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# Official Report of Debates (Hansard)

Tuesday 26 February 2013

Standing Committee on Government Agencies

Organization

# Journal des débats (Hansard)

Mardi 26 février 2013

Comité permanent des organismes gouvernementaux

Organisation

A-1

Chair: Lorenzo Berardinetti Clerk: Anne Stokes Président : Lorenzo Berardinetti Greffière : Anne Stokes

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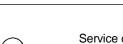
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LEGISLATIVE ASSEMBLY OF ONTARIO

# STANDING COMMITTEE ON GOVERNMENT AGENCIES

Tuesday 26 February 2013

The committee met at 0905 in committee room 1.

#### ELECTION OF CHAIR

The Clerk of the Committee (Ms. Anne Stokes): Good morning, honourable members. It is my duty to call upon you to elect a Chair. Pursuant to standing order 117(c) and the sessional paper that was tabled on November 24, 2011, the Chair of the Standing Committee on Government Agencies must be a member of the Liberal Party. Are there any nominations?

Mrs. Laura Albanese: I nominate Lorenzo Berardinetti.

The Clerk of the Committee (Ms. Anne Stokes): Mr. Berardinetti, do you accept the nomination?

Mr. Lorenzo Berardinetti: Yes.

The Clerk of the Committee (Ms. Anne Stokes): Are there any further nominations? There being no further nominations, Mr. Berardinetti is Chair of this committee.

If you would like to come forward, Mr. Berardinetti.

#### **ELECTION OF VICE-CHAIR**

The Chair (Mr. Lorenzo Berardinetti): Good morning, honourable members. It is my duty to entertain a motion for Vice-Chair. Are there any motions? Ms. Albanese.

Mrs. Laura Albanese: I nominate Mr. Dickson.

The Chair (Mr. Lorenzo Berardinetti): Mr. Dickson has been nominated.

Mrs. Laura Albanese: He is not present.

The Chair (Mr. Lorenzo Berardinetti): Any other nominations?

Okay, so Mr. Dickson has been selected as Vice-Chair-

Interjection.

Mrs. Laura Albanese: Joe Dickson.

The Chair (Mr. Lorenzo Berardinetti): Joe Dickson.

#### APPOINTMENT OF SUBCOMMITTEE

**The Chair (Mr. Lorenzo Berardinetti):** Appointment of subcommittee on committee business: Is there a motion?

Mr. Randy Pettapiece: I move that a subcommittee on committee business be appointed to meet from time to ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

# COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Mardi 26 février 2013

time at the call of the Chair or at the request of any member thereof, to consider and report to the committee on the business of the committee;

That the presence of all members of the subcommittee is necessary to constitute a meeting; and that the subcommittee be composed of the following members: the Chair as Chair, Laura Albanese, Mr. Jim McDonell and Ms. Monique Taylor; and

That substitution be permitted by the subcommittee.

**The Chair (Mr. Lorenzo Berardinetti):** Any discussion? Okay.

All those in favour? Opposed? That carries.

There is a subcommittee report dated Thursday, September 6—

**Mr. Paul Miller:** Mr. Chair, you might want to reword that. I don't know if there's a Chair of the subcommittee. There's a member from each party.

The Clerk of the Committee (Ms. Anne Strokes): There is a Chair—

Mr. Paul Miller: There is a Chair?

The Clerk of the Committee (Ms. Anne Stokes): The Chair is the Chair, and the three members.

Mr. Paul Miller: Oh, there are four?

The Chair (Mr. Lorenzo Berardinetti): Yes.

**Mr. Paul Miller:** When did that start? There wasn't last time; we only had three.

The Chair (Mr. Lorenzo Berardinetti): The Chair doesn't vote, though.

The Clerk of the Committee (Ms. Anne Stokes): The Chair does not have a vote in a subcommittee. There is one member from each party, plus the Chair.

Mrs. Laura Albanese: So the Chair of the committee doesn't have a vote in the subcommittee.

The Chair (Mr. Lorenzo Berardinetti): I don't have a vote.

Mrs. Laura Albanese: So Mr. Berardinetti would not have a vote.

**Mr. Paul Miller:** I don't think there's a Chair of the subcommittee. I don't remember that.

The Chair (Mr. Lorenzo Berardinetti): It's always been that way.

**Mr. Paul Miller:** It's news to me, because we didn't have one last time on the other committee.

**Miss Monique Taylor:** So, just to be clear, the Chair of the subcommittee is Laura—

The Chair (Mr. Lorenzo Berardinetti): No.

**Miss Monique Taylor:** It's still the regular Chair. I'm sorry. It was just—I didn't hear it correctly.

**The Chair (Mr. Lorenzo Berardinetti):** I'm sorry. It's myself as Chair, and then one member from each party.

**Mrs. Laura Albanese:** Yes. So I'm not the Chair of the subcommittee. There's the Chair plus myself; you, Monique, and Mr. McDonell.

Interjection.

**The Chair (Mr. Lorenzo Berardinetti):** No, I don't. I just call the meeting.

Interjection.

The Chair (Mr. Lorenzo Berardinetti): No, but the Chair shows up, because then we discuss any business that has to be conducted at any meeting, and then—

**Mr. Paul Miller:** There were always three there, so I don't know what happened, but anyway.

**The Chair (Mr. Lorenzo Berardinetti):** Yes, the Chair should show up.

Interjection.

0910

**Mr. Paul Miller:** Oh, that's how we never got anything through: because you guys didn't show up. That's how it happened.

The Chair (Mr. Lorenzo Berardinetti): No, but in discussion, you have two opposition members and one from the government, so if there's something that the opposition doesn't like—

Mr. Paul Miller: Now I get it.

**The Chair (Mr. Lorenzo Berardinetti):** —they can vote against any recommendation.

All right, so there is a report here.

Interjection.

The Chair (Mr. Lorenzo Berardinetti): Correct, but the Chair doesn't vote when something happens.

#### SUBCOMMITTEE REPORT

The Chair (Mr. Lorenzo Berardinetti): Okay, I was saying something earlier. The report to appoint the sub-committee members:

Your subcommittee considered, on Thursday, September 6, 2012, the selection of intended appointments for committee review, and has agreed to recommend the following intended appointees from the certificate received on August 31, 2012, to be selected for review.

There are no selections from either the opposition party, the third party or the government. Do we adopt this report? Okay. Is there a motion to adopt this report? Mr. Miller? All those in favour? Opposed? That carries.

Would the committee like to review the selection process for this committee as to how we're going to review candidates that appear before this committee or the ones that we wish to appear before this committee?

**Mr. Paul Miller:** The time element for each one—10, 20 minutes? What are you talking about?

The Chair (Mr. Lorenzo Berardinetti): The whole process, I guess. Because usually, I remember from years ago, it used to be that the opposition or the government could review any of the appointees and bring them forward to the committee to ask questions.

**Mr. Paul Miller:** You always have the selection of key presenters, right?

The Chair (Mr. Lorenzo Berardinetti): Yes.

**Mr. Paul Miller:** We'll just go with the flow like it was before.

The Chair (Mr. Lorenzo Berardinetti): Yes. The usual way, I guess, is that the certificate is sent out and then the names of those appointees are given to each party, and then the party can decide which members they want to review.

**Miss Monique Taylor:** Correct. So those notifications will be sent to subcommittee members?

The Chair (Mr. Lorenzo Berardinetti): Yes, that's right. The certificates are sent to the subcommittee members, and then they're reviewed, and then if there's any desire to bring anyone forward, then that can happen if there are subcommittee votes to favour that.

**Mr. Jim McDonell:** So the subcommittee report bringing to appoint people in—we just had each party—

The Chair (Mr. Lorenzo Berardinetti): Speak up just a little bit.

**Mr. Jim McDonell:** Each party chose who they wanted to come in for questioning, and they did get approval for the process before.

The Chair (Mr. Lorenzo Berardinetti): Yes.

The Clerk of the Committee (Ms. Anne Stokes): The process—if I may, Chair—has been long established in this committee for the convenience of the committee members. When a certificate is received in the Clerk's office and tabled with the Clerk from the Public Appointments Secretariat, a copy of that is sent to each of the subcommittee members. The certificates are usually tabled on Friday afternoons. We send out copies of that to each of the subcommittee members. By the following Thursday, the subcommittee members should respond in writing to my office whether there are any selections that they would like to review. If there are no selections, there would be a subcommittee report just like the one we had today. If there are selections, then we would send out notification to the Public Appointments Secretariat, we would set up a meeting here, and those people who have been selected for consideration would be invited to attend, one half-hour for each candidate for an intended appointee. The parties then, in rotation, question for equal time that intended appointee, and at the end of the meeting the committee then votes whether to concur on the appointment.

**The Chair (Mr. Lorenzo Berardinetti):** Yes, that's the usual procedure that's followed, as far as I know.

The Clerk of the Committee (Ms. Anne Stokes): So that's just to clarify for everybody. I think we've had some of the same subcommittee members, so it would be the same process.

**The Chair (Mr. Lorenzo Berardinetti):** All right. Is that fine with everybody?

**Mr. Jim McDonell:** We have the contact information to forward on our selection by Thursday?

The Clerk of the Committee (Ms. Anne Stokes): Yes. We do it by email. There is a resource binder at each of your desks, and you'll find my contact information at the back there as well. But we'll be in touch with you. We won't leave you hanging. We'll make sure that you get everything you need, and then if we need something from you, we'll be in touch.

Mr. Jim McDonell: Sure. Okay.

**The Chair (Mr. Lorenzo Berardinetti):** Is that okay with everyone?

Was there a question, Mr. Miller?

**Mr. Paul Miller:** If there's a problem with one of the selections and we want further information about that individual and you only have one week to get it, how is the Clerk's office going to get us the information?

**The Clerk of the Committee (Ms. Anne Stokes):** Following the interview? Following the—

**Mr. Paul Miller:** Before the interview even—on a selection.

The Clerk of the Committee (Ms. Anne Stokes): The Public Appointments Secretariat will provide biographical information on the candidate, and the research officer as well does a background on the agency or commission.

Carrie, would you like to—

**Ms. Carrie Hull:** Yes. We provide just a brief history of the agency, sometimes some issues that the agency is facing and a small amount of information about the candidate, him or herself.

**Mr. Paul Miller:** So there's not a large bio on the candidate? It's just, you have to do your own research on that, because you may not know them or where they came from?

**Ms. Carrie Hull:** Well, I find what is publicly available. I don't do—

Mr. Paul Miller: Right. Not personal stuff.

Ms. Carrie Hull: Yes.

Mr. Paul Miller: Fine. Okay.

Interjection.

**Ms. Carrie Hull:** Yes, but I include an excerpt from what the Public Appointments Secretariat says, but you'll have that information yourselves as well.

**Mr. Paul Miller:** Do the appointees have to go in front of the Integrity Commissioner at all?

Ms. Carrie Hull: Sorry?

**Mr. Paul Miller:** Do the appointees have to go in front of the Integrity Commissioner?

**Ms. Carrie Hull:** I believe they sign statements stating that they do not have conflicts of interest, but I don't know anything else about the process. I think that's—

Mr. Paul Miller: It might be a good idea. But anyways, okay.

The Clerk of the Committee (Ms. Anne Stokes): They would be subject to the—

Mr. Paul Miller: Usual rules.

**The Clerk of the Committee (Ms. Anne Stokes):** — rules.

The Chair (Mr. Lorenzo Berardinetti): I guess you could also bring them before the committee and ask them that question.

Any further discussion?

Interjection.

Mrs. Laura Albanese: Sorry. I can't hear you.

**The Chair (Mr. Lorenzo Berardinetti):** Yes, can you speak a little—

**Mr. Jim McDonell:** The Thursday afternoon when we receive the names—it's some time after that we receive the bios. Is there some way we could shorten that up?

The Clerk of the Committee (Ms. Anne Stokes): With a certificate, there is a very short bio that's provided by the Public Appointments Secretariat. It's usually a paragraph or two, to give you a bit of their background, and that would come with the certificate. Then, once the selections are made, depending on when the committee meeting is scheduled, which could very well be the next week, it would be within that week that—

**Mr. Jim McDonell:** Lots of times we get it when we arrive here. It's on the desk, and it's somewhat difficult.

**Ms. Carrie Hull:** I believe they're sent out several days before the meeting through email. That has been our practice in the past.

Mr. Jim McDonell: Yes.

The Clerk of the Committee (Ms. Anne Stokes): Yes, that has been the practice. If there has been a delay, I can't—

**Mr. Jim McDonell:** But it comes out kind of over the weekend, and then it's—

**Ms. Carrie Hull:** I believe the practice has been that it comes out Thursday afternoon and the meeting is Tuesday morning.

Mr. Jim McDonell: Okay.

**Ms. Carrie Hull:** We often don't know that the person is coming in till the Tuesday or Wednesday.

Mr. Jim McDonell: Okay.

The Chair (Mr. Lorenzo Berardinetti): Is everyone clear with the procedure?

The Clerk of the Committee (Ms. Anne Stokes): I'm always available for answering any questions, if you'd like clarification. I'm at the phone, email. You can see me at the table in the House as well. I'm available for any questions. I'd be happy to help.

Miss Monique Taylor: Can I have your extension number, please?

The Clerk of the Committee (Ms. Anne Stokes): The number is 212-5411.

Miss Monique Taylor: So 212-5411?

The Clerk of the Committee (Ms. Anne Stokes): That's my direct line, 2-5411, if you're inside the precinct.

Miss Monique Taylor: Thank you.

The Chair (Mr. Lorenzo Berardinetti): In the last session, I wasn't part of the committee, but there were some agency reviews that were being undertaken regarding certain agencies. Does anybody want to comment on that? I don't know which agencies were being reviewed. MaybeThe Clerk of the Committee (Ms. Anne Stokes): We could review that.

Ms. Carrie Hull: It was the LCBO and the WSIB.

The Chair (Mr. Lorenzo Berardinetti): There is a question.

**Miss Monique Taylor:** Thank you. I had my staff contact someone looking for answers and a report back from the WSIB. Do you know anything further that has come back from that meeting date?

The Clerk of the Committee (Ms. Anne Stokes): We received information from the WSIB. I have it available now. I could distribute it if you'd be interested to see that. It was returned when there weren't any members of the committee, so we have—

**Miss Monique Taylor:** Okay. If we could get that information now, that would be fabulous.

The Clerk of the Committee (Ms. Anne Stokes): I could hand it out right now if you like.

Miss Monique Taylor: Oh, perfect. Thank you.

Mrs. Laura Albanese: So where is that review at? 0920

**The Chair (Mr. Lorenzo Berardinetti):** I'm sorry? *Interjections.* 

**Mrs. Laura Albanese:** Is the review of the WSIB completed? Where is that at?

The Chair (Mr. Lorenzo Berardinetti): We can get the status.

**The Clerk of the Committee (Ms. Anne Stokes):** I'll let Carrie talk about that.

**Ms. Carrie Hull:** Our offices prepared summaries of the proceedings but they were never distributed because the session terminated. So it's up to the committee to decide what it wants to do with that information: if it wants it to be distributed; if it wants to continue the process. Anne, I think, can—

The Clerk of the Committee (Ms. Anne Stokes): Last session, the committee selected three agencies for review: the LCBO, WSIB and the Metro Toronto Convention Centre. Each party had selected one agency. The committee was authorized to meet during the summer for four days, and the committee chose to meet those four days for public hearings; two days for LCBO and two days for WSIB.

The time ran out before there was any report-writing or consideration. There was information provided from LCBO, but the WSIB—there were specific requests from Ms. Taylor and that information was provided and we have it here now.

Mr. Paul Miller: Chair?

**The Chair (Mr. Lorenzo Berardinetti):** All right. I think you should distribute the copies.

Mr. Miller?

**Mr. Paul Miller:** I'd like to move that all pertinent information on the LCBO, and any other agency that was requested, be released to the committee.

**The Chair (Mr. Lorenzo Berardinetti):** Is this it right now?

**Mr. Paul Miller:** That's one; that's WSIB. How about the LCBO? There was information on that asked for too.

The Chair (Mr. Lorenzo Berardinetti): Okay, there is going to be a clarification on that when Anne Stokes is back.

Mr. Paul Miller: Sorry?

The Chair (Mr. Lorenzo Berardinetti): I think we can get some clarification in a moment on that.

The Clerk of the Committee (Ms. Anne Stokes): Any information on the LCBO was received at the public hearings and would have been exhibited at the time, so members of the committee at that time would have received them. If you would like copies of that information, we would be happy to provide that.

Mr. Paul Miller: The new members would like to review it, right?

The Clerk of the Committee (Ms. Anne Stokes): We'll just provide it to all the members of the committee as a refresher.

Mr. Paul Miller: Thank you.

The Chair (Mr. Lorenzo Berardinetti): Ms. Taylor?

**Miss Monique Taylor:** I don't believe that we got to the Toronto convention centre. We didn't review that, right?

Interjections.

**Miss Monique Taylor:** It was the government that called on that agency, right? You were here, weren't you, Laura—

Mrs. Laura Albanese: No, I was here only-

Miss Monique Taylor: Subbed in?

**Mrs. Laura Albanese:** —subbed in for the WSIB hearings, but I did not participate in the ones for the LCBO.

The Clerk of the Committee (Ms. Anne Stokes): The committee is free to look at the Metro Toronto Convention Centre. They're free to initiate other reviews as well. It's up to the committee to decide if they'd like to carry forward with what work was started.

**Mr. Paul Miller:** That was my motion: all pertinent information to be released to the committee.

Miss Monique Taylor: I just didn't recall them coming before us.

The Clerk of the Committee (Ms. Anne Stokes): No, that's right. There were no public hearings. Nothing was done with Metro Toronto—

Miss Monique Taylor: Right. Thank you.

**The Chair (Mr. Lorenzo Berardinetti):** So would you like that information brought forward regarding the Toronto convention centre?

The Clerk of the Committee (Ms. Anne Stokes): Well, in that case the subcommittee should have a meeting and decide how they would like to proceed: public hearings; when they would hold public hearings; who they would invite, and so on.

**Mrs. Laura Albanese:** Then theoretically, with WSIB we would review the pertinent information and then the subcommittee would meet to see if they need any further information or if they're ready to begin the report-writing process?

The Clerk of the Committee (Ms. Anne Stokes): That's right.

Mrs. Laura Albanese: Okay.

The Clerk of the Committee (Ms. Anne Stokes): The committee as a whole could decide right away to go into it, or they could leave it up to the subcommittee to review the information and decide how they'd like to proceed.

The Chair (Mr. Lorenzo Berardinetti): I think that was the intention.

**Mrs. Laura Albanese:** MPP Taylor, I think you were the only member who was here in the previous incarnation of the committee?

Miss Monique Taylor: I was-

Mrs. Laura Albanese: And you were as well?

Miss Monique Taylor: Yes, they were both here.

Mrs. Laura Albanese: So there are three of you.

Miss Monique Taylor: Yes.

**Mrs. Laura Albanese:** What I was saying is we will review the worker compensation information, and then I guess we should decide if we need any further information or if we want to begin the report-writing part of it. Is that correct?

Mr. Paul Miller: No-

**Mrs. Laura Albanese:** Not now, but I'm saying that would be the next steps.

**Mr. Paul Miller:** This is a done deal; this is done. It's in front of us; we've got this. I said any further information in regard to the LCBO or anything else that may have an impact on this committee should be released. Any information that's dealt with—

Mrs. Laura Albanese: That's fine.

Mr. Paul Miller: That's all I want.

**Mrs. Laura Albanese:** I was just talking about next steps as far as the WSIB and the LCBO are concerned. I've been on this committee—2007-08. From what I recall, when you're reviewing agencies, first you have the public hearings. Once those are finished, you proceed with the report-writing. You write a report on it. So I would imagine that you would need to write a report, both for LCBO and WSIB, when the committee is ready.

**Miss Monique Taylor:** Okay, so this isn't the report. You have to excuse me, because it's my first time getting to this point, because we didn't get this far in the last session. So, this is the summary?

The Clerk of the Committee (Ms. Anne Stokes): Yes.

**Miss Monique Taylor:** And then we can still expect a report to come forward.

**Ms. Carrie Hull:** The summaries are prepared to help the committee in its report-writing duties. That just reminds you what happened and helps you see the main areas that were being raised by witnesses. Then we help you write the report with that document.

**Miss Monique Taylor:** Okay. All right. That's what I didn't know. I've never been this far.

The Clerk of the Committee (Ms. Anne Stokes): So, I understand I will distribute all the exhibits we received regarding LCBO and WSIB. Then the subcommittee will

meet to review what the next steps would be in reportwriting for both of those and how to proceed with the Metro Toronto Convention Centre.

Miss Monique Taylor: Okay. Thank you.

The Chair (Mr. Lorenzo Berardinetti): All right. Is everyone clear on that, then? So the next step will be a subcommittee meeting to discuss—

The Clerk of the Committee (Ms. Anne Stokes): Yes, at the call of the Chair, or would you like to set a time now?

The Chair (Mr. Lorenzo Berardinetti): We can either set a time now for subcommittee or we can contact everyone.

**Miss Monique Taylor:** I unfortunately don't have my BlackBerry with me this morning; it's misbehaving, so I don't have my calendar with me. I apologize.

The Clerk of the Committee (Ms. Anne Stokes): I can distribute the information. That can go out this afternoon—or today—and then I will talk to the Chair and we will propose dates for a subcommittee meeting.

Miss Monique Taylor: Perfect; thank you.

**Mr. Jim McDonell:** Would it be appropriate now of the subcommittee meeting to look at the next three we look at—if we all have a selection to look at, as far as an agency?

The Clerk of the Committee (Ms. Anne Stokes): We could make that the same meeting, yes.

Mr. Jim McDonell: Okay.

**The Chair (Mr. Lorenzo Berardinetti):** All right. Next up will be, the subcommittee to meet—and set a date for the subcommittee meeting.

**Miss Monique Taylor:** A clarification, Chair: Is there a limit on how many agencies can actually be called forward by each party, or do we just call one each at a time?

The Clerk of the Committee (Ms. Anne Stokes): The only constraint is time. This committee is authorized to meet from 9:00 to 10:25 in the morning. You've got intended appointments to review, plus agency reviews. Committees will often hold off public hearings, for example, until a break—over the Christmas break or the summer break—but it doesn't prohibit you from selecting whatever you wish. It's really just time constraints in terms of what you review.

The Chair (Mr. Lorenzo Berardinetti): All right. Is that clear to everyone, then?

So the next thing will be for the subcommittee to meet. Information, in the meantime, will be distributed as required by all members. So we'll set the subcommittee meeting up as soon as possible.

Any further discussion? None. Anything further on the agenda?

The Clerk of the Committee (Ms. Anne Stokes): No, that's it.

**The Chair (Mr. Lorenzo Berardinetti):** No, that's it. The meeting is adjourned, then.

The committee adjourned at 0927.

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#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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Mrs. Laura Albanese (York South–Weston / York-Sud–Weston L) Mr. Lorenzo Berardinetti (Scarborough Southwest / Scarborough-Sud-Ouest L) Mr. Joe Dickson (Ajax–Pickering L) Mr. Jim McDonell (Stormont–Dundas–South Glengarry PC) Mr. Phil McNeely (Ottawa–Orléans L) Mr. Paul Miller (Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek ND) Mr. Randy Pettapiece (Perth–Wellington PC) Miss Monique Taylor (Hamilton Mountain ND) Ms. Lisa Thompson (Huron–Bruce PC)

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