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**Official Report  
of Debates  
(Hansard)**

**Wednesday 19 February 2014**

**Journal  
des débats  
(Hansard)**

**Mercredi 19 février 2014**

**Standing Committee on  
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Committee business

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
ESTIMATESCOMITÉ PERMANENT DES  
BUDGETS DES DÉPENSES

Wednesday 19 February 2014

Mercredi 19 février 2014

*The committee met at 1606 in room 151.*

## COMMITTEE BUSINESS

**The Chair (Mr. Michael Prue):** We'll call the meeting to order. I've been informed by the Clerk that we're good to go.

We have four items in front of us today. I think the members have all of those items. Each has been distributed.

The first one is a document received from the Ministry of Tourism, Culture and Sport. To be clear, I'd better get the right one in front of me. It is dated February 14, addressed to me, is three pages long and is signed by the Honourable Michael Chan, Minister. He is stating that he has provided 28 boxes of documents: 14 redacted and 14 unredacted.

The issue is before the committee: What do you want to do with them?

**The Clerk of the Committee (Mr. Katch Koch):** This is the second batch. There is a previous—

**The Chair (Mr. Michael Prue):** Yes, this is the second batch. The first one, on November 19, totalled approximately 76,000 pages. This is the second batch. Just for the edification of the committee, the last time, the committee accepted the information and decided that one copy of all redacted and unredacted documents we received be supplied to each caucus; that the caucuses keep the unredacted documents confidential; that the Minister of Tourism, Culture and Sport be notified in advance should the committee decide to make the unredacted documents public; and that the redacted documents all be made public.

That was the decision we made back in November. What do you want to do with the next batch? Mr. Leone?

**Mr. Rob Leone:** Mr. Chair, I would move that we use the same rules we applied on the last batch of documents to this batch of documents.

**The Chair (Mr. Michael Prue):** Okay. We anticipated that someone may move that, so the Clerk has prepared such a motion. Please take a second or two to look at it. If you agree that that's what you want to do, please make that motion and then we'll discuss whether we do that this time as well. Just take a few seconds so that everybody has it in front of them as well.

All right, has everybody had a chance to read what has been provided by the Clerk in anticipation of what might

be done? Okay. Then, Mr. Leone, the floor is yours if you'd like to move a motion.

**Mr. Rob Leone:** Mr. Chair, I move that the Standing Committee on Estimates accepts the information received on February 14, 2014, that is responsive to the October 22, 2013, motion adopted in committee during the review of the 2013-14 estimates of the Ministry of Tourism, Culture and Sport;

That one copy of all redacted and unredacted documents received be provided to each caucus and that the caucuses keep the unredacted documents confidential;

That the Ministry of Tourism, Culture and Sport be notified in advance should the committee decide to make the unredacted documents public; and

That the redacted documents be made public.

**The Chair (Mr. Michael Prue):** Okay. Any questions, comments? Everybody is satisfied with that?

All right, we have a motion duly moved.

Mr. Vanthof?

**Mr. John Vanthof:** I'd like to call a short recess until we get a sub slip.

**Mr. Mike Colle:** To what? I'm sorry?

**The Chair (Mr. Michael Prue):** You can call a recess before the vote. I mean, any person can ask for up to 20 minutes; you are correct. I do not have a sub slip for you, and you could not vote unless we receive one. Are you asking for a recess before the vote?

**Mr. John Vanthof:** Five minutes, yes.

**The Chair (Mr. Michael Prue):** Five minutes? Okay. He is entitled to request a five-minute recess before any vote. Therefore, we will recess for five minutes. It doesn't matter what the reason is, but I understand it. Okay, I think we all do.

**Mr. Mike Colle:** Can he even make that motion?

**The Chair (Mr. Michael Prue):** Actually, no; you are right. You're technically correct: He cannot make that motion.

**Mr. Rob Leone:** Mr. Chair?

**The Chair (Mr. Michael Prue):** Yes?

**Mr. Rob Leone:** I'd like to make a five-minute recess.

**Interjection:** Request.

**Mr. Rob Leone:** Request a five-minute recess.

**The Chair (Mr. Michael Prue):** Okay, and you don't have to give your reason.

**Mr. Rob Leone:** No, I don't have to.

**The Chair (Mr. Michael Prue):** All right. Just prior to the vote, you're asking for five minutes?

**Mr. Rob Leone:** Yes, I am.

**The Chair (Mr. Michael Prue):** It is granted to Mr. Leone, and thank you for correcting me. Then it is granted. We are recessed until approximately 16 minutes after 4.

*The committee recessed from 1612 to 1615.*

**The Chair (Mr. Michael Prue):** The committee seems willing to come back a little early. Are we ready for the vote? Okay. All those in favour of Mr. Leone's motion, please signify. That is unanimous. Passed.

The next motion is on documents received from the Ministry of Finance. There are two sets, and I'm not clear from the agenda which one we're—

*Interjection.*

**The Chair (Mr. Michael Prue):** The next document, so that everybody is clear, because there are two documents from the Ministry of Finance—it is the thicker of the two that we're dealing with first. They're both dated February 14. This one is from the office of the deputy minister at the top left corner, and it starts out: "Dear Mr. Koch: Re: Response to the December 11, 2013 motion...." That's the one. Everybody knows which one of the two it is? He's coming back with this information. Do people need time to read it in its entirety? I don't know what the committee wants to do. You may just want to receive it for information. Does anybody need time to read it, or are you happy just to receive it as information?

**Mr. Rob Leone:** I have a question.

**The Chair (Mr. Michael Prue):** Mr. Leone.

**Mr. Rob Leone:** Mr. Chair, I'm wondering if we could have some understanding with regard to whether we can—since the ministry does not have a copy of the employment contract between eHealth Ontario and the individual as the ministry is not a party to that contract—at this point in time, ask for the document from eHealth Ontario to be provided.

**The Chair (Mr. Michael Prue):** I'm afraid that because we are, in legal terms, what is called functus, we stopped acting as a committee to make these kinds of requests in November once the House was seized with our report. We are simply doing administrative things at this time. That would be, in my view, beyond the administrative capabilities of the committee at this stage.

**Mr. Rob Leone:** So really, I can't move anything?

**The Chair (Mr. Michael Prue):** You can move receipt, I think, but I don't know what else you can move. I'm trying to think in my own head what you might be able to move.

**Mr. Rob Leone:** I'm just unsure of the difference between what the order in council contains and what the employment contract between eHealth Ontario and the individual would contain, but that's a question I'm sure the Chair or the Clerk could ask or answer. Would it be possible for the Chair to write and seek clarification on that?

**The Chair (Mr. Michael Prue):** If the committee requests that I write to the minister or deputy minister and ask for clarification, if that passes, I would of course be

required to do so if you want clarification of the document. But I don't think you can request new documentation or something other than what was requested while the committee still had that authority in November.

**Mr. Rob Leone:** Would it be possible to move that the Chair of the Standing Committee on Estimates write to the Deputy Minister of Health to seek clarification on the difference between what is contained in an order in council and an employment contract with an arm's-length agency?

**The Chair (Mr. Michael Prue):** I think we can write to the deputy minister, but it would have to be the deputy minister who wrote this letter. This is the Deputy Minister of Finance.

1620

**Mr. Rob Leone:** I'm not clear what that means.

**The Chair (Mr. Michael Prue):** You said the Deputy Minister of Health. I think we cannot write to the Deputy Minister of Health asking for clarification on this letter.

**Mr. Rob Leone:** Did I say the Deputy Minister of Finance?

**The Chair (Mr. Michael Prue):** No, you said the Deputy Minister of Health.

**Mr. Rob Leone:** Okay.

**The Chair (Mr. Michael Prue):** If you want to write to the Deputy Minister of Finance, I think that is within our purview. We can do that.

**Mr. Rob Leone:** Okay. So can I amend that motion to say the Deputy Minister of—

**The Chair (Mr. Michael Prue):** The ball's in your court. What would you like to move?

**Mr. Rob Leone:** Just another clarification of that: We can't ask the Deputy Minister of Health this question?

**The Chair (Mr. Michael Prue):** I don't believe so. I don't think—

*Interjection.*

**The Chair (Mr. Michael Prue):** Yes. The letter has been written by the deputy minister of the Ministry of Finance. You can't ask someone else to clarify a letter that he has written, I don't think. You can ask him to clarify the letter perhaps after consultation—

**Mr. John Vanthof:** I'm confused.

**Mr. Rob Leone:** Are we on the same letter?

**The Chair (Mr. Michael Prue):** The two letters—everything we have is dated February 14.

**Mr. Rob Leone:** I am looking at something completely different.

**The Chair (Mr. Michael Prue):** Okay. This is the one that starts off:

"Dear Mr. Koch:

"Re: Response to the December 11, 2013, motion of the Standing Committee on Estimates."

**Mr. Rob Leone:** I see. Chair, I'm sorry. I apologize.

**The Chair (Mr. Michael Prue):** This is dealing with the ONTC.

**Mr. Rob Leone:** I apologize, Chair. We received a lot of correspondence in the intersession from this committee. I was looking at a completely different letter, one that was dated December 27, 2013. I don't believe we're on

that agenda item, but it was a question I had that also starts with “Dear Mr. Koch.”

**The Chair (Mr. Michael Prue):** Well, they all start with “Dear Mr. Koch.”

**Mr. Rob Leone:** Yes, except there’s one with “Dear Mr. Prue.”

**The Chair (Mr. Michael Prue):** Actually, no. The other Ministry of Health and Long-Term Care is actually addressed to me.

**Mr. Rob Leone:** Yes. I don’t know, Chair. Is it out of order to ask that question right now with the correspondence we received in the intersession?

**The Chair (Mr. Michael Prue):** We’re talking about—this is number 2, documents received from the Ministry of Finance—

**Mr. Rob Leone:** Okay. I’ll withdraw that motion then—

**The Chair (Mr. Michael Prue):** Okay. The Ministry of Finance is the thicker of the packages. It’s dealing with the ONTC. If you will remember, we brought the deputy minister back in for additional consultation and there were some questions asked about a number of things, including the Parapan Games and the ONTC.

It’s in your hands. You can ask for a recess for a few minutes, for another day, whatever, if you want to read this.

**Mr. Rob Leone:** Chair, in this particular letter, what it really is saying is they provided a set of unredacted documents that are no longer commercially sensitive and, therefore, they can be as public as the rest of them. The committee has already received a set of USB keys—or about to receive—

**The Chair (Mr. Michael Prue):** Yes. Parts 1, 2 and 4 were handed out.

**Mr. Rob Leone:** Right, and those are all the remaining documents on the ONTC?

**The Chair (Mr. Michael Prue):** This is what we received. If my memory serves me correctly, it was Mr. Fedeli who requested this information.

**Mr. Rob Leone:** Right.

**The Chair (Mr. Michael Prue):** It says it right there in the third outstanding paragraph, “Mr. Fedeli moved.” So this is responding to Mr. Fedeli’s request.

**Mr. Rob Leone:** Chair, we’d like to defer this to another meeting, if possible, so that we can connect with Mr. Fedeli.

**The Chair (Mr. Michael Prue):** Okay. A motion of adjournment or deferral on this item would be in order. I’m just trying to think. To the Clerk: It would probably have to come back next week. Yes, it would have to come back whenever the committee reconvenes. We cannot reconvene before next week, next Tuesday or Wednesday. If that’s the motion, I’ll put it to the committee if they agree to defer until then. Would that be sufficient time if it’s deferred until next week?

**Mr. Rob Leone:** Yes.

**The Chair (Mr. Michael Prue):** Okay, then we have a motion of deferral on this item, which is item 2, that it be deferred until the committee meets sometime next

week. We traditionally meet on Tuesdays and Wednesdays. Any discussion on a motion of deferral? I hear general agreement. Okay. I’ll just put the question then. All those in favour of adjourning this item until next week? Opposed? Okay.

You didn’t set a time, but I trust you’ll leave that with the Chair. We can meet either Tuesday or Wednesday. The Chair will decide.

**Mr. Mike Colle:** At the call of the Chair.

**The Chair (Mr. Michael Prue):** Okay, that’s fine. Then we’ll decide that. That item is now dealt with.

Now we go to item 3, which is the letter from the Ministry of Finance, which is the minister—wait until I find that one.

**Mr. Steve Clark:** Addressed to you, right, Chair?

**The Chair (Mr. Michael Prue):** Yes, it’s addressed to me and it’s signed by Charles Sousa, minister. This is, I think, a letter more for your information, but I leave it to the members to take a second or two or five minutes or whatever you need to read it and determine what you wish to do with this information. If it’s tying the committee’s hands, you can move a motion for me to write to the minister or you can move a motion of deferral. You can move any number of motions related to this document, but it is your choice. I am in your hands.

**Mr. Rob Leone:** Mr. Chair, I do want to state for the record that we passed this motion on June 11, 2013, and I’m quite concerned that this letter, dated February 14, 2014, states that the ministry has not been able to fulfill its requirements to disclose documents as per part 3 of that motion. I’m concerned that it has taken so much time to do. I appreciate that there’s probably a vast volume of information that’s available, but we are very interested in understanding the medium- and long-term fiscal outlooks for the province and we’re concerned that the government isn’t able to provide those documents in a concise format. Chair, I don’t think we would have been asking for these documents had they been presented in the previous budget in a sufficient format. Our concern is that they hadn’t been; they haven’t been presented in the previous budget and we’re concerned they actually don’t exist.

My position, Chair, is that we—certainly, I would ask that you write a letter back to the Minister of Finance or the ministry and the deputy minister, outlining our concerns. I think that given the length of time that we have waited for these documents, it gives us great concern that there are no medium- and long-term fiscal projections that the government has available, or that they do not want to make public for whatever reason.

I’m very concerned about this. I think that it’s our obligation as committee members to review the estimates of the government. If those estimates, for the medium and long term, aren’t available, then we are hamstrung as a committee to do our work. I think that is certainly a matter that needs to be brought to the minister’s attention in a very forceful way.

**The Chair (Mr. Michael Prue):** Okay. If I captured all of that—I don’t know if the Clerk captured all of that?

**The Clerk of the Committee (Mr. Katch Koch):** I'll check Hansard later.

**The Chair (Mr. Michael Prue):** Okay. He'll check Hansard after, he says. But it seems to me that this is a motion requesting that the Chair write to the minister and to the deputy minister, seeking clarification as to when these documents that were requested by the committee might be made available and inquiring about what is causing the delay. In a nutshell, is that—

**Mr. Rob Leone:** Well, I would add a question: Do they in fact exist?

1630

**The Chair (Mr. Michael Prue):** I think we're going to have to ask you to put your motion in writing if it's more complicated than what I expressed. Do you need some time? Do you need a short recess?

**Mr. Rob Leone:** Can we come back next Tuesday, or whenever the committee sits, with a motion to deal with this as well?

**Mr. Mike Colle:** He's asking for a deferral.

**The Chair (Mr. Michael Prue):** You're asking for a deferral till next week.

**Mr. Rob Leone:** Yes, to draft a proper motion.

**The Chair (Mr. Michael Prue):** Sure. There is a request for deferral.

On the deferral, Ms. Damerla?

**Ms. Dipika Damerla:** No, not on the deferral. I just wanted to say, Chair, that I heard you say earlier that your understanding was that the request was for a letter asking the ministry to explain the reason for the delay, but I believe this letter does explain the reason for the delay. So I just wanted to clarify that.

**The Chair (Mr. Michael Prue):** I was trying to paraphrase what I thought Mr. Leone was trying to say so that it could be clear on the record. But what he was trying to say included much more than what I was suggesting. So he is now stating that he wishes a deferral in order to put his proper thoughts on paper. What I was saying was only to try to help the situation, and it did not help because I did not understand everything he wanted to do. Now we have a motion that it's deferred, so that he can properly prepare a motion for the meeting sometime Tuesday or Wednesday of next week.

Any discussion on the deferral? All those in favour of the deferral of this item until next week? That appears to pass.

That leaves us with the last item on the agenda, which is the letter from the Minister of Health and Long-Term Care. It is addressed to me, and it is signed by Deb Matthews. Does everybody have that one in front of you? Okay. The committee requested copies of documentation. The Minister of Health has written back and has indicated, on the third-last paragraph found on page 2, that the search has resulted in the identification of 119,000 records containing responsive information, with an overall volume of pages expected to be in the millions. She is asking if the committee could narrow the scope. We did not ask for an electronic copy, and it is too late to do that. She is asking, do you want millions of pages of docu-

ments? I think it's a legitimate question. What does the committee want to do with this? Do you want to narrow the scope, or do you want her to continue to go through the 119,000 records containing millions of pages?

**Mr. Mike Colle:** Can I just speak to this?

**The Chair (Mr. Michael Prue):** Surely, Mr. Colle.

**Mr. Mike Colle:** I've tried to find out the scope of this. The problem seems to be that they're trying to differentiate some private medical information that would be included with the CCAC information, to make sure that the material that goes out does not include anything that would refer to medical services provided to individuals.

Secondly, the problem is spreadsheets. A lot of this material that we asked to be reproduced ends up having to be in massive spreadsheets that are really problematic to reproduce.

Those were the two things mentioned in my attempt to get an explanation of what the minister—plus, the actual volume is quite overwhelming to staff, just in terms of scale and scope. That's the background, as far as I understand it.

**The Chair (Mr. Michael Prue):** Mr. Leone?

**Mr. Rob Leone:** I'm going to ask the question; I presume I know the answer already. Is it possible to have a ministry official explain to this committee in any way, shape or form what the contents of these documents are, to synthesize what the contents are? Or is that going beyond what we're able to do at this point in time? Like, a technical briefing of sorts, because maybe a summary would—

**The Chair (Mr. Michael Prue):** Well, we had an opportunity to talk to the deputy in camera the first time.

**Mr. Mike Colle:** The Deputy Minister of Finance we've talked to.

**The Chair (Mr. Michael Prue):** This is all uncharted territory to me as the Chair. I've been around for 12 years, but this is uncharted territory for us to be doing this this late in the process, after our mandate has finished. This is just sort of to clean things up following a report to the House in November.

I would ask if the Clerk could provide any clarification to the committee whether or not we could ask for the minister or the deputy to come back and explain the 119,000 items and the million pages.

**The Clerk of the Committee (Mr. Katch Koch):** The committee has certainly done that with the Ministry of Finance in the fall, if you recall. We have asked the Deputy Minister of Finance to come before the committee. We did a meeting in camera to help members understand what we're dealing with.

**Mr. Rob Leone:** Right. And given that we have done that for finance, we're able to do that for health as well?

**The Clerk of the Committee (Mr. Katch Koch):** As long as you restrict yourself to the documents on CCAC.

**The Chair (Mr. Michael Prue):** Mr. Colle and then Ms. Damerla.

**Mr. Mike Colle:** I think it would be helpful to get an explanation, because it is quite complex. But then the

minister is asking for us, as a committee, to change the scale and the scope of our original motion, that letter that we sent to them. So I don't know whether we could deal with that, because it's a change in our process that we're now dealing with this after the committee has reported. It's a bit of a Catch-22 situation, so I don't know how to best deal with that procedurally.

**The Chair (Mr. Michael Prue):** I would think, and I will rule if I have to, that you can ask for less information, but not more.

**Mr. Mike Colle:** Oh, okay.

**The Chair (Mr. Michael Prue):** I would not allow a motion to come forward that allows for more than what was asked for, but if you want to ask for less and say that you're narrowing the scope, and the committee is agreed that the narrowing of the scope would make it more doable for the ministry as the letter sets out, that would be within our mandate.

**Mr. Mike Colle:** Or not even narrowing it: basically, a management of the information that helps people receiving it and people giving it. It's management of information in a way that's more—how do you call it?—reasonable to digest. I don't think there's a problem with that, to ask them to come and explain how this might be facilitated or whatever, if the committee's agreed on that.

**The Chair (Mr. Michael Prue):** Ms. Damerla, no one's made a motion yet. Perhaps you might.

**Ms. Dipika Damerla:** Chair, I just have a slightly different view. I will obviously defer to the Clerk, but I do believe that for as long as I've been subbed on to this committee—and I do want this to go on the record—my fellow MPPs have, from the very beginning, asked for defined scope: Tell us what you're really looking for. We are here today because that scope wasn't defined. So I am a little reluctant to bring back bureaucrats now because we didn't do our job properly as a committee. If we have to, we have to. But if we had properly scoped the request in the first place, and we many, many times made that plea, we wouldn't be here. I wanted that on the record.

**The Chair (Mr. Michael Prue):** The point has been made. Anyone have a motion on this?

*Interjections.*

**Mr. Rob Leone:** I'm not sure I can totally agree with what Ms. Damerla just said, but I will move nonetheless that we request the presence of the Deputy Minister of Health and Long-Term Care, to come to this committee

to explain the documents they have discovered and to proceed on the release of what we've discovered at that meeting.

**The Chair (Mr. Michael Prue):** I would ask that you be specific, because we're inviting someone to attend the meeting. We can meet either Tuesday or Wednesday of next week or at some subsequent date. Could you be specific as to the date? We're bringing a body in, so—

**Mr. Rob Leone:** I'm flexible on time. So let's move that next Tuesday, February 26—yes?

**The Chair (Mr. Michael Prue):** I'm just checking the date.

**Mr. Steve Clark:** February 25.

**Mr. Rob Leone:** I move that on Tuesday, February 25, 2014, the Standing Committee on Estimates invite the Deputy Minister of Health and Long-Term Care to explain the letter to this committee dated February 14, 2014.

**Mr. Mike Colle:** Agreed.

**The Chair (Mr. Michael Prue):** Okay. Now, what time do we meet?

**Mr. Rob Leone:** The afternoon.

**The Chair (Mr. Michael Prue):** We can meet at 9 and again in the afternoon. So you're saying 9 o'clock in the morning?

**Mr. Rob Leone:** Let's do the afternoon. We have other stuff in the morning. It doesn't matter.

**The Chair (Mr. Michael Prue):** You're requesting the afternoon?

**Mr. Rob Leone:** Requesting the afternoon.

**The Chair (Mr. Michael Prue):** Following routine proceedings. So that everybody knows, the motion is to ask the deputy to come next Tuesday, following routine proceedings, to explain the letter and where we might go with it. Any discussion on the motion?

**Mr. Mike Colle:** Agreed.

**The Chair (Mr. Michael Prue):** That sounds like a pretty easy discussion. Any other discussion?

Seeing no discussion, all those in favour of Mr. Leone's motion? Opposed? That carries.

I believe that that is all we can do today. We had four items. We dealt with one; we have deferred three. We'll see everybody back here next Tuesday, and possibly Wednesday of next week, to deal with the balance.

Meeting is adjourned.

*The committee adjourned at 1642.*

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