



ISSN 1180-4335

**Legislative Assembly  
of Ontario**

Second Session, 40<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 40<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Tuesday 18 March 2014**

**Journal  
des débats  
(Hansard)**

**Mardi 18 mars 2014**

**Standing Committee on  
Government Agencies**

Agency review: Metrolinx

**Comité permanent des  
organismes gouvernementaux**

Examen des organismes  
gouvernementaux : Metrolinx

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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



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Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 18 March 2014

Mardi 18 mars 2014

*The committee met at 0906 in committee room 1.*

## AGENCY REVIEW: METROLINX

**The Chair (Mr. Lorenzo Berardinetti):** Good morning and welcome to this meeting of the Standing Committee on Government Agencies.

Before we begin, I would like to ask the Clerk to clarify for the committee a couple of points on procedure that were raised at the last meeting.

**The Clerk of the Committee (Ms. Sylwia Przewdziecki):** Yes. At the request of the Chair, I'd just like to clarify a couple of points.

At the last meeting, some questions arose regarding time limits on speeches in committee and questions regarding closure. I just wanted to address these two points very briefly.

First, regarding time limits: As per the committee's request of last week, I have distributed copies of standing order 109. You should have those in front of you. The standing order reads, "In any standing or select committee, the standing orders of the House shall be observed so far as may be applicable, except the standing orders limiting the number of times of speaking. Unless expressly provided by the standing orders or by unanimous consent, no member shall speak for more than 20 minutes at a time in any standing or select committee."

What this means is that, unlike in the House, a member may speak more than once to any issue before the committee. Since members may speak for no more than 20 minutes at a time, after a member has spoken for 20 minutes, the Chair must interrupt that member and ask if anyone else would like the floor. If no one else wishes to speak, the member may continue his or her debate and then the Chair must interrupt again after 20 minutes.

Very briefly regarding closure: Closure is one of the few motions that may be moved when another motion is already on the floor. If carried, it has the effect of ending the debate at hand and compelling the Chair to put the question on the main motion before the committee.

Closure ends debate on the main motion and any amendments thereto. Each amendment is considered part of the larger debate and not a separate question. The proper procedure for moving closure is for a member to obtain the floor and move that the question be now put.

The Chair must exercise discretion when deciding whether or not to put the question on a closure motion.

The Chair must be satisfied that there has been sufficient debate up to that point, that all members who wish to speak to the question had an opportunity to do so and that nothing new is being added to the debate, and also that the motion is neither an abuse of the standing orders of the House, nor an infringement on the rights of the minority.

If the Chair is satisfied that these conditions have been met, he shall put the question on the closure motion immediately without amendment or debate. However, if the Chair feels that there has not been sufficient debate on the matter, he shall state this for the committee and not put the question. If the motion for closure carries, the original question, that on the main motion, shall be put forthwith and decided without amendment or debate.

To use the current business before the committee as an example, the Chair would put the question on Mr. Marchese's original motion and not any amendments that may be on the floor. Closure would have the effect of closing the debate on Mr. Marchese's motion and the amendments would be lost—just to clarify.

**Mr. Frank Klees:** Chair?

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Klees?

**Mr. Frank Klees:** Perhaps the Clerk could provide some guidance in terms of what guides the Chair. I'm sure that while we presume on the wisdom of the Chair, there would be also be some guidance in terms of the length of debate that should be considered sufficient.

**The Chair (Mr. Lorenzo Berardinetti):** I have asked Mr. Todd Decker from the Clerk's department to provide me with that, exactly the question you've asked. I haven't received anything from him yet. I asked last week for that. I'll just reread this. Do you want me to reread this part here?

**Mr. Rosario Marchese:** Could you try to speak up please? It's really hard to hear.

**Mr. Rick Bartolucci:** Sylwia as well as Lorenzo, please. I didn't hear most of what Sylwia said because the mike isn't projecting the way we would want it to project.

If you could, Sylwia, in a nutshell, just sort of repeat what you said—not everything, but in essence. What is closure and when is closure valid? When is it invalid?

**The Clerk of the Committee (Ms. Sylwia Przewdziecki):** Closure is a motion that would have the effect of closing or terminating the debate on the main motion, meaning the original motion and any amendments

thereto. A closure motion can be moved at any time, meaning when another motion is on the floor, and then the Chair must exercise some discretion. The Chair must determine that there has been sufficient debate on the motion, that every member who wished to speak had a chance to do so, and that nothing new was being added to the debate. The Chair would also be guided by precedents, looking at past closure motions that have been moved and carried or had the question put on them in committees, and this speaks to Mr. Klees's question.

The longest debate in committee before closure was put was upwards of 16 hours over seven meetings. More recently, closure was put on a debate lasting about eight hours over four meetings, but another factor, of course, is the length of meeting that a committee has during the course of a week.

**Miss Monique Taylor:** Can we have clarity on how much time we've spent on this debate?

**The Clerk of the Committee (Ms. Sylwia Przedziecki):** To date, not counting any recesses—just debate—the committee has spent just over three hours.

**Mr. Rosario Marchese:** Oh, we've got so much time.

**The Clerk of the Committee (Ms. Sylwia Przedziecki):** I should say that's over six meetings. So this would be the sixth meeting that the debate is continuing.

**Miss Monique Taylor:** Three hours over six meetings?

**Mr. Frank Klees:** Chair, is there any requirement for the quality of debate? Because I think we can certainly call some of that into question.

**Mr. Rosario Marchese:** That's a good point, Frank, actually. There probably should be.

**The Chair (Mr. Lorenzo Berardinetti):** There are two answers, I guess, in my view.

**Mr. Rick Bartolucci:** Yes and no?

**The Chair (Mr. Lorenzo Berardinetti):** Well, from my point of view, quality, yes; but procedurally, as the Clerk said—

**Mr. Rosario Marchese:** Anybody can blah-blah for as long as they want.

**The Chair (Mr. Lorenzo Berardinetti):** No. If there are motions put forward, I have to consider them, unless they're something really not related to your motion, Mr. Marchese.

**Mr. Rosario Marchese:** Yes, we're okay with that.

**The Chair (Mr. Lorenzo Berardinetti):** Miss Taylor.

**Miss Monique Taylor:** Clarification, one more time, on closure when there's an amendment on the floor?

**The Clerk of the Committee (Ms. Sylwia Przedziecki):** If closure passed, the Chair would then put the question on the main motion, so the amendment on the floor would be lost.

**The Chair (Mr. Lorenzo Berardinetti):** All right.

**Miss Monique Taylor:** In that case, I would like to call closure on debate on this motion.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. Miss Taylor has moved closure. In my view, there hasn't been enough debate, and I will continue the debate today.

**Mr. Frank Klees:** What is it that you still need to know, Chair?

**The Chair (Mr. Lorenzo Berardinetti):** There has been a couple of amendments. We're on amendment 2 right now.

**Mr. Rick Bartolucci:** I think we should take this very, very seriously and not make light of the facts. Closure is a very, very serious motion, and if we move closure, if we felt it was right, would deny individuals such as Doug Holyday from speaking to a motion. Whether he would have added value or not is not for us to determine. He's elected by his constituents, and so everything he says, as far as his constituents are concerned, is valid.

I don't think we should take closure lightly. Closure is very, very serious. I'm going to be perfectly honest with you. I will want to speak to some of the amendments; I don't know if I'll use my 20 minutes or not. I'll be speaking because I have some concerns with those amendments and I think—I hope—some material that adds something to them. But the fact that we just want to move closure to move closure isn't right. I don't think it's in the best interest of this committee.

**Mr. Rosario Marchese:** Chair, he's absolutely right. We should move on.

**The Chair (Mr. Lorenzo Berardinetti):** Go ahead, Mr. Klees.

**Mr. Frank Klees:** Just so I can get this on the record: I do have a motion that I would like to table with the committee, and I'd like some guidance in terms of when the appropriate time is for me to do that.

**The Chair (Mr. Lorenzo Berardinetti):** I was going to start the meeting with just a few housekeeping matters to extend, perhaps just read them quickly, and then we can just get some guidance from the Clerk. In front of us right now is the debate on the second amendment; it's the amendment moved by Ms. Damerla to a motion by Mr. Marchese regarding the production of documents from Metrolinx and the Ministry of Transportation. We should all have that amendment in front of us.

But I just want to do this first of all. There are two subcommittee reports, a subcommittee report dated Thursday, March 6, 2014, and the subcommittee report dated Thursday, March 13, 2014. Can someone move adoption of those two subcommittee reports?

**Mr. Jim McDonell:** Do you want me to?

**The Chair (Mr. Lorenzo Berardinetti):** Okay.

**Mr. Jim McDonell:** I move adoption of the subcommittee report on intended appointments dated Thursday, March 6, 2014.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. Any debate? All those in favour? Opposed? That carries.

Then the subcommittee report dated Thursday, March 13, 2014. Miss Taylor.

**Miss Monique Taylor:** Thank you, Chair. I move adoption of the subcommittee report on intended appointments dated Thursday, March 13, 2014.

**The Chair (Mr. Lorenzo Berardinetti):** Any debate? All those in favour? Opposed? That carries.

Now, there's the extension of deadline for considering the appointment of Michael Gallagher, nominated as member, Workplace Safety and Insurance Board; this is a selection of the official opposition from the December 13, 2013, certificate. The extension expires March 18, 2014.

Then there's Ranjit Singh Dulai, nominated as member, Ontario Judicial Council, again a selection of the official opposition, from the February 21, 2014, extension certificate. The deadline expires March 23, 2014.

There's Sarah Jacobs, nominated as member, Environmental Review Tribunal and Ontario Municipal Board (Environment and Land Tribunals Ontario), a selection of the official opposition from the February 21, 2014, certificate. The deadline expires on March 23, 2014.

Then we've got Anne Golden, nominated as member, Metrolinx, selection of the official opposition and the third party, from the February 21, 2014, certificate. The deadline expires March 23, 2014.

Number five is Iain Dobson, nominated as member, Metrolinx, selection of the official opposition and third party from the February 21, 2014, certificate. The deadline expires March 23, 2014.

Do we have agreement to extend the deadline, people? Agreed? That's agreed. Carried.

*Interjections.*

**The Chair (Mr. Lorenzo Berardinetti):** If I could have the attention of the committee. We need 30 days from today for the extension of the deadline to consider the intended appointment of Michael Gallagher, nominated as member, Workplace Safety and Insurance Board. The date would be April 18, 2014. Do we have agreement on that extension? Then we need agreement to extend the deadline to consider the intended appointment of Ranjit Singh Dulai, nominated as member, Ontario Judicial Council. The date would be April 23, 2014. Do we have an agreement on that? Thank you.

**0920**

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Sarah Jacobs, nominated as member, Environmental Review Tribunal and Ontario Municipal Board, Environment and Land Tribunals Ontario? That date would be April 23, 2014. Is that agreed upon? Okay.

Then we need unanimous agreement to extend the deadline to consider the intended of appointment of Anne Golden, nominated as member, Metrolinx. That date would be April 23, 2014. Do we have unanimous agreement on that? Carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Iain Dobson, nominated as member of Metrolinx, to April 23, 2014? That would be the date. Do we have unanimous agreement on that date? Okay.

That's it for that part. We've done the extension of the deadlines. We're going to move on now to—we had the original motion. I'm not going to read it out loud because I think everyone knows what the original—

**Mr. Rick Bartolucci:** Chair, excuse me for interrupting—

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Bartolucci.

**Mr. Rick Bartolucci:** We all sit around this table, and every time we meet, we're asking for an extension of intended appointees because we never get around to intended appointees because of the Metrolinx studies or other studies. Is it possible—and I look to you, Chair, and the front table for some assistance here—to move a motion that would ensure that the first order of business every time we meet is intended appointees, so that we're not looking for extension after extension after extension, and then deal with the other business at hand, such as the Metrolinx studies? Would that motion be in order, first of all?

**The Chair (Mr. Lorenzo Berardinetti):** It was asked last meeting, but you're asking at this meeting, so I'm going to rule it in order. We'll have a vote, and the vote will be whether or not to do the extensions first.

*Interjection.*

**The Chair (Mr. Lorenzo Berardinetti):** Okay. I've just been advised by the Committee Clerk that we dealt with it last time and that the issue in front of us—

*Interjection.*

**The Chair (Mr. Lorenzo Berardinetti):** Yes. So we can't move any other motion because what's in front of us today is the amendment by Ms. Damerla. We're going to debate that today. It came up last meeting, the same issue.

**Mr. Rick Bartolucci:** You know what? That's valid. I wasn't at the meeting last week, so I don't know what came at the meeting. But then—

**Miss Monique Taylor:** What game is being played? You're absolutely right.

**Mr. Rick Bartolucci:** No, that's not—first of all, I've got to be perfectly honest with you. I'm asking questions that I think would be of value to get this committee work done. I'm not going to name anybody, but if anybody thinks we're wasting time, that's fine that you think that.

**Mr. Rosario Marchese:** Rick, the Chair has ruled on that already. We have another motion before us.

**Mr. Rick Bartolucci:** No, but you know what? Then my next question, and I think it's valid—for me, at least, it's valid, so I'm going to ask it—is when is it appropriate to make this motion that we deal with intended appointments first and then the rest of the business after? Why do I ask it? I ask it because we're not making good use of our time. We're having to extend everybody—

**Mr. Rosario Marchese:** Mr. Chair, he's having a debate on a motion that you ruled out of order. You can't allow that.

**The Chair (Mr. Lorenzo Berardinetti):** Okay, what's—all right. The motion that we're dealing with today was being debated last meeting. Again, this meeting today is the amendment moved by Ms. Damerla.

**Mr. Rosario Marchese:** That's what's on the floor—

**The Chair (Mr. Lorenzo Berardinetti):** That's what's on the floor right now. We have to debate that and then—

**Mr. Rick Bartolucci:** Yes, but by way of clarification, I have a simple question: When is it appropriate to introduce a motion that would say that we deal with intended appointments first before we deal with the rest of the agenda? When is it appropriate? Tell me if it's never, it's never; then end of discussion.

**The Chair (Mr. Lorenzo Berardinetti):** The only time you can introduce that motion is when there's nothing else on the floor today. What we have on the floor today to deal with in debate is the amendment by Ms. Damerla. That went right till 10:25 last week, so that's what's in front of us today.

**Miss Monique Taylor:** It's tough getting something on the floor. Out with the old, in with the new. Let's try something different today.

**The Chair (Mr. Lorenzo Berardinetti):** All right. I was just giving advice to that. If there's agreement by everyone on this committee to deal with the issue brought forward in the motion—

**Mr. Rosario Marchese:** There's no agreement—

**The Chair (Mr. Lorenzo Berardinetti):** So there's no agreement there—

**Miss Monique Taylor:** No agreement.

**Ms. Dipika Damerla:** Chair, can I just ask a question? Can I just get an explanation from the opposition why there is no agreement on that? It makes sense to finish the committee business that has a finite time so that we can debate the motion. I'm just curious what the reason is. I want it on the record.

**The Chair (Mr. Lorenzo Berardinetti):** Yes. I just stated on the record that we have a motion in front of us today, and that's the only thing that we can debate unless there's unanimous consent to do that. We didn't get unanimous consent. So the only issue in front of us is the motion moved by yourself, Ms. Damerla, which is to deal with the air-rail link motion.

**Mr. Rick Bartolucci:** So, Chair, excuse me for trying to pursue this. Are you telling me that this committee will never ever deal with a motion that one of us might want to put forward about making this a more time-effective meeting?

**Interjections:** Yes.

**The Chair (Mr. Lorenzo Berardinetti):** There's a yes.

**Mr. Rick Bartolucci:** Can I introduce it next time, next meeting? Is that possible? Do I introduce it tomorrow when the committee's not sitting? How do I do it?

*Interjections.*

**Mr. Jim McDonell:** Chair, a point of order.

**Mr. Rosario Marchese:** Take control, Chair.

**The Chair (Mr. Lorenzo Berardinetti):** Yes. I'm just saying that the only thing that's in front of us today are the—what we're going to debate today is the air-rail link motion, the amendment that was moved by Ms. Damerla. So any further debate on this amendment?

**Miss Monique Taylor:** Call the question, Chair.

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Bartolucci.

**Mr. Rick Bartolucci:** Okay. You know what? I don't want to be hogging, so if Miss Taylor wants to speak for me, that's fine.

**Miss Monique Taylor:** I'd like to call the question then, Chair, please.

**The Chair (Mr. Lorenzo Berardinetti):** No, I'm going to say that there's not enough debate, and Mr. Bartolucci has up to 20 minutes to speak to this motion.

**Mr. Rick Bartolucci:** Well, to be perfectly honest, we all have 20 minutes, not just Mr. Bartolucci, and I want to thank—

*Interjection.*

**Mr. Rick Bartolucci:** I want to just carry out a bit of an experiment as I begin my talk, my comments, whatever you want. I don't know if I'm going to go 20 minutes, five or 10 or whatever.

But when you see "market study," I'm going to ask everyone here who sits as a committee member to put three words on a piece of paper what you define as market study.

*Interjection.*

**Mr. Rick Bartolucci:** I know it's rhetorical and that you're not going to do it, but I would daresay that if we were to comment individually on what we think a market study to be, we would all have something a little different to say.

*Interjection.*

**Mr. Rick Bartolucci:** And then I would suggest that in order to—

*Interjection.*

**Mr. Rick Bartolucci:** But you see, here's the problem. Okay? When you're trying to put something forward that I think makes sense, we're being interrupted. Do you know what? I think there's a procedure around here—it's called respect for another member—that I think we should follow. The constant interjections are, first of all, not respectful. Secondly, I don't think they're helpful, and third, I think they're counterproductive to what the members of this committee want over the course of this meeting.

That's why I go back to my original motion. I have a sneaking suspicion here that we're going to be debating these amendments for an awful long time and we're going to be slowing down the process of putting forward good candidates, candidates that have been nominated by all three parties, to sit on Ontario committees for the good of Ontarians. That's why I asked, and still didn't receive an answer to the question, when is it appropriate to put forth a motion? However, I will leave that for another time.

**0930**

I want to be as helpful to this committee as possible, as a member, because I believe this committee takes its work very seriously. When someone says, "include market study," that is incredibly vague, and I think, for the people who will be garnering the information, unnecessarily difficult for them to define. So, by defining this word and telling the agency what you mean, what we mean as a committee, I think we will be getting informa-

tion back that is appropriate to what we ask. Whenever I say “market study,” for me, a market study may be a finite definition. For another member, it may mean something a little broader, and for others, it will be so vague that the people we are asking, Metrolinx and the Ministry of Transportation—my fear is that we get a whole bunch of paper that’s needless to the task at hand.

Market studies that I’ve been a part of—I think Mr. Klees and I sat on a committee several years ago together, and when we asked for a market study, I think we zeroed in on the economic impacts of a market study or the social impacts of a market study, or there could be a number of other factors, but to leave it just general—“Let’s do a market study”—I think does a disservice for all of us. That’s why I think the amendment that we’ve moved is a good amendment, because it provides for some clarity for Metrolinx and the Ministry of Transportation.

It’s my understanding—and I could be wrong, because I am relatively new to this committee—that this is going to be the first large document request motion that Metrolinx will be receiving from us. I think it’s important that we’re able to define the parameters around this study, because I think what we want to come back to us is something that we can use, something that is valuable, something that has focus, something that will answer some of the questions we have, something that will be pointed; something that will allow this committee to do its work and come up with recommendations that are valid, valuable and within the context of Mr. Marchese’s original motion. I would hope that as we move forward and as we deal with not only this amendment but other amendments, there will be clarity and certainty and specificity around the particular requests that we’re making. In other words, to make this clear, I think there should be clear parameters, clear definitions, around anything we ask Metrolinx or the Ministry of Transportation or anything else to do.

I also think that we shouldn’t, and I don’t think Mr. Marchese’s motion is doing this—let me put that—I don’t think we’re intentionally wanting to waste Metrolinx’s time or the Ministry of Transportation’s time. I think the motion is a valid motion, it’s an important motion, and the amendment is simply to put some parameters around that. So what we are really doing is simply asking Metrolinx and the Ministry of Transportation to be a little bit more specific in the search that they’re going to be doing, so as to make the process for them, that they will be using to garner the information we will be requesting, a little bit more efficient and a little bit more effective. This will allow us to be both efficient and effective as we continue our deliberations with the main motion.

I don’t know if Mr. Marchese would see any value in being a little bit more specific with the definition of “market study.” When I finish, hopefully he will comment, because I think that’s important.

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Marchese.

**Mr. Rosario Marchese:** I want to be helpful to the member, because they’re all struggling with this. The original motion was that we wanted to know how many people the government believes would use the Union Pearson Express, and at what price. I’m not quite sure how much more specific that needed to be, but clearly, for the members, it’s complicated.

But I want to facilitate this for the members and simply say that they could probably filibuster forever, and we will never get the information that we’re looking for. I want to simply say quickly that I’m going to support their amendment so that we can move on.

**The Chair (Mr. Lorenzo Berardinetti):** All right. Mr. Bartolucci, you still have about 10 minutes left of your time.

**Mr. Rick Bartolucci:** It’s not how much time I have left or not, because that’s not the main focus here. The main focus is to make sure we have the best possible direction given to Metrolinx and the Ministry of Transportation. I’m happy that the member believes it is important to define “market study” so that we get as close—

**Mr. Rosario Marchese:** Mr. Chair, I was saying to the member that I’m willing to support his amendment in order to move on.

**The Chair (Mr. Lorenzo Berardinetti):** All right, but he’s speaking to the amendment.

**Mr. Rick Bartolucci:** Yes, and we’ll continue to speak to the amendment—

**Mr. Rosario Marchese:** This cracks me up—

**Mr. Rick Bartolucci:** —because I really think that—  
*Interjection.*

**Mr. Rick Bartolucci:** You see? This is the problem that we have whenever we sit around in committee. It has to be confrontational.

**Mr. Rosario Marchese:** I’m supporting your amendment, and you still want to talk—

**Mr. Rick Bartolucci:** It has to be confrontational.

**The Chair (Mr. Lorenzo Berardinetti):** Excuse me. I don’t want to make this argumentative. He has up to 20 minutes to speak. I could put the question forward if we have unanimous consent to agree to Mr. Marchese’s—I mean—

**Mr. Rosario Marchese:** I’m agreeing to their amendment.

**The Chair (Mr. Lorenzo Berardinetti):** All right.

**Mr. Rosario Marchese:** Why do we have a debate?

**The Chair (Mr. Lorenzo Berardinetti):** Okay, so Mr. Marchese agrees to the amendment. Do we have unanimous consent? I heard a no.

*Interjections.*

**The Chair (Mr. Lorenzo Berardinetti):** Excuse me—

**Miss Monique Taylor:** Excuse me, Chair. May I speak?

**The Chair (Mr. Lorenzo Berardinetti):** Miss Taylor, please go ahead.

**Miss Monique Taylor:** We just heard from the members how we need to be moving forward, how we need to be able to put further things on the floor, how we need to

be able to make time for the people of this province to be able to sit on the committees, and to make this province function. We're trying to work with the government to make that happen by allowing their amendment to go through, and yet they still want to continue to waste time.

We're confused on this side, Chair. We would like to be able to move things forward.

**The Chair (Mr. Lorenzo Berardinetti):** All right. I'm going to put this question forward. Is everyone in unanimous agreement that we vote on this amendment?

**Ms. Dipika Damerla:** But, Chair, he just wants to finish his thought—I think it's just courtesy to allow him to finish—

**The Chair (Mr. Lorenzo Berardinetti):** Okay. I'll ask the same question once again: Do we have unanimous consent to vote right now on this amendment?

**Ms. Dipika Damerla:** Chair, can we have a 20-minute recess before the vote?

**The Chair (Mr. Lorenzo Berardinetti):** If everyone's agreed here that we've finished enough time debating this motion, then we can vote on this amendment. If there's not unanimous consent, then the debate continues on this amendment.

0940

*Interjections.*

**The Chair (Mr. Lorenzo Berardinetti):** I heard a no.

**Miss Monique Taylor:** Are we allowed to get a recorded vote on unanimous consent on this?

**The Chair (Mr. Lorenzo Berardinetti):** I'll have to ask the Clerk. I apologize.

Okay. Mr. Bartolucci, you can finish speaking. You can continue speaking. We have the clock in front of us and you have about seven minutes left.

**Mr. Frank Klees:** How much time does he have left?

**The Chair (Mr. Lorenzo Berardinetti):** Seven minutes.

**Mr. Frank Klees:** Seven minutes?

**Mr. Rosario Marchese:** You guys crack me up.

**Mr. Rick Bartolucci:** Well, you know what? We may be cracked up—

**Mr. Rosario Marchese:** No, you crack me up.

**Mr. Rick Bartolucci:** You can be cracked up all you want, but I've got to be perfectly honest with you. Now, I guess I have to speak for the next seven minutes.

**The Chair (Mr. Lorenzo Berardinetti):** I'm going to ask this question, then: Mr. Bartolucci, are you finished speaking?

**Mr. Rick Bartolucci:** No, I'm not.

**The Chair (Mr. Lorenzo Berardinetti):** All right.

**Mr. Rick Bartolucci:** I will continue to speak until the Clerk tells me that my time is up. I was prepared to end my discussion with only one comment, but since some people on the other side think that we're wasting valuable time—I see this as very, very important. I think that if we were concerned about wasting valuable time, half of the stuff that is being brought forward is, in my estimation, a lack of proper use of staff time. I am going to talk to the amendment because I think that the amendment is an important amendment. From here on in—

**Miss Monique Taylor:** We're agreeing with you.

**Mr. Rick Bartolucci:** And I'm glad that you're agreeing with me, finally, but if you had agreed last week, this would have been done. But for whatever reason, you didn't agree last week. You're going to agree this week—at least you're saying you're going to agree. I don't know, when the vote happens, if you will continue to be in agreement. That's the problem. That's the dilemma. That's what's wrong with the type of structure we have here at committee.

Let me repeat what I think to be very, very important. Market studies are incredibly vague unless there is some specificity around the definition of market study. I think that's one of the very, very important facts that I want to make over this. I'm happy that it looks like the third party might agree with it. I just wish that the mover of the original motion might have thought of that when he was putting forth the motion, and then we wouldn't have to be debating what we're debating.

I guess what I would ask of the member who moved the motion is, are we looking at the economic impacts? Are we looking at the social impacts? Are we looking at the physical impacts, the infrastructure impacts of Metrolinx, with this motion? What, in fact, are we asking the people of Metrolinx and the Ministry of Transportation to put together for us? Again, I want a meaningful document to come back from Metrolinx and the Ministry of Transportation. I don't want pages filled with a whole lot of material that, unfortunately, none of us are going to look at. I think that is a colossal waste of time, and that's why this amendment is very, very important to me.

But I also think—I'll put this in my comments with the amendment, because I think this is just part of the problems that we're going to continue to have as we move forward—that the meaningful business of this committee can be made more meaningful if we were to debate a motion that would put intended appointees first before committee. I understand that that's not being debated now, but I just want to say, as part of the comments that I'm making, that I think that's a motion that is worthy of debate because it's going to maximize our time and minimize the waste of time that sometimes happens at committee inadvertently. I don't think any of us do it on purpose, but maybe it's just the structure of the agenda that is brought forward to us. I continue to wonder how one of us—any one of us—around this table can get a motion on the table to debate so that we don't have to spend our time trying to rationalize what we're doing first, what we're doing second—

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Bartolucci, you have one minute left.

**Mr. Rick Bartolucci:** We have one minute, so let me summarize. I think the points that I put forward are valid—in my estimation, anyway. I hope they are valid to the other members of the committee. I don't know that we have solved anything with regard to the broader problem of procedural opportunities that we don't seem to want to take by debating a new motion saying what should come first and what should follow intended appointments.

However, having said that, I will certainly end my comments by thanking the members for being respectful as I made my remarks. Thank you.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. I'm going to rule, members of the committee—Miss Taylor, did you want to say something?

**Miss Monique Taylor:** I was just going to call the question, Chair. Thank you.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. I'm going to move that there has been enough debate on this amendment, so we're going to vote on the amendment.

**Ms. Dipika Damerla:** Chair?

**The Chair (Mr. Lorenzo Berardinetti):** Ms. Damerla.

**Ms. Dipika Damerla:** I'm happy to go to a vote, but, before that, could we have a 20-minute recess? I also want to go on the record that once we have voted on it—and I really want to thank the third party for their support on this—we have another amendment that we'd like to introduce. I just want that on the record.

**The Chair (Mr. Lorenzo Berardinetti):** All right. The vote will happen in 20 minutes, after the recess is over. Okay? Thanks. We'll come back about eight minutes after 10. So we're recessed.

*The committee recessed from 0947 to 1007.*

**The Chair (Mr. Lorenzo Berardinetti):** Okay, the 20-minute recess is over. I'm just going to put the question here, members of committee, on the amendment moved by Ms. Damerla. All those in favour of the amendment? The amendment carries.

Now we move to the main motion, which was moved by Mr. Marchese. I'm just going to ask a question. You have a motion, and then you have two other amendments. You moved three items when we started this debate.

**Mr. Rosario Marchese:** There were three motions, quite right.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. If we were to vote on your motion, the original one, are we still going to debate the other two as well? I just want to get some direction as to where we're going.

**Mr. Rosario Marchese:** Yes. Although I do have another motion, the idea was to move on to the others as well, yes, after this.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. This amendment has passed. I would move to the main motion, which was moved by—sorry, Ms. Damerla?

**Ms. Dipika Damerla:** I have an amendment to the main motion before we vote on the main motion.

**The Chair (Mr. Lorenzo Berardinetti):** Can you at least read the amendment? I want to get to the main motion.

**Ms. Dipika Damerla:** You'd like me to read the motion in? Yes.

**Mr. Rosario Marchese:** Do you have a copy of your amendment—the other amendment?

**Ms. Dipika Damerla:** Yes, we do. It's a fairly straightforward amendment. I can read it, or did you first want us to make copies? Either way is fine.

**Miss Monique Taylor:** Which way is going to take longer, Chair?

*Interjection.*

**The Chair (Mr. Lorenzo Berardinetti):** At some point, it's going to be cut off.

While we're waiting, I just want some direction from the committee—oh, you have a copy. Okay.

**Ms. Dipika Damerla:** I'm happy, in the interests of time, to read the motion while it's being distributed. It's a very straightforward amendment—

**The Chair (Mr. Lorenzo Berardinetti):** One moment. I want to make sure that everyone has a copy of this proposed amendment.

**Ms. Dipika Damerla:** I move that “and the Ministry of Transportation” be struck from the motion.

**Mr. Rosario Marchese:** That the Ministry of Transportation be struck from the motion. I see.

**Ms. Dipika Damerla:** And I would be happy to explain that rationale.

**Mr. Rosario Marchese:** So to be clear, Mr. Chair, on December 3 or 9, I moved a motion—

**The Chair (Mr. Lorenzo Berardinetti):** Yes, I'm reading it right now.

**Mr. Rosario Marchese:** —and the Liberal members said they didn't like the 30 days. They moved an amendment saying 60 days. That's all they were concerned about. Now it appears that they have concerns about many, many aspects of the motion and they're moving in a totally different area. It amazes me that they move from how “If you had just agreed from 30 days to 60 days, we would have passed the motion” was the original argument—and now we're moving on to all sorts of different places.

**Ms. Dipika Damerla:** I would be happy to hear all of your arguments—

**Mr. Rosario Marchese:** My arguments?

**Ms. Dipika Damerla:** Yes—once the debate proceeds, against or for the motion.

**The Chair (Mr. Lorenzo Berardinetti):** All right. I'm just going to interject at this point. Between now and next meeting, there has to be a subcommittee meeting to decide where this is going, because there seem to be a lot of different changes, as you've mentioned, Mr. Marchese.

We have a number of people whom we've postponed from being—a number of proposed people who would be appointed to various boards and tribunals. So at some point between now and next week, we're going to have to have a subcommittee report. If we need to, we'll start at 8 in the morning instead of 9 or even earlier, because we're only meeting for an hour and a half—actually, an hour and 25 minutes—so we ought to get through this.

Ms. Damerla.

**Ms. Dipika Damerla:** Chair, on that topic, one of the things that I'm happy to do is not debate this motion and, first, make sure that the appointees get their chance to be vetted by the committee so that we don't hold that up. That is something MPP Bartolucci also proposed, and we're happy to do that at any point. If we can get unani-

mous consent from the committee, there's no reason why we cannot go ahead with looking into the appointments.

I just want to make that very clear. Our position is, we're happy to put that ahead of this, if we can get unanimous consent.

**Mr. Rosario Marchese:** To put what ahead of this?

**Ms. Dipika Damerla:** The appointees. They are looking into—

**Mr. Rosario Marchese:** Sorry, no. We're dealing with this matter.

**The Chair (Mr. Lorenzo Berardinetti):** We already voted on that. That was done last meeting and that stopped us—

**Ms. Dipika Damerla:** No, but we can always revisit that is my point. We don't need—

**The Chair (Mr. Lorenzo Berardinetti):** That will be dealt with at subcommittee. We've got to clear this up and move on because, in my view, the main purpose of this committee is to deal with—when I was on it years ago, many years ago, we dealt with appointees.

**Ms. Dipika Damerla:** And we're happy to facilitate that.

**Mr. Frank Klees:** Chair?

**The Chair (Mr. Lorenzo Berardinetti):** Mr. Klees.

**Mr. Frank Klees:** Look, Chair, we know what's happening here—and I agree with you: I think that the conduct of this committee has to be dealt with by the subcommittee. Quite frankly, perhaps it will take the House leaders to deal with this because the obstruction that we're seeing is obvious. If there was a substantive debate going on—every one of us would agree that members should have the right to express themselves and make substantive arguments. This has gone beyond the pale. It's an insult to the member who brought the motion forward. It's an insult to the rest of the members of this committee.

The repeated appeal on the part of members of the government to move appointments ahead of this business is, quite frankly, offensive. This committee has business before it. We should deal with it and then move on to the next order of business. Everyone sees through what's going on. Regardless of what the staff or the Premier's office may be directing members of this committee to do—because I can't believe for one minute that any one of the members of this committee representing the government would dream up this kind of nonsense.

From our standpoint, we will not play this game. We will defer to the subcommittee or to the House leaders. We should be getting on with the business of this committee.

**Ms. Dipika Damerla:** Chair?

**The Chair (Mr. Lorenzo Berardinetti):** Ms. Damerla.

**Ms. Dipika Damerla:** I do take exception to the characterization just made, because we are making it very clear that we are absolutely happy to consider the appointments first. I don't know how that can be viewed as obstructionist. In my view, the other side not agreeing to put appointments first could also be viewed as ob-

structionist. I think it's very unfair to characterize us as being obstructionist while we're offering repeatedly, "Let's put the prime committee business first. Let's have unanimous consent and consider the appointees." I believe that it is obstructionist not to agree to that. I just wanted that on the record.

**Mr. Jim McDonell:** Chair?

**The Chair (Mr. Lorenzo Berardinetti):** We have a motion on the floor right now. As I said, I think the best thing to do is to have the subcommittee meet. At some point during the subcommittee meeting—if that doesn't happen, it's going to happen that we will have to get some guidance from the House leaders.

Go ahead, Mr. McDonell.

**Mr. Jim McDonell:** I've seen what's going on here. They have been delaying this and wanting to get back to appointments, which we could do just by passing this amendment. We would get back to hearing witnesses if that's what they want.

I move closure. Put the question. We've had debate. We have been here for four months, almost, now, and I don't know what they're scared of. I have heard the Premier speak numerous times about transparency, and I see anything but here. We're simply looking for a report. These reports have been issued. They probably should have been public, anyway. I just move closure to get to the vote, and let's move on. Then we can hear these witnesses that we so desperately want to hear.

**The Chair (Mr. Lorenzo Berardinetti):** Strictly following the rules, there's no debate on the closure motion, because we've had that, and any discussion would be held in the subcommittee.

Basically, the motion for closure has been put forward. I'm just going to read here. In determining whether or not to put the question on the motion, the Chair must be satisfied that there has been sufficient debate up to this point, that all members who wished to speak to the question had an opportunity to do so and that nothing new is being added to the debate—also that the motion is neither an abuse of the standing orders of the House, nor an infringement on the rights of the minority.

The Chair must also take into account precedent, which shows that, when Chairs have previously put the question on closure in committee, the threshold with respect to debate time has been quite high. The longest of these debates has lasted approximately 16 hours over seven meetings before closure was put. More recently, closure has been put on the table lasting—about eight hours over four meetings.

This committee has been debating Mr. Marchese's motion for—today it will be over four hours, not taking into account any recesses that were taken. I'm going to allow debate to continue. Following these guidelines, I'm going to let this continue, so let's just continue the debate.

I strongly suggest that we have a subcommittee meeting or ask the House leaders to deal with this issue. All right?

**Mr. Rosario Marchese:** I just wanted to comment if I can, because I'm not sure a subcommittee might solve

this. If the government members insist on introducing amendments, which, presumably, they can, this can go on. They have a right to do that; we're not questioning that. I only wanted to point out that when I had my original motion, the only opposition was on the timing: that it should be 60 days and not 30. That was the only disagreement with the motion. That has changed now, over the last couple of months, into something totally different. We debated an amendment and I said, "I'll accept the amendment." Even when I said that, the debate continued.

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Now we're moving to a vote on that, and MPP Damerla has another amendment, and presumably she could have another amendment, because the rules allow that. Clearly, it's obstructionist. We see that and we know that. I'm not sure how the subcommittee can solve that. If the government members continue to do that, it's not going to work.

You could ask—I don't know how—the House leaders to sit down and deal with that. I'm not sure what that will produce, except what we have, and that we follow the procedures and these are the rules. But I'm saying to you, Mr. Chair, that the subcommittee cannot solve this if the government continues to do what they're doing under the rules. I just put that on the table.

**The Chair (Mr. Lorenzo Berardinetti):** I'm going to follow, as I've said, the precedents that have been created in committees, especially during this particular two years and a few months. As I said—more recently, closure was put on a debate lasting about eight hours over four meetings, so I'm going to allow debate to continue, keeping in mind that this is the precedent. I'm going to try to find out more precedents, if there are any more, of any committee that's been meeting this term in the Legislature. So I'm going to allow debate to happen.

Ms. Damerla?

**Miss Monique Taylor:** Chair?

**Ms. Dipika Damerla:** I believe Ms. Hunter—

**Miss Monique Taylor:** Chair?

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

**Miss Monique Taylor:** That was four meetings, Chair; this is four months. That should be taken into account. Thank you.

**The Chair (Mr. Lorenzo Berardinetti):** Yes. All right. I'm going to let this one go through and then we will decide. I think at some point the House leaders are going to have to meet. As Mr. Marchese has said, the

subcommittee won't be able to decide on this. The House leaders will have to give us some guidance on this, but I'm going to let this particular motion go forward. Let's go.

**Ms. Mitzie Hunter:** Chair, I've been trying to also comment, because I think that some of the remarks, in terms of the value of debate and the opportunity to put forward amendments—it just doesn't seem to be in character.

We have the rules; they've been read out. We are within those guidelines, and I think that should be respected, as we do for all committees in this House.

Also, in terms of the subcommittee's consideration for how to set out the business of this committee, I do think that there is a very valid role that the subcommittee can play. I know this was something that I had asked for quite early, for an opportunity for the appointments to be considered as the first portion of each of our meetings. I think that is something where the subcommittees can sit down and think about how to best utilize the time of this committee so that we can get all of the business of the committee done. I think that's a very valid request that we would have of the subcommittees, to attempt to do that.

**The Chair (Mr. Lorenzo Berardinetti):** Thank you, Ms. Hunter.

Ms. Damerla?

**Ms. Dipika Damerla:** Thank you, Chair. I'm just looking at the clock there. I just wanted to know how long I have.

**Mr. Jim McDonell:** Chair, can I just—

**The Chair (Mr. Lorenzo Berardinetti):** Mr. McDonell.

**Mr. Jim McDonell:** I agree with Mr. Marchese. It's within our committee to solve this. It's really for the Chair to decide when debate is sufficient. The subcommittee can't overrule that; the House leaders can't overrule that. That's strictly a decision within your capabilities.

So when it's determined there is sufficient debate—I guess four months is not enough; we'll be into April soon—we'll move ahead, but they are within their rights. I guess the people will decide whether it's filibustering and delaying debate or not, but certainly four months is a long time to debate amendments on, really, nothing.

**The Chair (Mr. Lorenzo Berardinetti):** Okay. I've taken those remarks into account. It's 10:25, and I'm going to have to adjourn this committee.

*The committee adjourned at 1025.*

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