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Wednesday 19 March 2014

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Mercredi 19 mars 2014

**Standing Committee on
General Government**

Committee business

**Comité permanent des
affaires gouvernementales**

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Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 19 March 2014

Mercredi 19 mars 2014

The committee met at 1606 in committee room 2.

COMMITTEE BUSINESS

The Chair (Mr. Grant Crack): I'd like to call the meeting to order. It is, of course, the meeting of the Standing Committee on General Government.

Today, we are here to vote on a motion put forward by Mr. Miller concerning a study relating to the auto insurance industry. I will read out the motion. At the last meeting, on Monday, I had put the question to a vote. There was a request for a 20-minute recess. Time ran out, so there will no further debate on the motion, but I would like to read it into the record one more time for clarification. It was moved by Mr. Miller: "I move that the Standing Committee on General Government continue report writing on the auto insurance study, pursuant to standing order 111(a), for the dates of March 26, April 2 and April 9."

Those in favour of the motion? Those opposed? The motion is carried.

Any further business?

Ms. Dipika Damerla: Chair?

The Chair (Ms. Dipika Damerla): Ms. Damerla.

Ms. Dipika Damerla: Chair, I'd like to introduce a motion.

The Chair (Mr. Grant Crack): Okay. That is in order. Ms. Damerla, would you like to table your motion, please?

Ms. Dipika Damerla: Yes. I move that the Standing Committee on General Government continue report writing on the auto insurance study, pursuant to standing order 111(a), for the dates April 16, April 20 and April 30, 2014, and one additional date for public hearings on Bill 11 to take place on March 26, followed by clause-by-clause consideration of Bill 11 on Wednesday, April 2 and Wednesday, April 9.

The Chair (Mr. Grant Crack): Okay. Thank you very much. Do you have copies of that motion?

Interjection.

The Chair (Mr. Grant Crack): Okay. I would request a five-minute recess in order to provide copies of the motion that has just been put forward by Ms. Damerla. So a five-minute recess.

The committee recessed from 1608 to 1616.

The Chair (Mr. Grant Crack): Okay, back to order. There has been a motion put forward by Ms. Damerla.

All members have received a copy, I trust. Is there any further discussion? Ms. Damerla.

Ms. Dipika Damerla: Thank you, Chair. With this new motion, what we are trying to do is accommodate the interests of all parties. This motion would allow for report writing on the insurance study to go ahead, but at the same time allow for Bill 11 to go ahead as well.

The thinking behind this is quite simple. We've discussed this before. All of us in committee agreed that Bill 11 would go ahead. At the time when we agreed that Bill 11 would go ahead, there were no riders. There was no condition that it was subject to this or that. Now new conditions have been introduced.

But more importantly, the critic for the NDP came to the subcommittee meeting, and we actually discussed details such as when we should hear public hearings for Bill 11 and where we should advertise for Bill 11. At that subcommittee meeting, it appeared that the NDP critic was onside with Bill 11 moving ahead. So we were quite surprised when on Monday there was no support for Bill 11. We're hoping that this motion would accommodate the NDP's desire to continue with report writing on insurance.

I do want to say, though, that at this point there is Bill 171, the Fighting Fraud and Reducing Automobile Insurance Rates Act, in the House. For those of us who are really interested in seeing auto insurance rates go down in Ontario, the best thing we can do is speed the passage of that bill through the Legislature and bring it into committee.

I would hate to see this committee bogged down in report writing when we could be using that time instead to look at the bill, because the report writing is not going to make a difference in bringing down insurance rates. The recommendations that would have been there we can discuss during committee, and use the bill to make it a better bill.

I think we can all agree that if reducing auto insurance rates as soon as possible is our priority, we would put a priority on bringing Bill 171 through the Legislature and into committee rather than writing a report. It's the same case with Bill 11, but I will leave that up to the other side to decide whether they want to do report writing or work on Bill 171.

In the meantime, if we could also consider Bill 11, that would again be very beneficial to the safety of Ontarians. The whole point of Bill 11, the air ambulance act—the

idea is to learn from past mistakes, build on them and correct them. The sooner we can do that, the better.

Many of the recommendations in the report that is being used as the reason for not moving Bill 11 forward are already known to us. Draft reports have been circulated. Material from those draft reports can be used to help work on Bill 11 in committee right now. There's always an opportunity, if there is some very big issue that comes up in the report that was not in the draft but is in the final—I'm sure there are ways for us to amend through regulations and make that a better bill. But just to hold it up, especially when all of us agreed to work on it—when we agreed on Bill 11 back then, we all knew where the Ornge report was. I am really hoping that in this fashion, it's a compromise where we would work on the auto insurance report writing, if that is the wish of the opposition, and at the same time work on Bill 11.

I also want to correct a few mischaracterizations. One of the things that was suggested was that the critics from the various parties were not given an opportunity to weigh in on the merits of Bill 11 going forward. There have been at least two subcommittee meetings that were called with a lot of notice, and at that subcommittee the critic for health for the NDP showed up on both occasions. She was able to weigh in, and nobody showed up from the PC party. There was an opportunity at that point for the critic to show up. She chose not to show up—

Mr. Jeff Yurek: Daylight savings time.

Ms. Dipika Damerla: That's a feeble excuse, but we'll let that pass.

To say that the critics did not have an opportunity to speak to Bill 11 and that's the reason we agreed to it in the past is not correct. At every opportunity, each party has the ability to send the critic—both to sub them in on committee meetings or at the subcommittee meetings. I just wanted to correct the record on that.

I want to reiterate that there has been no agreement by the government House leaders to hold off on Bill 11 before the Ornge report was written. This is a new wrinkle that has been brought in. I think it would be only fair if you could move forward on the agreement we have, which we all voted on. It's not even a gentleman's agreement; it's something that the committee agreed on and voted on.

It's also interesting that, on the one hand, Bill 11 is being held up because of a report and, on the other hand, you're insisting on writing a report which would hold up Bill 171 when we could easily be working on Bill 171. It just seems to me, unless there is a good rationale that I can hear from the other side, that it's just a tactic to hold up these good bills, just filibustering and report writing instead of—

Mr. Rick Nicholls: You're filibustering right now.

Ms. Dipika Damerla: No. I'm correcting the record, putting it on the record, so that, should somebody come back and say, "Did the governing party want to govern?" I think the record will show that, yes, we were interested in passing bills, not report writing. What I see over here is the opposition members interested in report writing

instead of working on bills that would actually improve the lives of Ontarians. If we have to prioritize or ask ourselves—

Mr. Michael Harris: It's fixing an error in oversight.

Ms. Dipika Damerla: Sorry? Go ahead. I'm happy to hear.

Mr. Michael Harris: Are you ceding the floor?

Ms. Dipika Damerla: Chair, I need a few minutes to collect my thoughts, because I lost my train of thought because I've been interrupted.

I think I was talking about the fact that the opposition is filibustering. There is a clear intent here to use committee time to write reports, but I think that committees were also created to look at legislation. I've heard MPPs very, very often passionately speak about the democratic process—and I agree with them. I think a committee is a place where a good bill can be improved upon, so why don't we use this time to work on Bill 11 and Bill 171 instead of not working on Bill 11 at all and then spending time writing a report instead of working on legislation? Report writing isn't going to reduce insurance rates. Waiting for the Ornge report isn't going to right away help make Ontarians safer and have a more robust air ambulance system.

We're working on those bills, so I would implore the committee to consider—and I'm very interested to hear how you feel about the compromise that we have put forward that would allow both to take place. I believe my colleagues MPP Mangat and MPP McNeely also have something to add. Chair, those are my thoughts for now.

The Chair (Mr. Grant Crack): Any further discussion?

Mr. Jagmeet Singh: I call the question.

Interjections.

The Chair (Mr. Grant Crack): We'll continue with debate because the member did indicate that the other members from the government side did want to speak to it, so out of respect for that—

Mr. Jeff Yurek: I think my hand was up first.

The Chair (Mr. Grant Crack): That is true. What I'm going to do here is I'm going to pass it over to Mr. Yurek, because did have his hand up prior to, so I apologize. Mr. Yurek.

Mr. Jeff Yurek: I just wanted to throw my two cents in on this motion. I don't understand why the government is filibustering their own motion when we have already passed report writing on auto insurance, which we've been working on for two and half years. I'm pretty sure the people of this province don't want to see all the money and time wasted in preparing to write a report on auto insurance that will benefit not only Bill 171, if it passes through second reading—which just started second reading, by the way. It will also help the government start lowering costs to reduce auto insurance rates throughout the province. So the sooner we get this done—obviously, it's going to be concluded April 9, and will be of great use to the government and this committee and whatever committee gets Bill 171 to review. I can't

really see Bill 171 passing before April 9, considering all the other legislation on the docket that has to be debated.

However, with regard to taking care of Bill 11, the government in this committee continually brings it up to bring it forward before the report is written by the other committee dealing with Ornge. The government itself said they liked to learn from their past mistakes; how can you possibly learn from past mistakes when the report that they are preparing in the other committee will actually point out quite obviously where this government has gone wrong over the last few years with the Ornge file?

I just wish we could probably do that with the government as a whole. We could learn a whole lot of the mistakes this government has achieved over their 10 years in power.

The other consideration I have is the parliamentary assistant to health and long-term care. Our committee lead has spoken to her. She too seems to be on the same page: Wait until the Ornge report is written before bringing it forward in committee. So I think the government should maybe talk to Ms. Jaczek about perhaps what her feelings are and follow the lead of their own PA.

The other two points I want to make are, the government is talking about not wasting time and perhaps going forward with Bill 171 and getting it into committee as soon as possible and learning from mistakes. We still have in government agencies committee, Chair, that we've been looking for information on the air-rail link. I believe it was Mr. Marchese's motion to bring that forward back in December, and we still can't bring that to a vote. So I would think the government people on the other side could go to those members of the committee and discuss that—that would be great—so we can get that information and try to improve government as a whole across the board.

But I will let members from the NDP, if they want to, add to this. Let's wait until the Ornge report is done so that we can have a great discussion about Bill 11 and really make the necessary changes that are needed in this province with Ornge ambulance.

Let's get on and finish our report on auto insurance. It's a hot topic, and there are a lot of ways we can clear it up and make the product more available and cheaper for people of Ontario. This report that we're going to be writing up will be a great resource not only for the government, but also the committees going forward.

The Chair (Mr. Grant Crack): Ms. Mangat.

Mrs. Amrit Mangat: I totally agree with my colleague Dipika Damerla, MPP, that the bill should pass. We shouldn't waste time in report-writing, and the democratic process should work.

As Jeff Yurek spoke about the filibustering, actually, they are filibustering Bill 122 in the legislative committee. I'm a member of that committee. This afternoon, nothing happened other than filibustering.

We all understand that auto insurance is a hot topic. It's a pocketbook issue, because I think that cars are a necessity; it's no longer a luxury. I think, whatever motion

has been put forward, we should pay attention to that as well as Bill 11—both of them.

1630

I would like to add that we need another date for a public hearing for Bill 11, to take place on March 26, followed by clause-by-clause consideration as well. Thank you.

The Chair (Mr. Grant Crack): Okay, thank you.

Ms. Dipika Damerla: Chair?

The Chair (Mr. Grant Crack): Prior to further discussion, on occasion in the last couple of meetings, there has been a vibration of cellphones that affects Hansard, so I would ask everyone to either put it on mute and/or hold them in your hands so that the vibration on the table is not annoying, so to speak.

Any further discussion?

Ms. Dipika Damerla: Chair?

The Chair (Mr. Grant Crack): Ms. Damerla?

Ms. Dipika Damerla: Did Phil want to go? You can go ahead first.

Mr. Phil McNeely: Go ahead.

Ms. Dipika Damerla: Chair, I just wanted the opportunity to address some of the issues that MPP Yurek raised. We're not questioning the value of report writing. What we are questioning is when the option is between moving a bill forward that would actually have practical implications on the lives of Ontarians as opposed to report writing.

We're also not debating that there is value from those reports that can be used, whether it's Bill 11 or Bill 171. But the point is that draft reports exist on the Ornge report. Surely the final report cannot be that dramatically different from the draft report. We can start by using information in the draft report.

The critics for all parties sat through all of the hearings. That report is just a summary of everything they've already heard. They have already got that knowledge. They can bring that knowledge to bear to discuss Bill 11.

It is a little unfair to suggest that unless that final report comes forward, that's the only way Bill 11 can proceed in a meaningful way. That is absolutely wrong, because everybody from all three parties has been sitting through months of those hearings. They've been sitting there personally; they have been hearing; they have been taking notes. There have been interim reports. All of that information can be used as input to ensure that Bill 11 does benefit from all of those committee hearings.

To suggest that there is only one way to benefit from those hearings, and that is to wait for that final report—whenever it comes, with the final comma checked off and the pretty cover on it—and that's the only time we can move forward with Bill 11, is not correct.

My question to the committee is, what is the best way of proceeding? What is the best use of this time? Can we not use draft reports? Can we not use the critics to come forward and bring their expertise and whatever they have learned through the committee hearing?

I also want to point out that MPP Yurek was trying to suggest that the health critic for our party had a position, but I want to put forward the same idea—

Mr. Michael Harris: You don't have a health critic. You have a health minister.

Ms. Dipika Damerla: Let me finish my thought, MPP Harris, and I'd be happy to cede the floor to you after and hear your point of view.

Interjections.

Ms. Dipika Damerla: Chair, once they're done, I can continue. I'm just waiting for them to finish.

Mr. Michael Harris: We're done. We're done.

Ms. Dipika Damerla: Okay. Thank you.

The health critic for the NDP was here last week, talking about the best way to advertise, talking about which days to have public hearings, talking about how many days of public hearings. That suggests to me that the health critic for the NDP was onside with moving Bill 11 forward as well. I'm just basing this on our interaction at the subcommittee meeting, and nothing else.

Finally, I do want to reiterate what MPP Mangat said. I've been sitting on the committee that looks at Bill 6, the Great Lakes Protection Act. All I've seen is—and MPP Harris sits on that as well. In a period of two hours, we could not get one amendment passed. There are 92 amendments. If we were to go at that rate, not even—

Mr. Rick Nicholls: Point of order, Chair.

The Chair (Mr. Grant Crack): Point of order, Mr. Nicholls.

Mr. Rick Nicholls: Thank you very much. I believe we have in front of us an amendment, and I would ask that the member stick to the amendment and talk about that. What goes on in other committees goes on in other committees. I don't really think that's pertinent to this particular discussion. I would ask that she just stick to the amendment and get to the point, so that we can press on. Thank you.

The Chair (Mr. Grant Crack): Okay. Thank you very much. I would remind Ms. Damerla to stay focused on the motion that is on the table.

Ms. Dipika Damerla: Thank you, Chair, but I think that, in the interest of fairness, if somebody accuses me of filibustering, I should have the opportunity to say, "Well, you've done the same thing in a different committee." That's all I'm trying to explain, so I would like to finish my thought.

There are 92 amendments, the vast majority introduced by the PCs. On average, in a two-hour sitting, we are barely able to move one amendment. I did the math. It would take us three years for that committee to pass every amendment on Bill 6. If that's not filibustering, I don't know what is. For somebody else to suggest that we are filibustering, it's a little difficult to take when we are just trying to move it forward. If anything, this motion is about trying to find a compromise. It is not about filibustering.

With that, I will rest my case, and I believe MPP McNeely has something to add.

The Chair (Mr. Grant Crack): Thank you very much. Mr. McNeely.

Mr. Phil McNeely: Thank you, Chair. I was involved with Bill 11 as PA to health many, many months ago. It is an essential bill that is required by our air ambulance to move forward and to protect the citizens of Ontario. This is a compromise motion that we brought forward. It balances what the opposition wants and what we would like to see go forward. Bill 11 is extremely important. It's the oversight bill for the air ambulance and the new management there who have been doing a great job for a long time. This legislation was well debated in the House. It's time for it to pass. It's a balanced approach to what all sides want, and it's necessary to proceed.

This is the reason we are bringing this forward, to let the report writing proceed. I think those dates are April 16, 20 and 30, and for this Bill 11, we're asking for our dates—to move it forward. From our perspective, it's a fair approach. We are here to govern and to debate etc., but this gives both sides something. For goodness' sake, think of the people who are running the air ambulance and doing a great job and making all the changes, who need this legislation to give them the backing for all the changes they want to make in the future. It's a good bill. It was well thought out, and I hope that we can proceed with this motion that we have brought forward.

The Chair (Mr. Grant Crack): Any further discussion? There being no further discussion, I will call the—

Ms. Dipika Damerla: Chair, I'd like a recess for 20 minutes.

The Chair (Mr. Grant Crack): I'll call the question, and Ms. Damerla has requested a 20-minute recess? A 20-minute recess is granted.

The committee recessed from 1638 to 1658.

Ms. Dipika Damerla: Chair?

The Chair (Mr. Grant Crack): Ms. Damerla?

Ms. Dipika Damerla: Chair, I just wanted to say that I'm hoping that our motion will pass, but in case it doesn't, we have another proposal to make this committee work. I just wanted to say I do have another motion to introduce, in case it fails. I'm hoping it will pass.

The Chair (Mr. Grant Crack): Thank you very much, but I do have to concentrate on the vote at hand at this particular point. The question has been called, so now I shall call the question. Those in favour of the motion? Those opposed? The motion is defeated.

Mr. Rick Nicholls: Chair?

Mr. Jagmeet Singh: Chair?

Ms. Dipika Damerla: Chair?

The Chair (Mr. Grant Crack): Mr. Nicholls first.

Mr. Rick Nicholls: Thank you, Chair. I would actually move a motion to adjourn.

The Chair (Mr. Grant Crack): Those in favour of adjournment? Those opposed? Carried.

This meeting is adjourned.

The committee adjourned at 1700.

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