left to regulation.

There was a time that that was not the norm. The norm was, the bill was properly defined as to what the bill wanted, and the only thing that was left to regulation is something that was very technical, like a writing of a manual. For example—Donna would know—the sustainable forestry development act planning manuals are written by regulation.

Now what we tend to do is, we tend to put everything by regulation. So you may have a bill that you introduce as a government that says: "I would like to have the following thing happen," and you leave the details to regulation and your intent is to do a certain thing. You lose government, somebody on this side takes the floor and decides, by way of regulation, to change everything that's happened, and there's no ability for the Legislature to deal with it, which I think is a huge problem.

So one of the things that I'd like us to take a look at is the whole idea of what they call delegated legislation or the making of regulation. I think there are two things: Do we need to have a mechanism by which regulations have to be accompanied with the bill once we get into committees, so that members can properly look at the bill and say, "Okay, well, that's what the regulations are doing; they're doing what they're intended to do by way of legislation. Fine; let's go"? That's maybe one option, and I'm not sure how you do that; or, do you also have another mechanism that says, once government decides to change a regulation, that there be an opportunity for the Standing Committee on Regulations and Private Bills, or some mechanism, to review those particular regulations? Because I think there needs to be transparency.

I don't want to do this to ire the government, but a good example is what happened with the G20 summit, where there was the change on the security perimeter in regard to what the police could and couldn't do. There was no mechanism for this Legislature or the public to be informed about those changes. I think it's to the public good and to the respect of this Legislature and members that we have some mechanism to be able to look at those things as they happen.

Those are just a couple of my bugaboos that I'd like to put on the table.

The Chair (Mr. Garfield Dunlop): Does everyone realize that on their desks in our correspondence there is a bill from private bills and regs? So just to make sure you have a peek at that.

Donna?

Mrs. Donna H. Cansfield: I guess I think I understand what you're suggesting, but it's interesting because, if I go back to the time when there were a number of bills that came through, and I use your government, as a result of the royal commission on education, the amalgamation of school boards, the creation of the College of Teachers,

the EQAO—all of those things, they were all done under the format that there's a piece of legislation, and regulation would follow with the stakeholders.

So, would your suggestion that it all become inclusive to a committee just extraordinarily expand the committee's work to suddenly becoming a regulation-making committee, as opposed to what the ministry would be doing in terms of consultation with stakeholders?

1340

Mr. Gilles Bisson: Let me just very quickly—and maybe the Clerk wants to chime in on this. It's what used to happen here. We did very little by way of regulation. When I came here in 1990—and I imagine there was hardly none at all way before that—bills, once they got into the House and they got into committee, didn't delegate the authority to regulation. Essentially, what was in the bill was in the bill. So it doesn't add any work, and maybe the Clerk wants to chime in.

The Clerk of the Assembly (Ms. Deborah Deller): Some things lend themselves to being done by regulation. You're talking about the Ontario college of—well, any of them: physicians and surgeons, teachers, that kind of thing. The governance of those lends itself to being done by regulation.

I think at the first meeting, Mr. Schein asked me what are the things that keep me up at night. This is one of them, and this is why: There is an increasing propensity—not just with this government; it's happened over time—to present bills to the House that are essentially frameworks, and the guts or the meat of the bill is left to regulation. What that means is that, down the road, if that is going to be changed, it can and is changed by cabinet, not by the House itself. Some of those things that are left to regulation are significant and have a significant impact. While we have a good and judicious government, that's fine, but the risk is that you have a government that's less judicious, and now a whole myriad of things that affect a large portion of the population of the province can be done simply by regulation.

So I guess what I'm seeing is that there was a time when the detail—not the regulation, because it wasn't done by regulation—of a piece of legislation was actually in the legislation. We weren't looking at two pages that made up the bill and then 100 pages of regulation that followed some time later, so that when a committee was in consideration of the bill in public hearings, it actually knew what it was talking about, because it was there in front of them in the legislation. They weren't talking about the theoretical regulation that was coming down some time later.

Mr. Gilles Bisson: To add to that, there's a real danger that a future government can come in and completely turn on its head what the intention of a particular piece of legislation was. I think that's scary, from a democratic perspective, so I think we need to look at it. What the fix is, I'm not 100% clear, but I think the committee needs to look at that and say, "How do we prevent that kind of situation from happening?"

The Clerk of the Assembly (Ms. Deborah Deller): It's not just here, by the way. You're not alone.

Mrs. Donna H. Cansfield: I appreciate that, but I suspect that there's some bills that need two pages and some that need 12. I mean, I recall the conservation bill. It was a very extensive bill and it had probably 20 pages attached to it, because I carried that bill here eight years ago. So yes, I appreciate that there are some that come in and they're a couple of pages. I suspect it lends itself to whatever the bill might be.

I appreciate the fact that you might have a less-than-circumspect government in the future. The issue for me is the issue around the consultation, as opposed to predetermining those regulations being written by a committee, or if you put in the consultation with the committee, it draws out the whole length. One of the things that happens is that a government can sit, as it did with Mr. Harris, 20 days, or it can sit 200 days. The work that's generated is based on the amount of time you're in the Legislature, really. So for me, the idea is: How do you, then, put substance behind that regulation, other than the people just sitting around a table? And that's the issue of consultation, the posting on the EBR, the engagement that should take place with a bill that formulates those regulations after consultation takes place, not before—you know, if the regulation is first written and then you consult, that, to me, is a different kind of consultation. So it's a process issue for me.

Mr. Gilles Bisson: But the point that I'm making is that very little was left to regulation. Bills that were drafted were essentially pretty clear about what they wanted. They weren't a framework. They were, "The legislation will empower the minister to," and would describe what the minister can do when it came to that particular issue.

The only thing we really delegated was the very technical things. Writing a forest management planning manual: That kind of stuff doesn't lend itself well to our process. You need foresters and biologists and all of those people to do that. So all I'm suggesting is that we need to look, I would argue, at how we limit the amount of authority that we delegate by way of bills, would be my first part. The second part: We need some sort of mechanism so that the Legislature has some say about changes to regulation and the drafting of regulation in some way.

Mrs. Donna H. Cansfield: That's a different issue. It's actually a totally different issue. I'm still on the one around how you deal with the bills. I think there is merit to more fulsome bills, but I'm having a struggle around giving the prescription to the committee to write regulations in some—

Interjections.

Mr. Gilles Bisson: You don't leave it to regulation. You draft it in the bill.

Mrs. Donna H. Cansfield: Because the bills will be so fulsome, but you can't regulate—you can't demand that.

Mr. Gilles Bisson: It's what we used to do. Most bills—

Mrs. Donna H. Cansfield: But it wasn't in your orders that no bill could come forward unless it was 20 pages long.

Mr. Gilles Bisson: No. It's because no government in the past—they didn't use their delegated authority. They did it in the bill, and so members of committee—anybody who has been here for any length of time would have seen the day when there was less delegation of authority. What you saw was less of a framework; the bill was prescriptive. I'm saying: Make it more prescriptive and have some mechanism for the regulation to be vetted.

Mrs. Donna H. Cansfield: I don't know how you can mandate that.

Mr. Gilles Bisson: What's that? Sorry, Donna. I didn't hear you.

Mrs. Donna H. Cansfield: I just didn't know how you could mandate that process, to be honest with you. I don't see how you can demand that the bill must be—

Mr. Gilles Bisson: You can do it in the standing orders fairly easily, but in fact it's what used to happen here. Maybe the Clerk just wants to speak to that very quickly.

The Clerk of the Assembly (Ms. Deborah Deller): I'm not sure either. It's maybe a symptom of trying to rush legislation: It's not really quite ready, but there's a desire to get the legislation out there and in front. My sense is that sometimes what you're looking at is just incomplete legislation, and that's why the meat of it has largely been left to regulation.

I guess there are two ways of going about it. I think one way is probably more complicated, and that is: Is there something you can put in the rules that would prevent that from happening? I don't know.

The other is: Do you strengthen—I think it's what the regs committee is asking for. Do you take a look at what it is they're able to do in their regulations review and somehow strengthen that a little bit, or make a sunset provision where if, regulation is changed, it has to be highlighted and sent to the committee in a certain period of time, something like that?

The Chair (Mr. Garfield Dunlop): Bas?

Mr. Bas Balkissoon: Yeah. I just wanted to jump in and say that I'm having difficulty understanding how you did it in the past, because if you crafted a bill as a draft bill and it goes through the process, it does go through amendments and changes before it reaches the final stage. I think, over time, regulation increased because it facilitated better legislation in terms of the government and the ministry actually getting something that they can implement.

So, before we go down this road, I would say that if Gilles is telling me that it used to happen without that many regulations and then we've transitioned to this state, there's probably a good reason why we transitioned to this state, or maybe there's a bad reason, but we need to do some research before we tackle this.

Mr. Gilles Bisson: Oh, I don't disagree.

Mr. Bas Balkissoon: If somebody out there in the ministries or wherever could tell us why governments have moved to this new process.

The Clerk of the Assembly (Ms. Deborah Deller): Certainly it's more expeditious for the government. What it has done is excluded the participation of the House.

Mr. Bas Balkissoon: Excluded the participation of?

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

Mr. Gilles Bisson: Essentially what it does is, it empowers the executive and it diminishes the legislative. Essentially what we're doing is, it's a bit of an American style of politics, I think personally. All I wanted was that we should get a good presentation on that so that people can get their heads around it.

Mr. Bas Balkissoon: But I think we should hear from the ministry staff themselves, and the politicians.

Mr. Gilles Bisson: I don't disagree.

1350

The Chair (Mr. Garfield Dunlop): But just for part of that discussion—I don't want to make this more complex, but when we pass a bill in the Legislature, it's proclaimed and it goes off, and regulations are created by ministry staff, etc. But we never really ever see those regulations again, until we have to look it up or you might have to comment on a website or something. Has there ever been an opportunity, before they're adopted by cabinet, that we can look at those?

Mr. Bas Balkissoon: No, it comes to this committee. Not in full detail, but some of it comes.

The Clerk of the Committee (Mr. Trevor Day): Not in advance of them actually being—that committee will look at regulations once they're out there.

Mr. Gilles Bisson: The only time you see them is when they're gazetted. The only time you see the regulation is once it's gazetted. Once it's gazetted, you get to see it. But the point is, then it's too late. It's done; finished.

Mrs. Donna H. Cansfield: So it's gazetted before the Standing Committee on Regulations and Private Bills gets it?

Mr. Gilles Bisson: That's right. Once the bill is passed at third reading, regulations are written. Once they're approved by cabinet, they're gazetted, and that's the point that you get to see them.

Mrs. Donna H. Cansfield: But they're also on the EBR. They're also out there. Absolutely.

Mr. Gilles Bisson: To a degree.

The Clerk of the Assembly (Ms. Deborah Deller): Their cabinet office will make them available. There are hundreds of them. Cabinet office will make them available, but I guess the point is, they're done.

Mr. Bas Balkissoon: But the stakeholders have given input into some of these regulations.

The Clerk of the Assembly (Ms. Deborah Deller): Not always. How do you know that?

Mr. Bas Balkissoon: Well, Donna has been in cabinet, so she could speak. My understanding is, the ministry staff do consult with stakeholders sometimes on crafting the regulations.

Mr. Gilles Bisson: The stakeholders don't always agree. The more important point: The legislators who debated and who dealt at the committee level of the bill never get to see them. The only time you see them is once they're gazetted. Once they're gazetted, you can

then pull them into the Standing Committee on Regulations and Private Bills, but you can't change it. "Oh, that's nice. Let me see what that one does. Oh, that's wonderful." And on we go. There's no mechanism for the Legislature to have a say.

All I'm saying is, if we're legislators, which we are, we should have the ability to be clear in what a bill is doing. There may be good reasons to do regulation, and it lends itself well to certain bills, I would agree, but we need some sort of a mechanism that the Legislature vets them in some way.

The other point I would make: We shouldn't rely on regulation as a way of drafting legislation. We should draft legislation, and regulation should be used sparingly.

The Chair (Mr. Garfield Dunlop): Over the years, it's one of the things that I've heard a lot of comments about: What were the regulations? A lot of people don't understand them and how we get there. I've had a number of people say to me, "The intent of the legislation we passed in the House was changed with the regulations." We hear about that. I've heard that on a number of occasions. So is this something that we can chat about a bit more?

Mr. Steve Clark: It's a common complaint.

The Chair (Mr. Garfield Dunlop): Yeah, it is common.

Mr. Steve Clark: The other complaint that I see, Chair, is what's crept into legislation about these ministerial reviews. Compared to a review coming back to committee once—I'm thinking of, Gilles, forest tenure, where we talked about it at committee, and having the ability to bring that bill back after the review period, and that's not there. We're abdicating our responsibility as legislators by allowing that to go into a bill. There's political will to review it and to discuss it, and it's totally taken away from us in our piece of legislation and going back to a minister or the government of the day as opposed to where the legislation was originally debated. So there are a couple of things there.

The Chair (Mr. Garfield Dunlop): Can we find out—or maybe we already have this here—what do other jurisdictions do: exactly what we're doing? Or is there any other—anything down the road?

The Clerk of the Assembly (Ms. Deborah Deller): How they deal with delegated legislation?

The Chair (Mr. Garfield Dunlop): I think, of all the things we hear, Deb, that's the one thing I could say that I probably hear most about in committee: "The regulations are not—we've lost the intent," or whatever. So can we get some feedback on what some of the other jurisdictions may do on that?

The Clerk of the Assembly (Ms. Deborah Deller): Could I make a suggestion? This, to me, is a really large issue and a large discussion. I would set it outside of the committee discussion because, while it's related, it's really an entirely different subject matter. So I would, if I were the committee, set the delegated-legislation subject aside for now while you're dealing with the committee discussion.

Mr. Gilles Bisson: I only raised it within committee because of the letter that we got from Mr. Tabuns, the Chair of the standing committee, because he kind of touches on it. I agree with you: We should do that as a stand-alone part.

I agree with Mr. Balkissoon: We need to get experts to come before our committee to talk about: Why are we doing this? Is it good? Is it bad? What's the experience? Can we—

The Chair (Mr. Garfield Dunlop): Does this not impact—I'm sorry—

Mr. Gilles Bisson: It impacts committees, absolutely.

The Chair (Mr. Garfield Dunlop): I guess what I was getting at, though, was that I thought that would be a responsibility that we would want to make recommendations on in this committee.

Mr. Gilles Bisson: Yes.

The Chair (Mr. Garfield Dunlop): But you're saying to set it outside of it?

Mr. Gilles Bisson: No, she's saying to set it outside the committee. We're reviewing committee function; it should be, in itself, an item that we look at, aside from private members' bills, aside from committees. We should have a section—

The Chair (Mr. Garfield Dunlop): I'm comfortable with that, but I just think it's worth the conversation.

Mr. Gilles Bisson: Oh, absolutely.

The Clerk of the Assembly (Ms. Deborah Deller): Oh, no, no, absolutely. What I'm suggesting is that you're trying to deal right now with the discussion on the committee system, and while this might be related, it's really a quite large and distinct subject by itself.

The Chair (Mr. Garfield Dunlop): Yes, but I think—correct me if I'm wrong, but is it part of our responsibility to comment on that?

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

The Chair (Mr. Garfield Dunlop): Okay, you're comfortable with that? Because I think it's—okay, all right.

Other comments on committees?

Mr. Gilles Bisson: I'm taking that there's going to be a presentation.

The Chair (Mr. Garfield Dunlop): Okay, let's turn it over to the Clerk. She probably has a few comments.

The Clerk of the Assembly (Ms. Deborah Deller): I was really going to give a kind of historical perspective. I will say, though, that from our point of view, as the staff to your committee, we find the kind of discussion you've just had helpful, because it helps us understand what it is that you are concerned with, with respect to some of these issues.

You have in front of you a paper that was prepared by our Journals and Procedural Research Branch that really is a very complete document that goes through the history of standing committee reform in this Legislature. I'm not going to take you all the way through the paper; I think I'm just going to highlight a few things.

It starts in 1972, I think. I'm just going to kind of gloss over the pre-1972 section, only because that was the sort of—

The Chair (Mr. Garfield Dunlop): Deb, can I just—are we on the same page? What—

Mr. Steve Clark: History of Standing Committee Reform.

The Chair (Mr. Garfield Dunlop): Okay, that one there. Sorry. Thank you. Does everyone have that one?

The Clerk of the Assembly (Ms. Deborah Deller): I think Ms. MacLeod mentioned that—in the beginning of the Parliament we used to operate largely on the basis of select committees. In other words, they were struck for a specific purpose; once they completed that, they were gone. We didn't really have a permanent committee process. When discussions started to emerge in terms of strengthening our committee system was in the 1972-75 era with John Robarts, and at that point there were some discussions about the committee system and how we might strengthen it. One of the things that happened in that era was the Camp commission. The Camp commission was developed to really take a look at all aspects of the Legislative Assembly operation, both procedural and administrative, and to make recommendations to the House about how its independence could be asserted, how its role could be strengthened.

One of the reports that they did was on the subject of the committee system, and it made pretty radical proposals to revamp the committee system. It recommended that committees be struck on an ad hoc basis to consider individual bills, so every time a bill was referred out, there would be a committee struck to deal with that particular bill. Then it also recommended that there would be some other kinds of committees that were permanent and specialist committees. Those specifically were justice, social development, and resources development, and then another committee that would have responsibility for examining and reporting on petitions—that was an interesting idea—a ministerial undertaking that hadn't been fulfilled within a certain time period and, interestingly, the Ombudsman reports. Then they also recommended striking permanent committees for things on procedure and administration.

The Camp commission also at that time recommended that there needed to be both training and support for Chairs and that there had to be an administrative structure that would support the committees because obviously they were recommending that there be permanent committees, that they would have expanded powers, so there needed to be some support.

1400

Up until that time, the standing orders were virtually silent on committees in the House. The committees were decided by motion of the House. There wasn't really much in the standing orders that spoke to what the procedure should be in committee, but committees largely operated using the standing order that the House used to conduct their business in committees.

The 1975-77 minority Parliament brought about the Morrow committee, which again considered the committee system in Ontario, and that was actually a kind of watershed moment because that committee came up with recommendations that formed the basis of what we currently have as a standing committee structure.

They envisioned four large committees that would consider estimates and bills within their field, so those are what we consider to be our policy field committees now. They also envisioned a public accounts committee that was in existence at the time and would continue; a procedural affairs committee which is the precursor to this committee, which was a committee that would consider all matters of procedure in standing orders before Parliament; a member services committee, which we also used to have, which would consider the services that the House provides to members. That committee would consider everything from constituency office support to global allowances to high chairs in the dining room, which was one of the things that that committee decided on.

The Morrow committee recommended that—and this is interesting because if you go back to these recommendations, you'll be interested that we're still having these same discussions—"Committees should be free to schedule their own business, to meet concurrently with the House, and to sit during a recess if they so wished.

"Committees should be empowered to call witnesses and to travel—during the course of their business during both a session and a recess.

"The standing orders should have rules governing: the examining of witnesses, the rights of witnesses"—and the ability of committees to organize their own schedule and report.

They also recommended at the time that, "There should be a permanent all-party panel from which committee Chairs would be chosen."

Some jurisdictions have a similar kind of thing. Sometimes they call it a liaison committee. Sometimes they call it a committee of Chairs, and that committee can sometimes determine—it doesn't so much decide who should chair which committee, but it fulfills the function that we currently have fulfilled by House leaders where it'll decide which committees can have a budget for travel and which committees should travel and where and all that kind of thing.

There are a number of other recommendations that came out of the Morrow report; some of those recommendations were adopted. The House established four large policy field standing committees and four smaller committees. They created the standing order that says there has to be a five-day period after a bill is referred to committee before the committee can actually consider a bill—you'd be interested to know that we still have that standing order, although it's not widely recognized—but that the five-day period could be waived if 20 members stood in their place. Then there was a two-hour period by which amendments had to be filed before they could be considered in committee.

It also talked about estimates and established that about half the ministries would be referred to standing committees and that the order of estimates would be considered in rounds, as we do now. It talked about posting of committee meetings, referral of private bills—private bills, not private members' bills—to committee.

So there were a number of recommendations that came out of the Morrow report and a number of changes to standing orders as a result of those recommendations, which are very similar to what we currently have.

Then, between 1977 and 1981, two new committees were created at that time: the statutory instruments committee, which is now regs and private bills, as well as the members' services committee.

There were a lot of changes that came out of a report from the Standing Committee on Procedural Affairs at that time, but none of those affected the committee system. Particularly, some time later, the procedural affairs committee then assumed the task of continuing the discussion for the committee system, and it made certain recommendations again.

The report recommended the establishment of a finance and economic affairs committee, which was to consider some estimates and also review Ontario's fiscal and economic policy, and study the budget papers, what we now know as pre-budget. They also recommended a government agencies committee, which is established to review government agencies. At the time, that committee didn't have responsibility for public appointments, so it focused entirely on a review of government agencies. It also made the recommendations to establish a committees branch to provide administrative and procedural support to the committees, and also establish that Legislative Research Service should provide independent research for the committees. That report was made to the House and then it died in the House, without actually being acted upon.

Between 1981 and 1985, interestingly enough, the procedural affairs committee conducted a review of witnesses before committees. That fell out of the Ontario Law Reform Commission, which had made certain statements about the rights of witnesses before legislative committees. At that point, that committee considered things like Speakers' warrants, which we're all very familiar with right now.

The report also recommended a full Hansard service; up until that time, only estimates were recorded in Hansard. So you're talking now about having Web streaming of committees; in the not-too-distant past, we not only didn't have Web streaming, we actually didn't have a printed Hansard of committees.

In the time period between 1985 and 1987, again the procedural affairs committee made some recommendations in a report on the committee system: reducing the size of the committee to eight members; made some comments on the policy field committees; and said that bills should be considered in special legislation committees. So you can see that these discussions are a little bit circular. We've talked about them here; we've talked about them before.

The report was tabled in the House and was, in fact, debated in the House, but typically, what happens is that the House leaders and whips then take the subject matter of the report and they start having discussions, and that's what happened in this case. That process led to the adoption of new provisional standing orders in the House.

Provisional standing orders is a mechanism we use when the House wants to try something out, and so they will adopt standing orders on a provisional basis, usually with a clause that says that if there is no motion confirming these orders by a certain date, then they die.

That established 10 standing committees: justice, general government, resources development, social development, finance and economic affairs, government agencies, Ombudsman, Legislative Assembly, public accounts, and regs and private bills. Each committee was given detailed terms of reference, which you still see in the standing orders today. There was a whole section added to the standing orders again, which established the process and administration for the committees. They also adopted a substitution mechanism.

1410

That time also had them adopting the distribution of chairships in proportion to representation of parties in the House, and the mechanism we still have, which requires the government to respond to a committee report within 120 days of the tabling of the report, if the committee so requests.

In 1986 there was a discussion about appointments in the public sector. Then, after the 1987 election, the parties agreed to another round of procedural reform, and the House adopted new standing orders which provided for the creation specifically of the standing committee on estimates. On page 15 there's a whole list of other things that they continued to discuss.

Then we got to 1990. Between 1990 and today, I will say that reforms to the standing orders, and specifically reforms to committees, have really been either the result of discussions among House leaders or as a result of a motion by the government being put on the order paper and forcing a discussion to occur either at the House or among the House leaders. The changes in 1997 with respect to committees really came out of certain tactics that had occurred that same year with respect to committees. They gave Chairs, for example, the authority to declare that amendments were frivolous or vexatious, and to group similar amendments. This was in direct response to the 1997 12,000-amendment, nine-day, around-the-clock sitting of the Committee of the Whole House.

The Chair (Mr. Garfield Dunlop): Deb, can I ask a question, just for a second? Over the years, how many times in this history that you have here has a committee like we have today, the Standing Committee on the Legislative Assembly, tried to make the changes with a minority government status? Because most of these changes before have been done by the government, and they've had the majority to carry them, but without the full consensus of a committee. Not all committees over the years have been like we're trying to agree on every-

thing here. The ones in 1997, the ones earlier—do you know how many would have been done by a minority Parliament?

The Clerk of the Assembly (Ms. Deborah Deller): The changes in 1997 came about as a result of a motion in order to address a specific situation, and since 1990 that's what's typically happened. I would say that most of the standing order reforms of any significance have actually occurred in a minority Parliament situation, because it kind of forces everybody to sit down and start talking.

The Chair (Mr. Garfield Dunlop): Because this is the first minority Parliament since when—1985, 1987?

Mr. Gilles Bisson: It was 1985.

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

Mr. Gilles Bisson: And 1975-77 was the one before that.

The Chair (Mr. Garfield Dunlop): Right, okay. Just curious; I want to make sure I'm clear on that. So we've got to get a consensus here; no one's going to ram something through here.

Mr. Gilles Bisson: That's exactly the point, and I think that's the real strength of what could happen here: that members can look at the perspective of what is right for members and leave the politics aside and figure out how we can move forward. I think that's what it should be.

The Chair (Mr. Garfield Dunlop): Sorry; go ahead.

The Clerk of the Assembly (Ms. Deborah Deller): Really what that brings us to is the present day. Currently we have a number of committees in the House that have specific terms of reference set out in the standing orders. There are committees that deal with the financial matters of the House. The Standing Committee on Finance and Economic Affairs is authorized to consider and report to the House its recommendations on the fiscal and economic policies of the province. It spends its time, in reality, doing pre-budget consultation. Then, from time to time, a bill that has to do with the treasury will get referred to that committee for consideration as well. It can, by virtue of its permanent terms of reference, though, consider other fiscal matters on that subject, of its own initiative. That it doesn't is entirely the committee's discretion.

As an example—Trevor helpfully tells me—in the 35th Parliament the Standing Committee on Finance and Economic Affairs considered the issue of cross-border shopping, which at the time was a very big issue publicly. That committee decided, of its own initiative, to consider it.

The Standing Committee on Estimates is also a financial committee. It gives the ability for members to grill ministers and bureaucrats from a variety of ministries on their estimates proposal for any given year. Estimates, just for your information, used to be spread out among all of the committees of the House, depending on what their policy field was. So, if it was transportation, for example, it would go to the general government committee; if it was health, it would go to the social policy committee. It

wasn't until the creation of the Standing Committee on Estimates that there was one committee that was charged with considering the estimates of the government.

The public accounts committee is authorized to review and report to the House on its recommendations on the report of the Auditor General and the public accounts. Those reports are permanently referred to the committee. The interesting thing about that is, that means the committee can consider the most recent report that it has received from the Auditor General or the report from five years ago that it received from the Auditor General, which gives that public accounts committee a wide range of authority when dealing with any matter, almost, that the Auditor General has raised.

Then there are a number of oversight committees. Government agencies is one of those. Government agencies has the authority to review and report on all agencies, boards and commissions. It also has the authority to review any public appointments. It, in reality, spends its time largely dealing with public appointments. While it has the authority to do agency reviews, it rarely any more conducts any of those agency reviews. I suspect that has a lot to do with the amount of time it has to meet.

The Chair (Mr. Garfield Dunlop): Deb, I think Gilles has a question relating to this.

Mr. Gilles Bisson: I just want to highlight that last point that the Clerk made. There was a time when agencies and commissions played a much stronger role when it came to reviewing agencies. For example, we have a number of agencies, like the ONTC, Trillium, OLG—whatever it might be—and members used to actually take some time and say, “Let's take a look at what those agencies are doing so that we can learn more about what they're doing and we can make suggestions to the government, by way of a report of this committee, how to strengthen whatever it might be.” I think the difficulty is that we've gotten into—I don't know how to put it. Every government has done it, so this is not intended and directed at the current Liberal administration. The Tories did it; we did it. There is less of a want on the part of government to allow the committee to do this, so they use their majority on committee to stop it, to a certain degree. I would just say that we need to look at a mechanism. Again, why I talk about the call of the Chair and why I talk about giving committees the ability to do the work is that I think some of the best work we can do on that committee is not just to review appointments but to take a look at some of our agencies.

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

The Clerk of the Assembly (Ms. Deborah Deller): Sorry. Just to respond, my perception with respect to that committee is that it used to do agency reviews because that's all it had to do. When it changed was when it was given the additional responsibility of public appointments, and that usurped much of the committee's time, so the agency reviews were left to whenever they could get around to them.

The Chair (Mr. Garfield Dunlop): Lisa.

Ms. Lisa MacLeod: I fear I may have actually been the longest-serving member of all time on that committee. I certainly saw my share of members come and go as I sat on that committee.

In terms of the government agencies committee—and I think it's pretty valid that we actually talk about what committees we have in place here and if they're effective. You make a great point that the intended reason for that committee was to review crown corporations, agencies, etc., and then years later there was an ability for the committee to review intended appointees. I must say that—and it may be different as a result of being a minority government, but it's effectively a farce. There's no real mechanism, if somebody is unsuitable for an appointment, to send that back to the drawing board or back to the government.

The same is true that there's really not enough time to do in-depth study, although one would try, of a government agency or board or commission. So I think that we may want to consider how to do that so that it's a bit more effective. That is a committee that effectively could be looking into the operations of some of the issue that we've seen here: the eHealth, the Ornges. Those groups could effectively be going through that committee if that committee had more teeth.

1420

I will say this: In the past I've had witnesses in there who were controversial and weren't, I don't think, exactly—jeez, I won't say who—being truthful to the committee, and I felt that we had no way that there would be recourse if somebody was misleading one of our committees. I think that's a pretty serious issue. We've seen now what's happening with the public accounts committee, and of course with a warrant issued the other day.

I just felt that in the past we've had these issues. I must say I've come to the government's defence on a couple of things as well over the years where there's been spurious allegations made by a delegation. That said, there should be a review of how that committee conducts business—and I mean no disrespect to those currently sitting on it; it's just my own personal experience, having sat there for many, many years. I think there's a better way.

The Chair (Mr. Garfield Dunlop): Okay, Donna, and then I'll go back to the Clerk.

Mrs. Donna H. Cansfield: That actually raises the question about the mandates of the committees or to look at recommendations whether those mandates should be restricted or expanded. I think that comes to your point. Given the amount of time and the amount of work, what I call the art of the possible, it's nice to say you'd like to do all sorts of things, but what is it you can actually do? So maybe part of what we need to look at is the mandate of the committees and their function, and are they one and the same, and is it possible to do the things that we're asking the committee to do?

I don't disagree with Ms. MacLeod; there have been times when I've sat and thought that I'd like to ask some

more in-depth questions about a particular individual, and not from a political perspective necessarily but more from a personal perspective like, “Why are you here? Why did you really want this job?” And sometimes that’s precluded; sometimes it’s time; sometimes it’s other situations. So maybe we can throw that in for discussion just around the general mandate.

The Chair (Mr. Garfield Dunlop): Deb, we’ll go back to you. Sorry, we got you off-track there for a second, but lots of interesting points.

The Clerk of the Assembly (Ms. Deborah Deller): The next oversight committee is regs and private bills. It obviously reviews private bills, which is a necessary component, and I think the committee does a good job of that. It goes through clause-by-clause; it hears from the people it needs to hear from. They also have the responsibility to review regulations, and I will say there’s a bit of a struggle with that committee in terms of keeping up with the review of regulations. And I guess maybe if you do have a discussion about delegated legislation down the road, the other thing you may want to look at is what exactly that committee is able to do with respect to its review of regulations, and should there be some kind of change to that?

The Legislative Assembly committee is this committee, empowered to review and report to the House its recommendations concerning the standing orders, procedures of the House, its committees and so on. This committee also has the mandate to review reports of the Ombudsman, which it doesn’t frequently do; and then that goes back to a discussion we had, I think, last time about the possibility of having a committee that provides some oversight with respect to the parliamentary officers and, quite honestly, allows those officers to come before it and have a discussion about the reports that they present to the House.

The policy field committees: general government, justice policy and social policy—that’s the discussion I think Gilles was talking about that you might have on standing order 111 and standing order 126, because it’s those committees that are able to initiate those kinds of discussions. Those are the committees that typically consider legislation in our Parliament. Again, I guess the other discussion that we’ve had is whether or not it would make more sense for legislation relating to those policy fields—that was the idea when those committees were first conceived—that legislation relating to those policy fields should be sent to those policy field committees so that there was an expertise developed among members on those committees.

The only other thing that I was going to talk about today was Committee of the Whole House.

The Chair (Mr. Garfield Dunlop): Is that a separate document here, Deb?

The Clerk of the Assembly (Ms. Deborah Deller): Yeah, you have a document called Committee of the Whole House, oddly enough—Committee of the Whole.

The Chair (Mr. Garfield Dunlop): I know this was one Gilles was really—

Ms. Lisa MacLeod: Is Gilles coming back? Are we able to move on to something else until he gets back?

The Chair (Mr. Garfield Dunlop): This is the only thing Deb had ready for today.

Ms. Lisa MacLeod: I see. Okay. Never mind.

The Clerk of the Committee (Mr. Trevor Day): If we could, maybe we could jump in just quickly—and I don’t want to exclude him from it, but that request to the House leaders to possibly extend the duration of our mandate: We’ve got a draft letter; we’ve got some—

Ms. Lisa MacLeod: Perhaps we could move to that, so that—I say this because I’ve had no experience with Committee of the Whole House and I think he’s the only member here who has.

Mr. Bas Balkissoon: None of us have.

Ms. Lisa MacLeod: Yeah, so I just think it might be useful to have him here for that part.

The Chair (Mr. Garfield Dunlop): Okay, no problem. I just want to check on this letter to the House leaders.

Here he is now.

Ms. Lisa MacLeod: I’d like to move the motion. No? Okay. It’s the letter.

Mr. Gilles Bisson: So who’s moving—

The Clerk of the Committee (Mr. Trevor Day): So far, nobody; it’s just for discussion.

The Chair (Mr. Garfield Dunlop): Just for discussion right now, but we were prepared to—we weren’t sure when you were coming back, but—

Mr. Gilles Bisson: Just one second; I’m dealing with another pressing matter.

The Chair (Mr. Garfield Dunlop): Okay. Let’s deal with the letter. Lisa?

Ms. Lisa MacLeod: I’d like to move that the Standing Committee on the Legislative Assembly—

Mr. Gilles Bisson: Please do not vote. I want to discuss this.

Ms. Lisa MacLeod: Where’d he go?

The Chair (Mr. Garfield Dunlop): Read it. Read it, and we’ll have a vote.

Ms. Lisa MacLeod: I move that the Standing Committee on the Legislative Assembly is currently undertaking a review of the standing orders and has agreed to seek authorization from the House to extend the duration of the committee’s membership.

I would therefore respectfully request that a motion be presented to the House extending the duration of the Standing Committee on the Legislative Assembly’s membership beyond “the first day of the 2012 fall meeting period” as ordered by the House on February 23, 2012.

On behalf of the Standing Committee on the Legislative Assembly, thank you for your consideration of this request.

The Clerk of the Committee (Mr. Trevor Day): Okay, hold on. There’s a letter here, and this was just the middle of the letter. So we can agree on the wording for the letter, if the committee so chooses.

Ms. Lisa MacLeod: And I think now everybody knows that if you put something in front of me, I'll read it out loud, before I read it—

The Chair (Mr. Garfield Dunlop): Okay, so Gilles had a comment on this.

Mr. Gilles Bisson: I would ask the committee to hold off on this because we are discussing this at House leaders. There is an understanding, and it's fair to say that the three House leaders understand that there needs to be a continuation of this committee beyond September. Can you just please give us a bit of time to work out how? This may actually not help us.

The Chair (Mr. Garfield Dunlop): So can we withhold this for the time being?

Mr. Gilles Bisson: Yes.

The Chair (Mr. Garfield Dunlop): Lisa, can we withhold this for the time being, your motion?

Ms. Lisa MacLeod: Sure. But only for seven days.

The Chair (Mr. Garfield Dunlop): Okay. We'll see if we can come up with—

Mr. Gilles Bisson: I'll explain it. You'll see why.

The Chair (Mr. Garfield Dunlop): We'll look at it next week and see what the chances are.

If we can go back to Committee of the Whole—that was interesting. We wanted to save this for you, Gilles.

The Clerk of the Assembly (Ms. Deborah Deller): Since you have—none of you have experienced Committee of the Whole House except for Gilles?

Mr. Gilles Bisson: It's actually wonderful. It is one of the neatest ways of dealing with matters having to make some minor change to a bill. You bring it into Committee of the Whole; it's a very good process. She's going to talk all about it because she's a big fan too.

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

Committee of the Whole House is actually a committee that is made up of every member of the House, and it meets in the chamber. What typically happens is that when something gets referred to Committee of the Whole—we don't currently have anything referred to Committee of the Whole and we haven't had anything referred to Committee of the Whole for several years. But when something gets referred to Committee of the Whole, it will appear on the order paper under the heading "Committee of the Whole House," and there will be a listing of everything that has been referred to Committee of the Whole House.

1430

What typically happens then is the Speaker will say, "Orders of the day," and during orders of the day the government House leader will call the order for Committee of the Whole House. At that point, the House resolves itself into committee.

The Speaker comes down out of the chair, the Clerk leaves her chair—and this is not why I like it—and the presiding officer then takes the Clerk's chair at the table as the Chair of Committee of the Whole House, so the throne—

The Chair (Mr. Garfield Dunlop): The Speaker does that?

The Clerk of the Assembly (Ms. Deborah Deller): It's usually not the Speaker. It's usually one of the deputies who will take the chair as the Chair of Committee of the Whole House, so the throne is empty at that point. And then the House conducts itself just as a legislative committee does, except it's in the chamber and every member has the opportunity to come in and discuss whatever the subject is.

Typically, Committee of the Whole will meet to do clause-by-clause of legislation. So it can be used in instances where it's agreed or determined by the government, for example, that an amendment needs to be made or amendments need to be made to legislation, but it's really not necessary to go to public hearings. That could be for a couple of reasons. It might be that it's just generally agreed that it's not necessary, but it could also be that the bill has already gone out to committee after second reading for public hearings, it's already been reviewed in standing committee and it's already been reported back to the House.

Now there is—and you know that this has happened—a concern that something should have been changed that didn't get changed, that got missed, or something went awry in committee. If you don't want to send it back out to standing committee, Committee of the Whole is the perfect venue for that. So bills can be referred to Committee of the Whole either immediately after second reading, or they can be referred to Committee of the Whole after they've been reported back from standing committee review.

The process, then, is that once the Chair has taken his place for Committee of the Whole, the parliamentary assistant or the minister who's responsible for that piece of legislation is allowed, under the rules, to move down to the first row, if they're not already in the first row. There is a table. You may have noticed that table that sits behind the Speaker's throne in the legislative chamber. It's actually there for a purpose. That's the Committee of the Whole table, and it gets brought out and put in front of the desk of whoever the minister or parliamentary assistant it is that has carriage of the legislation, and then up to three staff from the ministry are allowed to come on to the floor of the House and occupy that table to assist the minister or parliamentary assistant with dealing with questions that may come up from members as they review the bill.

The Chair will ask, "Are there any comments, questions or amendments, and if so, to what sections of the bill?" and at that point, any member of the House can indicate that they either have something to say or they have a question or they have an amendment on a certain section of the bill, and the Chair will then go in order, just like we do with clause-by-clause in standing committee.

It is a much less formal procedure in the chamber than the House, constituted in its normal fashion, is. It provides the opportunity for all members to participate in

the clause-by-clause process, so it operates much like a committee. Members can speak more than once, obviously, because they can ask more than one question and they can move more than one amendment during the clause-by-clause process. Clause-by-clause proceeds in Committee of the Whole House much like it does in any standing committee.

At any point, there can be a motion that the committee rise and report progress. So you don't need to complete clause-by-clause consideration before the committee can adjourn. You don't even need to get very far in the clause-by-clause process. There can be a motion that the committee rise and report. If that motion is carried, the Chair then moves back up to the dais and indicates to the House that the committee wants to report progress. The House agrees to that motion and the House resolves itself back into its normal configuration. So that's kind of a Reader's Digest version of Committee of the Whole House.

The Chair (Mr. Garfield Dunlop): Why did we do away with that? And then Bas, sorry.

The Clerk of the Assembly (Ms. Deborah Deller): Well, we didn't really do away; it still exists. There wouldn't be any required change to the standing orders to re-employ the use of Committee of the Whole House, because it all still exists in the rules.

What happened, though, was in 1997, on April 2, when the House was considering the city of Toronto amalgamation legislation, there was a time allocation motion that had been passed by the House that said that when this bill is considered in Committee of the Whole House, the Committee of the Whole House shall—not “may”; “shall”—meet until completion of clause-by-clause consideration of the bill. Then what happened was that first the New Democrats and then the Liberals—although they had fewer amendments—but the New Democrats filed somewhere in the neighbourhood of 9,000 or 10,000 amendments to the bill. The Liberals, for their part, I think, filed something less than 2,500 amendments. So we were looking at somewhere in the neighbourhood of 12,000 amendments at that committee.

For reasons that still escape me, the government called Committee of the Whole anyway that afternoon. We went into Committee of the Whole at about 3 o'clock in the afternoon, and once we were in, there was no way to get out because we were operating on an order of the House to meet until we had completed clause-by-clause consideration. That caused the House to meet around the clock for nine days, because we were unable to get out of Committee of the Whole House. Since then, there has been a reluctance on the part of any government to go into Committee of the Whole House.

But I will say this: The reason for that impasse in the House was more a function of the time allocation motion and its wording rather than Committee of the Whole by itself. Absent the time allocation motion in that circumstance, Committee of the Whole would have quite easily been able to get back out and into the House, so it wouldn't have happened. It was the time allocation

motion that caused a situation where Committee of the Whole House was operating under an order of the House and couldn't rise and report.

The Chair (Mr. Garfield Dunlop): Steve, do you have a question?

Mr. Steve Clark: So that was an order of the House in April 1997. You say that it has met eight times since 1998. Other than that faithful 10-day debate, give me some idea of why Committee of the Whole House was used since 1998.

Mr. Gilles Bisson: Or before 1998.

Mr. Steve Clark: It says that it has met eight times since 1998—the last line of the report.

The Clerk of the Assembly (Ms. Deborah Deller): Usually to—sorry?

The Clerk of the Committee (Mr. Trevor Day): To fix a bill after it has been out to committee if something has been missed.

The Clerk of the Assembly (Ms. Deborah Deller): Yeah. Usually, it's to clean up a bill after it's been considered by a committee.

Mr. Gilles Bisson: So what could happen—you're in third reading. All of a sudden, in third reading debate, some stakeholder comes to a critic, the minister or whatever and says—

Interjection.

Mr. Gilles Bisson: Oh, sorry, were you ahead of me? Go ahead, please.

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

Mr. Gilles Bisson: No, no, sorry. Bas, go ahead.

Mr. Bas Balkissoon: You called Steve. You said “Steve” and then me. I'm sitting there going, “Okay.”

The Chair (Mr. Garfield Dunlop): I'm sorry; it's my fault. He's giving you a chance. Go ahead.

Mr. Bas Balkissoon: I just had a quick question of the Clerk. I read this, but it doesn't clearly state to me, so maybe you can clarify it. It says that a bill intended for committee scrutiny after second reading could be referred to the Committee of the Whole. Who was doing the referral? Was it the government? Was it any member? How was it done?

The Clerk of the Assembly (Ms. Deborah Deller): Currently, what happens is that when a bill receives second reading, the Speaker will say, “Shall the bill be ordered for third reading?” and somebody yells, “No!” Then the Speaker will look to the minister responsible for the bill for an indication of where the bill should go. The minister currently has the ability to say, “Committee of the Whole House,” but then we also have a provision—and I've forgotten how many members, because we never use it—but if the minister says, “Committee of the Whole House,” the opposition can, by virtue of standing a certain number of members, force the bill into a standing committee.

Then, when the bill is considered—let's say it goes to standing committee and it's considered in standing committee. When it comes back and the bill is reported back from committee, the Speaker then says again, “Shall the bill be ordered for third reading?” There's an opportunity

again for it to be referred to Committee of the Whole House instead of ordered for third reading.

Mr. Bas Balkissoon: By anybody, or the minister again?

1440

Mrs. Donna H. Cansfield: Whoever has the bill.

The Clerk of the Assembly (Ms. Deborah Deller): No, I think the minister.

Mr. Jonah Schein: When would that be used? Are there advantages in the public good for Committee of the Whole? Are there political advantages of bringing it before the Committee of the Whole? I don't understand what kind of scenario this would happen in.

The Clerk of the Assembly (Ms. Deborah Deller): Typically, it's when there's a general understanding that there are amendments necessary but maybe public hearings aren't required; or if the standing committees are otherwise occupied and there's a desire to get a piece of legislation through the process without having to send it out to a standing committee—

Mr. Jonah Schein: For expediency.

The Clerk of the Assembly (Ms. Deborah Deller): Yeah, it could be for expediency. The other thing is, it's a fail-safe: make a mistake in standing committee, and it can usually be corrected in Committee of the Whole House.

The Chair (Mr. Garfield Dunlop): Any other comments on this or anything you have to add today, Deb? I know that you seem to like the idea of Committee of the Whole, or you sort of—

The Clerk of the Assembly (Ms. Deborah Deller): I think that Committee of the Whole has a useful function.

Mr. Steve Clark: I just want to get my head around some of the examples that have happened since 1998—not this minute.

The Clerk of the Assembly (Ms. Deborah Deller): We'll get—because I'm going to have to—

Interjection.

Mr. Steve Clark: I'd like to get my head around it.

The Chair (Mr. Garfield Dunlop): Okay. We'll have a list prepared for that—the examples.

Mr. Steve Clark: Sure. There are only eight times. It's not like we're talking about volumes here.

The Chair (Mr. Garfield Dunlop): Any other comments from any of the committee members on this? Bas, did you have anything else to ask about Committee of the Whole?

Mr. Bas Balkissoon: The only thing would be, Mr. Chair—

Interjections.

Mr. Bas Balkissoon: —this today, and Mr. Bisson is the one that raised the issue, so maybe we need to hear from him what it is he wants.

Mr. Gilles Bisson: What's this?

The Chair (Mr. Garfield Dunlop): We want to get a few more comments from you, Gilles. You had supported this, and the Clerk—

Mr. Gilles Bisson: The Committee of the Whole? Okay, the reason why is simply this: A bill goes into

committee after second reading, and there are public hearings. The bill is amended and sent back to the House for third reading debate. You're now into third reading debate. The minister finds out, "My God! We should've done this amendment." A critic finds out, "Oh, my God, we should have done this amendment," and goes to the minister. The minister says, "You know what? You're right." That has actually happened. It has happened a number of times. The House, at third reading, resolves, and it goes into Committee of the Whole. It's a way of taking the bill from third reading and being able to amend it so that the bill actually does what the government or the Legislature wants.

There's nothing that prevents us from doing it now. It's mostly cultural, I would say. It's mostly—

The Clerk of the Assembly (Ms. Deborah Deller): It's fear.

Mr. Gilles Bisson: Mostly fear.

Mr. Bas Balkissoon: But we, as a committee, can't change a culture of fear.

Mr. Gilles Bisson: No, but I think the point that I'm making and I think what the Clerk is making is that the first way to change a culture is to start having the discussion here and amongst our caucuses. Is there something in the standing orders that would allow us to give the government some comfort that they won't get hijacked in Committee of the Whole? I don't know; we're just putting it on the table.

The Chair (Mr. Garfield Dunlop): Thanks, Gilles. Lisa?

Ms. Lisa MacLeod: I have a sort of selfish question that has to do with legislation already in a committee—further to this morning, I guess. I want to be very clear on the process. When a member ceases to be a member of the assembly yet has legislation before a committee—and I spoke to the table earlier—that bill is still in committee unless it is discharged by the committee?

The Clerk of the Assembly (Ms. Deborah Deller): Effectively, at whatever stage it's at, any legislation in the name of that member who's no longer a member will do what's called "die on the order paper," meaning that at prorogation, it will drop off the order paper; it won't be proceeded with. You cannot, in the interim, proceed with that legislation in that member's name any further than it already is, because there is no sponsor any longer of the bill.

Ms. Lisa MacLeod: Further to that, however, I guess the question is: If that bill were to be reintroduced after that member had left, it wouldn't be ruled out of order? It would be ruled in order because that bill that would have been at committee stage would, effectively, no longer exist?

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

Ms. Lisa MacLeod: Good to know; thank you.

The Clerk of the Assembly (Ms. Deborah Deller): There are a couple of ways that it can be dealt with, if the House wants to, most effectively with unanimous consent. The bill can be reintroduced and then sent out to

committee at the same stage it was when the member resigned as a member.

Ms. Lisa MacLeod: Okay. So, similar to what we—

The Chair (Mr. Garfield Dunlop): Gilles?

Mr. Gilles Bisson: You probably made this point, but it just dawned on me. The problem we got into in the 1990s on the megacity bill was, because of the way the time allocation motion was worded, it made it such that we, as the opposition, were able to muck up the process by putting a whole bunch of amendments. The reality today is, the government could decide to use the Committee of the Whole and not be in that situation, because the situation was only created because of the way the time allocation motion was written.

Mr. Bas Balkissoon: But Gilles, you know that you can write the best procedure or the best bill, and somebody will figure out how to find a loophole.

The Chair (Mr. Garfield Dunlop): Okay. Any other comments on Committee of the Whole that anybody would like to make?

Mr. Gilles Bisson: I just think we should look at whether there's a way to prevent that from happening. Because I agree: Committee of the Whole and no process of the Legislature—the principle of Parliament is, government must be able to pass its bills. Opposition must be able to keep the government to account. Those are the two principles by which a Parliament operates.

I agree with you that we should not allow a mucking of the process that prevents the government from being able to get its business through, but on the other hand, there needs to be a bit of a balance about the role of the opposition and government in that process, number one. Number two is, there certainly is a way, I think, of looking at the Committee of the Whole by way of the standing orders that would allow both those principles to be maintained.

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

Mr. Steve Clark: Just a question through you, Chair, to the Clerk. The reason that the House kept going was because of the way that motion is worded. If there wasn't a motion worded that way, what's the time frame on Committee of the Whole House? When it says there's no limit on the number of times a member can speak, you would still—regardless of whether it says “shall,” you could keep going, unless there was some consent—

The Clerk of the Assembly (Ms. Deborah Deller): You could, until somebody gets the floor and moves that the committee rise and report, which is the same as an adjournment motion. It's non-debatable and it gets decided right away and then, presumably, the vote carries and we go back into the House.

Mr. Steve Clark: Revert back and—okay.

The Chair (Mr. Garfield Dunlop): We're probably coming to the end of this session today. There was a comment you had about a delegation?

The Clerk of the Committee (Mr. Trevor Day): Just for everyone, we have a delegation from Ghana who's looking to meet with our committee, if possible, next Tuesday from 9:15 to 10:15. I will alert all of your offices and you can respond accordingly. I just wanted to let you know.

Interjection.

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

Ms. Lisa MacLeod: Why can't we go to Ghana to meet the delegation?

The Clerk of the Committee (Mr. Trevor Day): We'll try to set that up with them when we talk to them on Tuesday.

Mr. Gilles Bisson: We need reciprocal hospitality for visits.

Ms. Lisa MacLeod: Yes, we want a friendship agreement here.

The Clerk of the Committee (Mr. Trevor Day): We'll set that up.

The Chair (Mr. Garfield Dunlop): But seriously, though, is it just our committee?

The Clerk of the Committee (Mr. Trevor Day): They'll be meeting with a number of committees. They're in town that day and there are some other committees they're meeting with. That's what they've asked of us.

Ms. Lisa MacLeod: Maybe we can ask them how they do their standing orders.

The Clerk of the Committee (Mr. Trevor Day): Next Tuesday at 9. The time isn't great. It's right around when the House is sitting. We'll send something out to your offices. I just wanted to put it on your radar—

The Chair (Mr. Garfield Dunlop): But for courtesy's sake, we're responding to them?

The Clerk of the Committee (Mr. Trevor Day): I'm going to make sure you're there, and then we'll see about the rest of us. We'll see how it goes.

The Chair (Mr. Garfield Dunlop): All right. I just wanted to make sure—

Interjections.

The Chair (Mr. Garfield Dunlop): Okay, ladies and gentlemen, with that, we'll adjourn the meeting until next Wednesday at 12 o'clock. Are we still having lunch?

The Clerk of the Committee (Mr. Trevor Day): If we're going to have lunch, then the meeting starts at 1 p.m.

The Chair (Mr. Garfield Dunlop): Is that okay with everyone? The meeting is adjourned now.

The committee adjourned at 1449.

CONTENTS

Wednesday 2 May 2012

Standing orders review M-107

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Chair / Président

Mr. Garfield Dunlop (Simcoe North / Simcoe-Nord PC)

Vice-Chair / Vice-Présidente

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mrs. Laura Albanese (York South–Weston / York-Sud–Weston L)
Mr. Bas Balkissoon (Scarborough–Rouge River L)
Mr. Gilles Bisson (Timmins–James Bay / Timmins–Baie James ND)
Mrs. Donna H. Cansfield (Etobicoke Centre / Etobicoke-Centre L)
Mr. Steve Clark (Leeds–Grenville PC)
Mr. Garfield Dunlop (Simcoe North / Simcoe-Nord PC)
Mr. Jeff Leal (Peterborough L)
Ms. Lisa MacLeod (Nepean–Carleton PC)
Mr. Jonah Schein (Davenport ND)

Substitutions / Membres remplaçants

Mr. Grant Crack (Glengarry–Prescott–Russell L)

Also taking part / Autres participants et participantes

Ms. Deborah Deller, Clerk of the Assembly

Clerk / Greffier

Mr. Trevor Day

Staff / Personnel

Mr. Larry Johnston, research officer,
Legislative Research Service