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Wednesday 8 May 2013

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des débats
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Mercredi 8 mai 2013

**Standing Committee on
the Legislative Assembly**

Standing orders review

**Comité permanent de
l'Assemblée législative**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 8 May 2013

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The committee met at 1305 in room 228.

STANDING ORDERS REVIEW

The Chair (Mr. Garfield Dunlop): We'll call the meeting to order, everybody. Our first and only deputation today on the review of the standing orders is Randy Hillier, MPP. Randy, you've got a presentation you'd like to make and, I believe, also a document. Has everyone received his document? Okay. Randy, the floor is yours.

Mr. Randy Hillier: Thank you very much, Chair, and thank you to the committee for allowing me this time to discuss with you all what I view are very important subjects and matters. I've provided each of you with a hard copy of a presentation that I put together called *Constituents First: Empowering Local Legislators*. I believe that the committee Chair has also provided you with electronic versions of the same presentation.

I think I'll start with a little thumbnail sketch of the content in *Constituents First: Empowering Local Legislators*. I've been elected twice. The content is derived not only from my observations and experiences but also significant conversations with members from all parties, past and present, and Speakers, past and present, and also at federal and provincial levels.

I hope nobody views the content in a partisan manner. The content, I believe, is very straightforward. It is to empower all members of the Legislature, not to provide an advantage to one group over another or to disadvantage one party over another. I think we've seen that, over time—with majority governments, especially, of all colours and stripes—one group may have felt that they were not treated fairly in the previous Parliament and therefore it gives them an opportunity possibly to be not quite so magnanimous or generous when they're in government. I think there is a time and place for partisanship, but it's not all the time, it's not every time and it's not everywhere. There needs to be a good and proper role for all members.

Where the impetus came for this was out of the private bills and regulations committee that I sit on. Last session, I tabled a motion with that committee—two motions. They were thoroughly discussed and adopted by the regulations committee, and referred to the Legislative Assembly committee. It has strictly to do with regulations. I know everybody has received some background

material on those two motions. I think we would probably all be in agreement that the growth of regulations has been tremendous.

Regulations are often the place where our constituents meet government face to face and where problems arise. It should also be evident, I hope, that all members of this House have very little ability to scrutinize regulations, to hold government to account on regulations and to advocate for their constituents. There are nine criteria presently for regulations that the committee is allowed to look at, but two of the most important ones—in my view and also the view of the royal commission on the inquiry into civil liberties that was conducted on behalf of this House back in the late 1960s and early 1970s, which agreed that the regulations committee ought to be able to scrutinize legislation if there has been an undue delegation of power to a subordinate body of the Legislature. That's where that motion came from.

From that royal commission there was also a strong inference and a strong recommendation that the committee would also be able to review regulations on their merit. Presently, we're prevented from looking at regulations on their merit.

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I think that, once again, we know, although it's hard to quantify—it's been very difficult to get an accurate figure on regulations—we've heard the number of approximately half a million different regulations or regulatory steps that the people of this province have to abide by. I think we can all agree that it's impossible for any individual to fully comprehend and to have knowledge of a half a million different regulatory steps.

It's actually also impossible for us as an assembly to be fully cognizant and comprehend what all those regulatory steps are. Even in your briefing binder by this committee and the Clerks of this committee—I know there was testimony by the previous Clerk, Claude DesRosiers, who emphasized that the use of the growing number of regulations poses a danger to our democracy.

So those two motions that the regs committee have approved would allow this assembly and all members to do, actually, that: to provide greater accountability and greater scrutiny of the regulations. I think this would be a tool that could be used just as powerfully and just as importantly by government members as by opposition members to actually look at a regulation and refer it. All regulations are presently referred to the committee. It

would be very appropriate for government members, as well as opposition members, to request the committee to scrutinize a particular regulation that may be causing harm or injury to their constituents and propose recommendations back to the House for its remedy.

That's where the motivation for these motions came from. Since then, I've developed additional motions in the package that, once again, fall into that basket of not providing an advantage to government or opposition, but to empower all of us and to help engage our constituents in democracy.

Two of the other motions you'll see in there: One is to allow for electronic petitions to be tabled in the House. I'm not sure if the members of this committee have used electronic petitions. I have used them extensively. I find them an exceptionally valuable tool to put ideas and thoughts or to take ideas and thoughts that have come from constituents and give them a tool that allows them to feel that they are part of democracy.

The other one under that modernizing of the Legislature is to be more transparent, and that is to have web-casting or web streaming of all our committee activities here in the assembly.

Again, I don't believe one could view any of those proposals as a partisan proposal. This would be a benefit, not only for us but, more importantly, a huge benefit for our constituents that we represent.

I guess that the other category that I'd like to speak to is, there is that element for members to hold government to account. Again, whether that's opposition members or government backbench members, our purpose is to hold government to account, and also to advocate on behalf of our constituents. A series of motions that I've included, I believe, would facilitate that.

First is recognizing the value of us, recognizing the value of the legislation or motions that we put forward, and not allowing our efforts to fall into the abyss of process. At the present time, it is the government's exclusive monopoly to call private members' business for third reading after a private member's bill has received support from the House at second reading. Once it has received an airing and a proper ventilation of concerns in committee, it is often just left in that abyss of process, never to proceed again. It's never defeated, but it's never advanced. I've proposed a number of mechanisms that would compel government and provide time for those bills that have received the support of the House, received the support of the committee, to be actually heard and properly ventilated at third reading. Again, that would be for government members and opposition members.

I believe it would also strengthen our credibility and provide some greater emphasis on members, knowing that a bill could actually go to third reading and actually be approved. It would elevate the calibre of the private bills that we put forward because, speaking frankly, we know that we can all vote for a private member's bill at second reading, and the chances of it ever seeing the light of day after that are negligible. I think it's in the briefing

package as well. You can see that from 2002 to 2012, there have been 28 private members' bills or motions passed or adopted by the House, but really, the vast majority of them are proclamations, whether it be Dutch Heritage Week or Ukrainian Week—which are all fine and good; however, I think we can probably all agree that there are significant and substantive elements and interests of our constituents other than just proclamation bills. These mechanisms, I believe, would improve the calibre of the House, the calibre of our legislation and improve our representation for our constituents.

Another very important aspect—and maybe I should add this into my conversation. Nothing in this package that I've put forward is new and unique. They are all experienced in other Legislatures around the world, in provincial and/or federal Houses, so they ought not to be seen as radical or untested or untried. These are all in use around the world in Westminster-style Parliaments.

I probably want to finish off with the one on motions. I believe we do ourselves a great disservice as private members by not being able to give voice to our motions. At the present time, a private member tables a motion, but it is never heard in the House unless it is used as a ballot day by that private member. I guess a case in point—I went up to see a journalist in the media gallery before this committee, and I provided him with a copy of this presentation. He was not aware that these motions, even though they're written—all the motions in this presentation have been placed on the order table over the last number of weeks or months. The media was unaware that these motions were up for discussion.

The first one is to allow private members, at the time of motions during routine proceedings, to actually give voice to their motion instead of just tabling it. Again, I would hope and trust that that is not seen as an advantage to one over another, but it's actually giving voice to our constituents' concerns by allowing us to read them aloud.

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The second part of the motion that I think is important is to allow motions to have a binding element. At the present time, motions cannot be binding on the House. It's my view that efforts that cannot have an action or an outcome often ring somewhat hollow. My view was that, when necessary and when appropriate, a member could include a binding element—a binding resolution—in the motion, such that if it was adopted by the House, it would be referred to a committee as a motion, or whatever other appropriate action, depending on that motion. Again, it just allows and provides for a mechanism for all members of the House to realize a tangible outcome from their efforts.

I think that what I would ask this committee—and I'm hoping there will be some questions or comments on these proposals—is that, if this committee is in agreement with any portion, or all, of these proposals, the committee recommend to the House that each or any one of these motions be referred to the House for adoption.

With that, I think I'll finalize my comments.

The Chair (Mr. Garfield Dunlop): Thanks very much, Randy. We do have some questions already.

Before we get into the questions, I'd like Trevor to just update us on exactly where we are on our review of the standing orders, as a result of the prorogation last fall and the order we were under to come up with a report. If you wouldn't mind just giving us that, and then we'll get into questions on Randy's. Certainly, Randy, we had discussed a number of the things in your motion at some point—the private members' bills etc.—but I'd just like to get a review, if everyone wouldn't mind.

The Clerk of the Committee (Mr. Trevor Day): The mandate of this committee at all times is to look at the standing orders; it's built in. What happened as a result of prorogation, actually, was that the membership motion of last year lapsed. Built in on that was that you have to do a standing orders review before you do anything else. That is now gone; the committee is free to do what it likes under its own mandate. This falls under the committee's mandate, so it's perfectly within the committee's purview to look at it, should they so choose.

Coming out of the last orders sort of review, the committee agreed on three items:

- that the Speaker be able to deal with disability issues without going to the House—do it in and of his own accord;

- the reuniting of question period and routine proceedings—where that takes place, either morning or afternoon, was not decided, but they agreed that the two should come back together; and

- there was an agreement, on opposition day debates, to include a five-minute right of reply, that the vote be deferrable and a 10-minute bell.

Those are the things that the committee had some agreement on before we left off. A proposed House schedule was sent to the House leaders for their information—we had a couple of versions that we asked for their input on, so we sent that off.

Where there was going to be further discussion or information required:

- parliamentary officers—what takes place there and how they are governed in terms of a committee;

- more work on proclamation bills and the guidelines around how the grounds are used for flag-raising and stuff like that;

- each party was going to look at recommendations for how to make committee work a little better, in terms of getting bills through; and

- the committee had yet to, but wanted, delegated legislation or regulations on the frontier of something they would look at in earnest going forward.

That's where we're at.

The Chair (Mr. Garfield Dunlop): Okay. Thanks very much, Trevor. Now we'll turn it over to Ms. MacLeod. You have a question for Randy?

Ms. Lisa MacLeod: Yes. First of all, I just want to thank my colleague from Lanark, Lennox, Addington and somewhere else. His riding is next door to mine, but it's about nine times the size of my riding and it's got a longer name than mine. Mr. Hillier has been a friend of mine for an awfully long time, and I want to commend

him first for putting what I consider to be a really good product in front of us.

I know his staff, Chris Chapin and Dan Osborne, are here as well. I'd like to congratulate them because, as we all know, we're all geniuses of course as members of provincial Parliament, but we do need people to assist us, and I know that they probably have done that as well.

But Mr. Hillier, I think, has made a reputation since he got to the Legislature as somebody who wants to fight for more freedoms for backbenchers and private members in particular. He's put forward a good package on that. Many, as you yourself mentioned, Chair, and as the Clerk mentioned, are issues that we have dealt with before and where, I think, would probably have had a consensus around, had it not been for the interruption in the committee's work.

I ask you, Mr. Hillier—because I think again the work that you've done here is quite compelling. Most of it I obviously would agree with; some of it we, as all private members, may have a few differences. I'm just wondering: In terms of strengthening the role of a private member, I just want to hear a little bit more about those issues in terms of private members' business, because I would agree with you, as a private member in the opposition, that there are a lot of good ideas but they seem to go nowhere. You really do want to make an impact, and the one place where we can have an impact we're not able to do that anymore because of the way the rules have been around here.

Just finally, I would be very supportive—and this is just a final comment and I invite this for a response from my other colleagues on the committee. I would be very comfortable actually voting on these resolutions today to make a presentation from committee to the assembly. I wanted to say that. But if you want to go through a little bit more—because you've put, I think, probably a record number of private members' business on the order paper in the last number of years, so I'd just like to talk to you a little bit more about those.

Mr. Randy Hillier: Well, I think with respect to private members' business maybe I'll start by saying that two or three weeks ago—again, I don't think my thoughts and views are unique and separate from all others. I think they're shared by, if not all, a great many. It was interesting that a couple of weeks ago when I was driving to Toronto on a Sunday afternoon, I was listening to CBC Radio, and trust me, I do listen to CBC Radio.

Interjection.

Mr. Randy Hillier: I just don't like their television programming. But anyway, Rex Murphy was doing his Cross Country Checkup from 4 o'clock to 6—

Ms. Lisa MacLeod: May I just interrupt? I'm sure you like watching the Senators score over the Habs. I'm sure you—

Interjections.

Mr. Randy Hillier: As I was listening to that show, which is a national call-in radio talk show hosted by Rex Murphy, our former Speaker, Steve Peters, came on. You can get this on podcast as well. The premise of this show

was the recent troubles that the federal House of Commons had experienced with members being able to speak to standing orders and whatnot. But Speaker Peters had an interesting perspective because of course he sat in opposition for a number of years, he sat as a minister for a number of years, and he was also a Speaker of the House, so it's a perspective that few of us would ever get to actually have. His main element in that call-in show was to strengthen individual members and their ability to scrutinize and give voice to their constituents.

If you take a look at the stats that are in the book, we've seen a diminishing role—adoption of private members' business. I think we're down to about 6% of private members' bills that have been adopted as compared to—and this is not a reflection of Conservative or Liberal, but in the Harris term there was, I believe, 8% of private members' bills. So not a great deal of difference, but look at it in historical terms and just what private members' business has done in the past.

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Probably the greatest example of private members' business was Wilberforce in the repeal of slavery in the 1800s in the UK. Just a dogged determination by a private member resulted in the repeal of slavery eventually throughout the Commonwealth.

Also in the UK—well, bringing it back closer to home, the reason why we have no smoking in federal government buildings is due to a private member's bill adopted in 1988 federally. So we can see we've moved, in my view, from very substantive actions by the private member to where we're now typically introducing proclamation day bills.

Ms. Lisa MacLeod: We looked—oh, sorry.

The Chair (Mr. Garfield Dunlop): No, go ahead.

Ms. Lisa MacLeod: Just as a follow-up, we reviewed several different assemblies—Saskatchewan, Alberta; we looked at the United Kingdom, we looked at Scotland—on a variety of different ways private members' business is determined and how it moves forward. Was there any particular jurisdiction that you—actually, we looked at the federal House as well. Was there any jurisdiction that you sort of reviewed during your research that actually spoke to you as a private member, and you said, “Oh, wow. They're doing it right”?

Mr. Randy Hillier: Well, one of the problems, of course, is our actions in the House are guided not typically by one standing order but by the aggregate of our standing orders. These little what may appear as nuances or subtle differences in their standing orders can, of course, have a very significant impact on how people actually conduct themselves.

I was not looking at reviewing other standing orders. I wasn't looking at the totality, but what do other Legislatures do that remedy a problem that I feel that we have that would also fit in with our present and existing standing orders, so that it would not have unforeseen negative consequences or those unintended consequences. It was very much cherry-picking through the various standing orders, and then evaluating how they

would fit in with our conduct in the rest of our standing orders.

Ms. Lisa MacLeod: Thanks, Randy.

The Chair (Mr. Garfield Dunlop): Randy, we have a question from Steve, and then from Gilles.

Steve—

Mr. Steve Clark: Thanks, Chair. First of all, I also want to join with my colleague in thanking you for putting this package together. I think all of us who were members of this committee before the House prorogued went through a lot of time and effort to review the standing orders.

I didn't feel, based on some of the delegations that appeared before us and also via teleconference, that we really got down to the level that we needed to get down to. I think we had some consensus on some small items. We couldn't decide, I believe, on standing order changes that we wanted to go forward with on a provisional basis. But I agree with my colleague that regardless of how members may feel about your individual recommendations, we should have a motion go forward as she suggested.

I do—and I've spoken to you about this before—want to say that I think on the very last recommendation, which was discussed on and off in this committee, about online access to the Legislature—I think it came as a surprise to some of the members of this committee that room 151 was available to stream committees. I remember sitting on a committee with you and being a bit frustrated that there was this reluctance, unless committee members asked to have our proceedings streamed online. I do believe that there are costs. First of all, I believe that's been remedied, that any committee that now is in the Amethyst Room is streamed live. I believe that the costing from broadcast services is available in one form. It may not be in a very glossy form like you've put your recommendations in, but I believe that some of those costs are available or could be brought to this committee on how to make these other rooms available to be streamed live when our committees meet.

I also believe—because I brought it up; I think it was actually in the previous legislative committee in the previous Parliament—that there are other provinces that archive the committee's schedule and the committee meetings online so that citizens can view them.

I know at the time the Clerk had talked about changes to the website. Changes have been made. We are able to have our proceedings in the House streamed live, and there is some archiving of questions in question period.

So I really do believe—and I believe you mentioned it, through you, Chair, to the Clerk at the last committee meeting—that broadcast services is part of this committee. So I think we should have an annual review even though the annual review is a bit of a joke, because I know we don't do it on an annual basis. But I believe we should have them come in, and bring you in as well, to discuss what we could do to have access.

I also want to speak to e-petitions because it's staring me right in the face. I've also had chats with the Clerk. I

was very impressed with the delegation we had via teleconference from the UK and what they did. I believe that our colleagues in Quebec do the same thing. I think there is a report we should get on e-petitions. Again, if members are worried, we could make a decision to do something on a provisional basis, but I do think we need to move forward with some of these recommendations.

I've told the member for Lanark–Frontenac–Lennox and Addington that there are some of his motions that I would have amendments for. I think he appreciates that we all have some suggestions. But I go back to someone he just quoted, and I'll finish, Chair, with Steve Peters, the former Speaker. He used to say over and over again—and I was a new member at the time—that members of the Legislature need to decide whether they want to take back the House and make some amendments that make all of us, all 107 members, more relevant, being able to stand up for our constituents on a consistent basis in the House. I think that's why the review of the standing orders is so important.

I want to thank you for putting these to paper, and again, I hope that members of the committee will allow us to move forward with our work. This is in our committee's mandate and I think we should get back to review those standing orders. Thank you, Chair.

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

Do you have any comments back, Randy, before I go to Gilles?

Mr. Randy Hillier: Yes, thank you very much, Steve.

I guess a couple of things I want to say. We can stream our committees; I've done it when I was in the private bills and regs committee. We streamed the Dog Owners' Liability Act in committee hearings, and there was tremendous, tremendous participation. As well with the e-petitions, the most recent petition I've put up on my website is for Lyme disease awareness. Thousands of people have responded.

I guess the point that I'm making here is that it breathes some life into people, that there is an outlet for their interests and their concerns to be heard. I think that's really the essence of it.

I don't think it's a case of taking back the House; I think it's just recognizing that government has a role. That government role cannot be unduly interfered with, but private members have a role, and private members cannot be unduly interfered with as well. I don't think it's one gains at the other's expense; I think we can ensure the government's agenda can be not unduly restricted by having scrutiny by each one of us. I don't believe there's anything in this package that would interfere in any manner with the government completing their agenda in any session. So thank you very much.

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The Chair (Mr. Garfield Dunlop): Thanks, Randy. Now to Gilles. Have you got some comments, Gilles?

Mr. Gilles Bisson: Yes, just a couple of things. First of all, Randy, thanks. You're obviously not the only MPP over the years who has felt that there needs to be a change to the standing orders in order to allow members

to have a little bit more individuality and the ability to push the envelope on issues that we feel strongly about. You're right; private members' bills have been used in the past quite effectively to affect public policy and that's, I guess, a good thing. But the bad thing is that they're few and far between, not because members aren't trying but because in the end the government has to grab the bill, rewrite the bill, put it in their own name and then reintroduce it, normally, to get things done, such as we're seeing now with France Gélinas with the tanning industry legislation and others. That being said, I think this is quite helpful.

The difficulty we have—and it's part of what you have within your report—is that this committee could report back whatever it wants as far as changes of standing orders, but unless the government House leader is prepared to stand and move a motion in the House, it's a bit of a moot point. That's been the problem in this Parliament. Even though there was a really sincere conversation, I thought, on behalf of what this committee was trying to do as far as changing the standing orders, members on all sides, I thought, brought to the table some good ideas. I don't think we finished our work; we still had work to do. We weren't at the point of actually reporting. Just to be clear, there were still a lot of things that we had to work on. It became clearer and clearer as we went on that the government was not prepared to move such a motion should this committee go back and say: "Here are our recommendations as far as changes to the standing orders," because it's never in the interest of the party in power to limit its ability to do whatever it's got to do with whatever authority it's got. That has been, I think, the frustrating part for all of us.

I want to speak to a couple of the points that you raised because I think they're important. Notice that I've been on the bandwagon for a long time—and I'm glad you're there with me, along with Ms. MacLeod and others—on the issue of delegated authority. The Legislature has its role and the executive has its role. When we get into a situation where the executive is essentially, more and more, taking over the role of what the Legislature should be doing, I think we're in deep trouble. That's on the question of regulation. I'm a firm believer that government should draft a bill and intend what they want in the bill, and very little should be left to regulation.

If you do have regulation, then we need to have a regulatory process that allows a committee, either this one or regs and private bills, whatever we would decide, the ability to—for example, you draft a bill and let's say something is left to regulation, a planning manual when it comes to a development in a municipality, something very technical. Once that is drafted and before it's enacted it would have to come back to a committee to be approved, because I think if the Legislature says we want to pass a bill and it requires some regulation, this Legislature needs to maintain some sort of ability to vet whatever those regulations are before they're enacted.

I would argue that there's a two-step process that's needed—actually, three steps. One, you delegate very

little to regulation, but where you do, when cabinet goes off and gives a ministry the ability to go out and write the regulation, the regulation cannot be enacted until such time that it comes back to a committee of the Legislature and there's at least a vote at the committee level in order to enact those regulations, if not a recommendation back to the House and a vote in the House.

Where regulations are changed thereafter—because here's the problem: The House may approve a regulation under that scenario I just said. The government may run with that particular regulation for a period of time, but then all of a sudden decide to change it. There needs to be a mechanism so they can't do that. It has to come back to us because the intent of the Legislature on passing the bill was that the reg was X and now the government is trying to make it Y.

A good example is when the Conservatives were in power. They passed legislation that said there has to be a referendum if you're going to have a casino in a community. I remember. I was there. I voted on that. It was really clear what we were voting on. We wanted to have a referendum should a municipality decide to go the route of the casino. There would have to be a referendum in that community. Everybody in the House knew what we were voting for. The government changed the regulation—the Liberals, in this case, when they came into power—so that there no longer needs to be a regulation, just a consultation with the municipal council. That was not the intent of the Legislature, aside from the policy. I think we, as legislators, get ourselves in a lot of trouble when we delegate our authority to cabinet.

I just want to echo in on that particular issue, but I'll just end on this: You have a lot of good ideas here, a lot of which have been raised by a number of members of this committee and members who have sat here before. I would be uncomfortable passing just these ideas and not really trying to do the work that we should be doing, which is looking at the standing orders and the more holistic approach of saying, "Okay, let's deal with private members." It's not just Randy Hillier, but it's the members of the assembly and members of this committee that put that recommendation together.

I think this is good information, and it builds on what we've already done. I would urge this committee to continue the work that we had started last year.

The Chair (Mr. Garfield Dunlop): Okay, Randy, do you have any feedback to that?

Mr. Randy Hillier: Yes, thank you very much, Gilles. I don't think there's any disagreement on the regulations. I will say that in an ideal, perfect world there would be no regulations; the legislation would encapsulate all component parts, something like our Elections Act. The Elections Act does not provide—

Mr. Gilles Bisson: But just on a point of order, that used to be the case.

Mr. Randy Hillier: Yes, but it's not my desire to infringe upon government's authority or their jurisdiction. I think we often—and not just this assembly; I think it's prevalent within society that we often do not improve ourselves because the improvement is not perfect.

That's not the way life is. We improve ourselves by little steps. If I'm overweight, I don't lose 100 pounds in one day. I lose it over a period of time, and that's the way improvements in our steps towards progress are achieved, Gilles, not a whole bundle. If we're waiting to make it perfect, where we'll have consensus from everybody on everything, I think we sentence ourselves to mediocrity in most cases.

If there is agreement on one element or two elements, why not take that journey and that step forward on the path to improvement? That would be my view. I just see it too often in society at large. Thank you very much.

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

Ms. Cindy Forster: Yes, a question and a couple of comments.

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

Ms. Cindy Forster: I thank you as well, Randy, for actually putting this together. I had a quick read of it, but as it's a big document, I haven't had an opportunity to review it in its entirety. There are some areas where I probably have an agreement with you. There are some areas where I maybe don't and would like to put some amendments to it, but I think that we can't look at this document without looking at the entire standing orders, because I've been reviewing the standing orders for the last 18 or 19 months, and there are lots of places where if you change one thing, it will wind up contradicting something else. I think we really have to look at it as a whole as opposed to independently.

Mr. Randy Hillier: No, I agree. Maybe I didn't state it clearly. We can all find different faults with every portion of the standing orders. I don't think it's conceivable that we would all agree on everybody's recognition of imperfections in the standing orders.

When I put this together, I was looking at specifically: Would this change have a negative effect somewhere else within our practices and procedures in the House? I'm very confident in saying that there would not be. In a few cases, I did provide for options, for example, where the last two weeks of the House be reserved to dispense at night sittings for private members' business. Or another option that I think would work is the model of the UK Parliament, where there's a backbench committee for dispensing.

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I don't expect this small group of nine to have full agreement on every component, but if there is agreement on some components—and we must remember that the standing orders are not set in stone. If, down the road, it's viewed that it didn't work out or that there was some unintended consequence, it can be changed again. But I'm of the view that tabling electronic petitions would not be harmful in any manner. Thank you very much, Cindy.

The Chair (Mr. Garfield Dunlop): Any questions? Yes, Bas? Oh, I'm sorry. Cindy, then to Bas.

Ms. Cindy Forster: Just in response to that, Randy, I certainly would like to have the opportunity to go back

and review this with our caucus and then bring it back to this committee for further discussion.

Mr. Randy Hillier: Yes, and to everybody on this committee and all members of the House, if at any time somebody wants to have a conversation or discussion on any of these components, I'd be more than happy to meet with caucuses or meet with individuals to discuss those.

The Chair (Mr. Garfield Dunlop): Thanks, Cindy. Thanks, Randy. Bas, you had a question?

Mr. Bas Balkissoon: Yes, I just had one question that I would like to hear Randy's comments on. You talk about regulations and that when it goes to committee, right now there's a test of a bunch of guidelines.

Mr. Randy Hillier: Nine guidelines.

Mr. Bas Balkissoon: Two important ones, in your mind—or the 10th one is missing. If I could read it, it's one that was left out. It was that regulations should not “make any unusual or unexpected use of delegated power.”

Mr. Randy Hillier: Right.

Mr. Bas Balkissoon: If that 10th one was adopted—I mean, it was not, back in 1978, and I don't know who was in government. Maybe it was a Bill Davis government or something; who knows? What do you see as the benefit of that 10th guideline?

Mr. Randy Hillier: Well, I could give you a number of examples, but I'll start off by saying that it's a very objective reading of that royal commission that created the Standing Committee on Regulations and where those nine criteria are directly lifted from. You'll see that the 10th criterion is in there as well. There's significant recognition that it was probably a clerical error that dropped off the 10th one. There is—

Mr. Bas Balkissoon: But I'm wondering why—

Mr. Randy Hillier: Where it would be of value is—things like the G20 regulation would come to mind. Was that an unexpected delegation of authority?

Some members may not want to hear this, but a thing that comes to my mind is the Ornge regulation, the original Ornge regulation. Because of the gravity of that regulation—it was a very brief regulation that created Ornge—was that an unexpected or undue delegation of power? I would say that because of the lack of detail in the regulation, it very well could have been, could have met that test. There's a couple.

Mr. Bas Balkissoon: But it would have passed the test of—

Mr. Randy Hillier: It passed the present guidelines, but if—

Mr. Bas Balkissoon: I'll tell you why I asked this question. My understanding—I hope I'm correct; maybe somebody here will correct me—is that regulations are stuff proposed by the minister and the ministry, but they are crafted with the assistance and guidance of the Legislative Assembly counsel.

Mr. Randy Hillier: Sure. Yes.

Mr. Bas Balkissoon: So they are also looking at it from two legal standpoints: the ministry legal request and the Legislative Assembly counsel—who is supposed to be neutral—are reviewing it before it—

Mr. Randy Hillier: Absolutely. So this would be one additional test that they would have to—that the regulation would have to measure up to from the legal sense.

Mr. Bas Balkissoon: But they're already looking at that, because they have to craft the regulation that it satisfies the nine tests, plus it satisfies the bill that was debated by the Legislature and adopted.

Mr. Randy Hillier: Yes—but maybe I should be clearer. At the present time, a regulation that is created does not have to meet the undue or unexpected delegation-of-powers test. It has to meet the test, does the parent legislation grant that authority to do it? Absolutely. But I think what's important, in my view, is you can look at things from a legal perspective, and that's what our leg counsel does—

Mr. Bas Balkissoon: That's what happens in all cases.

Mr. Randy Hillier: And it has to be done. But we also have to look at it from our political perspective as well. Something may be legal; it doesn't mean that it's actually going to be just or implemented in a fair fashion. I think that's our role, Bas: that we put our eyes to the regulation and say, “How does that cause—does it cause undue difficulty or undue problems or unforeseen problems?”

I don't know if you have ever read the G20 regulation, for example—and that's one that just comes to my mind, because a number of the regulations that are adopted each year or are passed each year and that are referred to the regs committee require further amendment under the nine existing guidelines.

People aren't perfect. Even our leg counsels and drafters are not perfect. But what is important is that when that regulation is drafted up legally, it does come before some accountable eyes, and the accountable eyes are us.

Mr. Bas Balkissoon: So you're saying you want the regulations and private bills committee to be the judge of “unusual” and “unexpected”?

Mr. Randy Hillier: Well, the regs committee, like most committees, has no power of compelling. We have powers of recommendation only. At the present time, we've just finished up our 2011 report on regs this morning. It's still not quite complete, but the regs committee found about 11 regulations from 2010 that did not meet the test—the nine criteria—and provided recommendations to various ministers that they be amended. In most cases, those ministries have, indeed, amended those regulations under the nine criteria. But the regs committee has no power to enforce.

Mr. Bas Balkissoon: You didn't quite answer the question from Ms. MacLeod that I understood clearly. She did say, have you found a model for private members' public business that you would recommend that be looked at first-hand or as a first priority? I just heard a comment about the UK. But in our previous work, we looked at the UK. I think we looked at Australia, we looked at Scotland, we looked at Alberta—

Mr. Steve Clark: The House of Commons.

Mr. Bas Balkissoon:—and the House of Commons in Ottawa, and we didn't come up with an agreement amongst us which way to proceed.

Mr. Randy Hillier: They all have merit.

Mr. Bas Balkissoon: Right. So the thing is, can you define any one of these that you like, or the merits of any one that you like?

Mr. Randy Hillier: Well, my view was, Bas—Alberta has, in my view, a better mechanism than what we have here. The UK has a better mechanism; Scotland has a better mechanism. Is any one of them perfect and ideal, or that will suit the desires of all members of this House? I don't believe that you can pin any one as being perfect.

I've suggested that, at the present time, it's already in the standing orders that we're allowed to be called for night sittings in the final two weeks of the session, but that's only at the call of government to dispense with government business. I've suggested that if, in the final two weeks of a session, there's private members' business that has not been dispensed with, let's use that allotment for private members.

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Mr. Bas Balkissoon: Okay, so one last question—

Mr. Randy Hillier: You see where I'm going.

Mr. Bas Balkissoon: Yes, I see where you're going. I've got one last question. If we proceed with what you're saying, which is that private members' bills should get time in the House, be debated at third reading, then be adopted and become law—we have a very vague policy here in terms of private members' bills, that private members' legislation should not have any impact that is of a financial nature.

I will tell you that in the six years that I have been here, I've seen several private members' bills debated and adopted in second reading that, if they got adopted in third reading, would have a huge financial impact on the government that has not been assessed. If we're to move in your direction, how does the government deal with these private members' bills which have unexpected expenditures that were not planned in the budget process?

I'll give you an example of one of them, so that you'll understand. When we returned after the election, there was a private member's bill on the energy HST.

Mr. Randy Hillier: Yes.

Mr. Bas Balkissoon: Now, if that was adopted, that has a financial impact, but it was a bill that was allowed to get on the table and be debated. That was a huge revenue loss to the government. I've seen other similar bills where it's just written in such a way that it passes the test of the vague policy we have today. I'd love to hear your opinion on that one.

Mr. Randy Hillier: I agree, I concur. I am of the view that if there was a greater regard for private members' business, it would invariably, inherently apply pressure on the Clerk's office to be more robust in following that particular part of it—

Mr. Bas Balkissoon: I don't think you'd be able to do it adequately.

Mr. Randy Hillier: Bear with me. Right now the standing orders do state that there cannot be a financial impact, and that's pretty much standard throughout Westminster Parliaments, that money bills that impact the treasury are not for private members. That has been safeguarded for the government.

What I think we all recognize—the Clerk's office as well—is that right now the government monopoly on calling bills for third reading is not going to allow that to happen, and that we can play a little bit looser and have a little bit greater latitude on what bills get introduced because we know it's not going to happen.

I'll give you a couple of examples. Kim Craitor's bill has been introduced in six consecutive sessions. This is not a money bill. It has passed reading five of those six times, but it's never been actually studied by a committee. That's Kim's bill, but it has also happened to Ernie Hardeman's carbon monoxide bill, and it's also happened with Rosie Marchese's bill on the condominiums. We cannot allow a private member's efforts to die without actually killing it.

Mr. Bas Balkissoon: See, I would disagree with you on Rosie's bill, because Rosie's bill requires administrative changes. There's a huge cost, so the government should have—

Mr. Randy Hillier: If so, I concur, Bas, but—

Mr. Bas Balkissoon:—and Mr. Craitor's bill is the same thing.

Mr. Randy Hillier: Oh?

Mr. Bas Balkissoon: It has a financial impact on the administration because you have to administer those things that he has requested, which will mean a change in the administrative procedures within the government. It requires one step more if we want to fulfill what you have as a will—I think there are other members, but I think we have to think about it broadly.

Mr. Randy Hillier: But, you know—

Mr. Bas Balkissoon: I will now pass to my other colleagues, because—

Mr. Randy Hillier: But let me just finish off, because I think there's agreement there on a number of things. There is no bill that could ever be passed that has a zero cost to the treasury. If we pass a proclamation bill, there is a cost; it's very minimal, but let me just—

Mr. Bas Balkissoon: I would think the government, be it anybody's government, should still have an opportunity of some type to say, "Okay, this is fine. We will do it," but have a way to plan when to do it so that it doesn't become automatic.

Mr. Randy Hillier: I'll just finish off. You'll probably want to vote in favour of my private member's bill that I introduced last session, which I'll be reintroducing, that makes it mandatory that all bills be costed prior to second reading—government and private members' bills.

Mr. Bas Balkissoon: I don't know if my colleagues have questions.

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

Mr. Steve Clark: Want to go right to third reading on that one?

Mr. Bas Balkissoon: Sorry?

The Chair (Mr. Garfield Dunlop): Ms. MacLeod has the next question.

Ms. Lisa MacLeod: Thanks, Chair, and thanks again, Mr. Hillier. I think you've done a really good job of putting ideas out there, whether people agree with them or not; I think that this has been a really good example of somebody coming forward with substantive ideas on how to improve the way we do business on the floor of the assembly. I think both Mr. Bisson and Mr. Balkissoon, from two different political parties than the one you and I sit in, have recognized that we could be doing a little bit more.

To Mr. Balkissoon's point, our colleague Michael Harris, from Kitchener–Conestoga, actually did put forward his own idea of how to deal with all parliamentary bills, whether it was private members' or government bills, and what the cost would be. I think that would fit nicely with what you're talking about, Mr. Hillier, in making sure that there was a costing. I won't speak for the MPP from Leeds–Grenville, but I will reiterate something he has said in the past: If there were a committee making the determinations on what bills finally go through, then there's an opportunity for costing there as well.

We've been talking about this for well over a year. I think we're in a position, finally, to put forward some ideas to the assembly, because it's clear that there are challenges that we face. Mr. Hillier has brought forward a package.

What I would like to see from the Clerk, if it's possible, are these recommendations married with the recommendations that we had come forward with, those that had consensus and those that didn't, and then perhaps inviting MPP Harris in to talk about his idea on the standing order—he actually had a private member's bill redefining that—and again invite Mr. Tabuns, who may have some ideas as well, and then actually vote on them one by one. We can have the discussion, but I think at some point, we do have an obligation to put some of these ideas forward.

In terms of Mr. Hillier's package, I think he's put forward a number of substantive ideas that I think reflect where we are as legislators and where he has been as a legislator. I think he makes a very valid point about undue delegation of power in regulations. It's something I've heard time and again from the member from Timmins—

The Chair (Mr. Garfield Dunlop): James Bay.

Ms. Lisa MacLeod: Timmins–James Bay. I think that we should have that conversation, we should do it one by one, and we should do it in the most timely fashion available to us given the minority situation that we are in. I think that it would be a real missed opportunity if private members from all three political parties didn't seize this opportunity.

Again, I don't have a lot of questions because I've talked to the member from Lanark many times about this, but I want to, just one more time, thank him. I don't think

we have seen a member of this assembly, regardless of political party—of course, you're from eastern Ontario so you're a special breed, just like the other two here, me and Mr. Clark—put forward such a thoughtful piece of documentation for us. You've put your heart into this as an MPP since you were elected in 2007. This is thoughtful. This is not partisan. It is not ideological. It is about process, and freeing up the process so people, regardless of what their views are when they are sent to this place, are able to empower their constituents and do their job.

You can comment if you like, Mr. Hillier. I want to again say thank you and how proud I am that we're colleagues, and I want to say thanks again to your staff, who I know probably did the photocopying and the stapling and a little bit of research behind it.

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Mr. Randy Hillier: Thank you very, very much.

The Chair (Mr. Garfield Dunlop): Okay. I think what I'd like to do now is go to the Clerk.

Did you have any questions, Bas?

Mr. Bas Balkissoon: I just want some clarification.

Ms. Lisa MacLeod: Never.

The Chair (Mr. Garfield Dunlop): I think that's what I'm going to ask the Clerk for now.

Mr. Bas Balkissoon: One minute I'm hearing we're doing something, and the other minute—

The Chair (Mr. Garfield Dunlop): No, I'm going to ask—

Mr. Bas Balkissoon: —we just keep it as “committees work on an ongoing basis.” I need clarification.

The Chair (Mr. Garfield Dunlop): I'm going to ask the Clerk right now to talk to us about, first of all, going forward with standing order changes, because we did make a decision last summer that we would do the three—we made three recommendations to the House leaders, and we haven't heard back from those. Now I'm asking: Will we go forward with the standing orders? We obviously can.

One of the ones, right off the bat, that Mr. Clark had recommended was the broadcast review, and I'm asking the committee: Would you like to move forward with these things now?

Mr. Bas Balkissoon: I've done the broadcast review, and it's a great idea to do it again. It should be something done on a regular basis.

The Chair (Mr. Garfield Dunlop): So we have a consensus to start on that one.

Mr. Bas Balkissoon: Yes.

The Chair (Mr. Garfield Dunlop): Now I'm going to ask the Clerk if he'd like to—

Mr. Mike Colle: I don't have any information on that broadcast review.

The Chair (Mr. Garfield Dunlop): Pardon me?

Mr. Mike Colle: I don't have any information on it. I don't know what you're talking about.

The Chair (Mr. Garfield Dunlop): We didn't either.

Interjections.

The Clerk of the Committee (Mr. Trevor Day): Basically where we're at now is, the committee has to

determine their own agenda moving forward. What do you want to do first? What do you want to do next?

What we have before us in terms of our mandate is, one, as always, the standing order review that we're able to do. One is a broadcast and recording review, which is meant to be an annual review. The Ombudsman's reports are in there, but it sounds like the stuff we have now is either standing order review or the broadcast and recording review. We also have a bill before us, but it's up to the committee to let us know what direction you want to go in now in terms of—

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

Ms. Lisa MacLeod: Obviously, I think any bill that is referred to this committee we should actually start moving on, so that's number one. Number two, we were referred, in the last session of this Parliament, to look at the standing orders. We do have some substantive ideas before us. I think that we should actually move toward a committee report. I think that the point has well passed of having a non-binding decision by the House leaders. I think a report or a dissenting report or what have you should be the focus of this committee.

I'm just simply going to say that I think we need an amalgamation—and this is a starting point—of the areas we discussed in the last session, as well as Mr. Hillier's notions that he has put before us today, as our starting point for that committee. I think that then we can have the individual votes on those standing order changes, whether or not they're agreed upon or what have you. I think that in order for us to do our job, we actually have to start doing—we've done a lot of work; I don't want to make that suggestion, that we weren't working. We're working. It's very technical stuff that we're dealing with, technical issues, but at the same time, I'd like to see us produce something before the next election, whenever that might be.

The Clerk of the Committee (Mr. Trevor Day): If I'm hearing correctly, you're looking for something in the neighbourhood of a draft report that will start the report-writing phase of the review to move forward and have something to table with the House.

Ms. Lisa MacLeod: Yes.

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

Mr. Bas Balkissoon: Just a clarification from the Clerk: The work we did before the House prorogued—what happens? Is that dead and it has to be restarted? Do we have to ask the House leaders' permission to continue—

The Clerk of the Committee (Mr. Trevor Day): No. Within our permanent mandate for this committee, we can do standing order reviews.

Mr. Bas Balkissoon: But are we doing the same job we were doing before, which was the full standing order review that the House had ordered?

The Clerk of the Committee (Mr. Trevor Day): The mandate says that, at any point, this committee can review the procedures of the House and the standing orders.

Mr. Bas Balkissoon: So now we could be selective.

The Chair (Mr. Garfield Dunlop): Yes—

Mr. Bas Balkissoon: Because the order we got from the three House leaders was that everything was on the table.

The Clerk of the Committee (Mr. Trevor Day): Everything is still on the table.

Mr. Bas Balkissoon: I just need to know where we're going.

The Chair (Mr. Garfield Dunlop): Well, that's what we're trying to determine right now.

The Clerk of the Committee (Mr. Trevor Day): The only difference between what we're doing now and what we were doing then is that then, it was a case of you have to do this first before you do anything else. Now we are free to choose our own agenda.

Mr. Bas Balkissoon: All right. I think Mr. Clark's request for the broadcast review is important because there were enough members complaining about the Internet access to some of the committee rooms. We should know the status of where that is.

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

Mr. Steve Clark: I agree with Mr. Balkissoon. I think that we need to move forward on that. I think the committee needs to decide, because we rushed to meet the deadline. Let's remember: We rushed to try to meet the deadline because the committee had a time period set for our review. The only items of consensus that we had at the time were the Speaker deciding on accessibility issues, the issue around opposition days and for the party that tables the opposition day to have a right for rebuttal at the end and also whether it be a deferrable vote. The only other issue that we actually had consensus on was moving question period and routine proceedings back together.

The issue of whether we do a provisional change on morning or afternoon was set aside for study, as were the other items that the Clerk mentioned: the proclamations, use of the grounds, I think Mr. Bisson had some desire to discuss ribbons and other paraphernalia that we put on ourselves during our debates, and then the parliamentary officers committee that the Clerk mentioned earlier.

Then, my notes indicate that Mr. Bisson had tabled a delegated authority, standing order 126 in committees. The notes that I made on August 29 indicated that he was bringing back a proposal. I don't want to speak for him—

Mr. Bas Balkissoon: We didn't see it.

Mr. Steve Clark: —but that's where we were when we dissolved the review. So we need to decide, now that we have this very wonderful non-partisan green-coloured document, how it fits into our debate and we move forward. I think we need to move forward and recommend some changes to the House.

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

Ms. Cindy Forster: Yes, so I don't know that I'm in agreement that this *[inaudible]*.

The Chair (Mr. Garfield Dunlop): No, we're not saying that.

Mr. Bas Balkissoon: It should just be received as part of it.

Ms. Cindy Forster: We're going to just receive this as information?

The Chair (Mr. Garfield Dunlop): Yes.

Ms. Lisa MacLeod: Chair?

The Chair (Mr. Garfield Dunlop): Yes, after she's done.

Ms. Cindy Forster: I'm not prepared to agree that this document only, and whatever was discussed in the last committee, forms the basis for any further discussion.

The Chair (Mr. Garfield Dunlop): We're not suggesting that right now. That's a document—

Ms. Cindy Forster: Well, that's what I heard. It would form the starting point for any further discussion.

The Chair (Mr. Garfield Dunlop): Well, yes, and you can take any one of those points and that starting point, if we come back with a report from the Clerk, and turn it down. This committee can turn that part down, or they can advance it.

Interjections.

The Chair (Mr. Garfield Dunlop): Lisa, then to Bill.

Mr. Mike Colle: We're supposed to have a rotation.

Ms. Lisa MacLeod: We don't do that here.

Mr. Mike Colle: I've been trying to get on the speakers' list—

The Chair (Mr. Garfield Dunlop): I've been looking at you all afternoon. Would you like to go now?

Mr. Mike Colle: Yes.

The Chair (Mr. Garfield Dunlop): Let's go to you now, then.

Mr. Mike Colle: I just want to get some clarity here, because I'm a new member of this committee. I just want to see where we're at, so we've got sort of a path to where we're going. I'd just like to get that review of some of the things—broadcast and these other things. I'd like—

Mr. Steve Clark: The binder from last committee.

Mr. Mike Colle: Okay. Anyway, we get a lot of binders and a lot of paper. So I'd just like to get that overview, first of all—just a synopsis. Then, what I'd like to do is to see what Mr. Hillier's presenting. I'd like that to be brought in to see where it fits in and how we could fit it in so that we can then proceed as a committee, so I can clearly understand what our next step is. That's all I'm asking for, because it's just not clear to me in terms of what our mandate is, what we're going forward with, what was decreed in the past and where we're going to the next step. That's what I want clearly stated.

The Chair (Mr. Garfield Dunlop): Bill?

Mr. Bill Mauro: As Mr. Colle has just said, I think we're sort of on the same page here. As a new member to the committee, I guess I'm hearing a few different things. At the same time, while I'm trying to respect—well, I will respect, clearly—the work that has been done by the committee previously, and Mr. Clark outlined a few things that he said there was consensus on, so I guess that—

The Chair (Mr. Garfield Dunlop): Well, that consensus was sent forward to the House leaders.

Mr. Bill Mauro: That's gone?

The Chair (Mr. Garfield Dunlop): Yes, it's gone.

Mr. Bas Balkissoon: And it hasn't come back.

Mr. Bill Mauro: So we're not even—okay. So that's good to know. That's off the table. But then, I think there are two pieces going forward, as I understand it. One, Ms. Forster has raised the issue that, I think, is suggesting that the work of the committee should be a review of the standing orders in their entirety. That seems to make sense. Then, there's the issue of Mr. Hillier's piece that is brought in as relatively new, or is new and was not part of any discussion by the committee previously. Is that fair to say?

The Chair (Mr. Garfield Dunlop): No. It's the first time today.

Mr. Bill Mauro: Okay. So that's the first time today. I just wanted to be clear, as a new member, that I was not going to be looked to to vote on something that was dealt with by the committee previously but had not yet been voted on. So that's not what's happening here today.

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Then, to get to this piece, it sounds like there's consensus on reviewing the standing orders, maybe in their entirety, so we'll set that aside for a second. I think the only thing we're left with is how we're going to deal with Mr. Hillier's piece that is here today.

I guess I would say—and it's obvious to me, Randy, that you've done a tremendous amount of work here. You handed me this—well, you didn't hand it to me, but it came from one of the pages today in question period. You've clearly done a tremendous amount of work. Congratulations on that.

On its face there seems to be, to me, as a member—not as a Liberal or even as an MPP—a fair bit of room, potentially, to move some of these things forward, perhaps, but I think it's also fair to say that each member—well, perhaps not the members of your party but perhaps the third party and our party—might look for a bit more information on your individual pieces here.

I'm only raising this because it sounds to me like one of the members—Ms. MacLeod, to be fair—is trying to move these things forward today—

Interjection.

Mr. Bill Mauro: No? Okay, good.

Mr. Bas Balkissoon: No. That's what I just clarified.

Mr. Bill Mauro: No votes.

Ms. Lisa MacLeod: No. Maybe you could withdraw that, because that's not what I was trying to do at all.

Mr. Bill Mauro: Good. I'm happy to hear that, because there clearly would probably be a requirement that any of us would want to hear from other witnesses, perhaps, on what exactly the impact of some of these things would be before we went anywhere near the report-writing stage.

The reason I'm raising this issue is because the Clerk basically just said, three or four minutes ago, that he was under the impression that that's where we were moving,

so I just wanted to clarify that. I don't think that makes any sense. The Clerk basically just said that. I don't think I'm wrong in drawing that conclusion. It seemed to me where at least one member of the committee wanted to go, so I think that makes sense.

The Chair (Mr. Garfield Dunlop): Just make a comment at this point.

Mr. Bill Mauro: Sure, thank you, Chair. What I'm saying is that on Mr. Hillier's piece, if we're moving forward with it in any way, it sounds like the committee is going to want to call other witnesses, I would expect, to give their opinions on this and hear what they have to say in the proposals. That would be number one.

Ms. Forster's recommendation, I think, was that we would potentially be reviewing the standing orders in their entirety, and that seems to make sense to me as well.

The Chair (Mr. Garfield Dunlop): Okay, thank you. Ms. MacLeod?

Ms. Lisa MacLeod: Yes, there does seem to be some confusion; I apologize. Many of us have been sitting here for a long time reviewing all of this, and I think Bas is sort of with me on this—

Interjection.

Mr. Steve Clark: It's not a laughing matter.

Mr. Bas Balkissoon: I heard the word "adoption" so I thought she was moving adoption.

Ms. Lisa MacLeod: Basically what I was suggesting was that we actually develop a compendium of all the presentations and things that we have had consensus on in a report style similar to what we might have seen in a—

Interjection.

Ms. Lisa MacLeod: Just one second. Some of us have been members of public accounts, and when you get recommendations coming in, whether you agree with them or not, from a variety of different people who come in and say, "This should happen or that should happen," and the committee goes through it and decides what they support, I'm simply saying we need a starting point because we've been doing this for quite some time. We should have started a long time ago, but for reasons that are no fault of any single person in this room, we're sort of behind. I think it would be good to have those recommendations in front of us and we actually start report writing. I'd just invite members who may have been part of public accounts or other committee report writing before to go back to some of those ideas.

Steve is not joking. This is one of the binders. We've had a lot of presentations. I really do not want to see that work go by the wayside. It would be good to have all of those recommendations that we did previously have a consensus on, the ideas from Mr. Hillier and any other ideas that may come forward from the caucuses, and put that into one list. If people are uncomfortable calling it a report, that's fine by me too. You can call it a list, but I'd like to see them all together, grouped into where they would possibly change a standing order. At that point in time, we can start going through the list deciding what

we agree with and what we don't. If we come out with some consensus by the end of it, let's put that report forward to the House. If we don't, then everybody is entitled to put forward their own minority report, but at some point we're going to have to collate that information from the past year, and I don't think any of my colleagues that have been on this committee before would be opposed to that, simply because I think we're spending two or three hours in committee and we've been doing this since a year and a half ago. At some point, we're going to have to make sure that we're producing something for someone.

Anyway, in the meantime, I will address this: We do have a bill referred to this committee, and in the meantime, while this is sorted out—what we're going to do with all of the recommendations that are piling up—perhaps we should actually bring that bill forward.

Mr. Bas Balkissoon: Before we bring the bill forward, shouldn't we have a subcommittee to decide how to deal with the bill?

The Chair (Mr. Garfield Dunlop): We'll have to do that, yes.

Mr. Bas Balkissoon: Okay.

Ms. Lisa MacLeod: You and I can sit down at subcommittee.

Mr. Bas Balkissoon: Otherwise it will come here and we'll have to just go all over again.

The Chair (Mr. Garfield Dunlop): Okay, so I'm looking for direction, then, on how we continue over the next month or so. What are your suggestions right now, then?

Mr. Bill Mauro: I think it has been clarified for me. Ms. MacLeod wasn't talking about consensus items; those have been referred forward already from the previous committee's work. You're talking about recommendations that you think there may be consensus on, forming the basis of a report that comes back to all the committee members. That's in Mr. Clark's binder, apparently, including Mr. Hillier's stuff today, and then we begin dealing with that on a go-forward basis. That seems to be fine with me.

The Clerk of the Committee (Mr. Trevor Day): To clarify—sorry—the consensus items haven't gone anywhere. They're still here. What went forward to the House leaders was—we had a couple of draft House schedules that we sent off for further input.

Mr. Bill Mauro: Okay, but when I spoke previously, that was my concern, that as a new member of the committee, I might be looked to to vote on items that, you know—

The Clerk of the Committee (Mr. Trevor Day): We can put them back into a list.

Ms. Lisa MacLeod: That's what I was suggesting—

Mr. Bill Mauro: Yes, make them part of it; thank you.

Ms. Lisa MacLeod:—that the consensus items get back in, because they haven't gone anywhere.

The Clerk of the Committee (Mr. Trevor Day): If the committee decides that that's what they want to do, then that's it.

Mr. Bas Balkissoon: What would you like on the next agenda?

The Clerk of the Committee (Mr. Trevor Day): What do you want to do?

Ms. Lisa MacLeod: If there's agreement that we move forward with a list that's sort of a compendium of all of the various recommendations, as well as those issues that we had previously agreed to, so that we can actually meet on committee—perhaps if we do that the week after the break?

The Clerk of the Committee (Mr. Trevor Day): Okay, so what we'll do is we'll put together a list, including Mr. Hillier's stuff and stuff that the committee has looked at previously. We had some draft options, I think, that are in the later tabs in your binders—

Ms. Lisa MacLeod: Trevor, sorry, I hate to interrupt, but perhaps because we do have so many new members: If there was a recommendation that we had discussed previously, if you could put the background information—I only refer to the public accounts-type style of a report because I spent some time on public accounts; I found that easy, and it also gives you a little summary of where this idea came from, because as Bas and I pointed out, we have looked at a great deal of jurisdictions previously, and some very good ideas came forward.

The Chair (Mr. Garfield Dunlop): Okay, Bas has a question, and then Bill.

Mr. Bas Balkissoon: My question to you, Chair, is, the draft schedules went to the House leaders, and there was a reason for that. The reason was that a lot of our other discussions surrounded the outcome of a schedule.

The Chair (Mr. Garfield Dunlop): We were on a deadline.

Mr. Bas Balkissoon: Yes, and Mr. Hillier's recommendations in here also have a lot of issues to deal with schedules. I see that if we come back here and we continue, we'll still be in that logjam unless we get an answer from the House leaders, so it may require you to write the House leaders that we need them to do something with the schedules before we can move forward with more business, because I think that's the foundation of where we're going to go with any discussion, that schedule.

The Chair (Mr. Garfield Dunlop): Okay. Are you saying that—before the list comes out?

Mr. Bas Balkissoon: Well, we could continue to work, but I'm saying that if we don't get an answer from them, everything we discuss will be up in limbo.

The Chair (Mr. Garfield Dunlop): So we can write to the House leaders, then. Okay. Bill?

Mr. Bill Mauro: I'm fine, thank you.

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

Mr. Steve Clark: Again, I want to put my two cents in. I agree with Mr. Balkissoon that you should write the House leaders and that we should continue to compile the list and do our work. Again, I just want to reiterate to you that you should remind the House leaders that we could

also make decisions for schedule changes in the House on a provisional basis.

The Chair (Mr. Garfield Dunlop): Mr. Hillier?

Mr. Randy Hillier: Yes, I would like to not intrude in committee business, but I would ask one thing of the committee and maybe offer a thought, as well, to this committee. What I would ask first off is, over a year ago, the private bills and regulations committee passed a motion to adopt two changes to the standing orders, right? It was studied and discussed and well ventilated by the Standing Committee on Regulations and Private Bills. It's very focused strictly—a very narrow element of the standing orders. It would allow the standing committee to do a better job, and I would ask this committee to look upon the work of that other committee and either agree or disagree, but do something recognizing the work of that other standing committee of the House. I think it's clear in that request from regulations and private bills that the committee on the Legislative Assembly refer it to the House for adoption. So I would ask that first.

The Chair (Mr. Garfield Dunlop): We'll make that part of our list, then.

Mr. Randy Hillier: The other thing I would offer up as a comment—and I think it may help this committee sort its way through the mass of procedures and where to go through this maze—and that is just put a request out to all interested members of this assembly to come and offer up their thoughts or ideas on things that are presently before the committee or other changes to the standing orders. I put that out as a thought.

Thank you very much for allowing me to talk today.

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

Any other comments, anyone? Okay.

The Clerk of the Committee (Mr. Trevor Day): Okay, so what I've got is, the week after constituency week, we're going to come back here. Hopefully, by that point we will have a list of some of the stuff we talked about before, whether it was agreed on or not; Mr. Hillier's stuff; the stuff that we did agree on but new members will have a chance to take a look at it. That's what we'll be coming forward with.

Is it okay, if the Clerk's office has any recommendations for standing order changes, that we throw it in as well? You can vote them down, it doesn't matter.

Ms. Lisa MacLeod: Bas, did you get that? The Clerk's office wants to know if they can add any standing order changes they may think are relevant to add to the package.

Mr. Bas Balkissoon: Sorry—

The Clerk of the Committee (Mr. Trevor Day): The list that we're coming back with—

Mr. Bas Balkissoon: Right.

The Clerk of the Committee (Mr. Trevor Day): Is it okay, if the Clerk's office has any potential recommendations for standing order changes—that we can put that into the mix and members will vote as they will? Anything else—

Mr. Bas Balkissoon: When you say “potential recommendations,” who is going to develop the recommendations?

The Clerk of the Committee (Mr. Trevor Day): The Clerk’s office.

Mr. Bas Balkissoon: I have a real problem with that.

Mr. Steve Clark: Why?

The Chair (Mr. Garfield Dunlop): Why? If the Clerk has suggested changes—

Mr. Bas Balkissoon: Oh, from the Clerk herself, for her area of responsibility?

The Chair (Mr. Garfield Dunlop): Yes.

Mr. Bas Balkissoon: Okay. I thought you meant on what we’re discussing.

Mr. Steve Clark: The reason I like that is because I think the Clerk had mentioned at one of our previous meetings she had some thoughts on proclamations. I think with the whole e-petition stuff, the Clerk should have an opinion on that.

Mr. Bas Balkissoon: But then it shouldn’t be a recommendation. It should be input to the committee. The committee makes the recommendation.

The Clerk of the Committee (Mr. Trevor Day): I’m just saying, in this case—

Mr. Bas Balkissoon: She could give us a report. We will decide what to recommend.

The Chair (Mr. Garfield Dunlop): Yes, that’s the idea—

Mr. Bas Balkissoon: Okay.

The Chair (Mr. Garfield Dunlop): Okay. Anything else, anyone?

The Clerk of the Committee (Mr. Trevor Day): That’s it.

The Chair (Mr. Garfield Dunlop): Okay, we’re adjourned until the 28th?

The Clerk of the Committee (Mr. Trevor Day): Whatever that day is.

The Chair (Mr. Garfield Dunlop): The week after constit week, right? The Wednesday after constit week.

Mr. Steve Clark: The 29th, I believe.

The Chair (Mr. Garfield Dunlop): Okay, the meeting’s adjourned.

The committee adjourned at 1433.

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