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Monday 8 December 2014

**Journal
des débats
(Hansard)**

Lundi 8 décembre 2014

**Standing Committee on
Social Policy**

Subcommittee report

**Comité permanent de
la politique sociale**

Rapport du sous-comité

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON SOCIAL POLICY

COMITÉ PERMANENT DE LA POLITIQUE SOCIALE

Monday 8 December 2014

Lundi 8 décembre 2014

The committee met at 1401 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr. Peter Tabuns): Good afternoon, everyone. The Standing Committee on Social Policy will now come to order. We're here to consider the subcommittee report dated December 2, 2014. Can we have a member read the report into the record?

M^{me} France Gélinas: That usually falls to the government, no?

The Chair (Mr. Peter Tabuns): Anyone can do it. Ms. McGarry?

Mrs. Kathryn McGarry: The Standing Committee on Social Policy subcommittee report reads as follows:

Your subcommittee on committee business met on Tuesday, December 2, 2014, to consider the method of proceeding on all bills and matters related to the committee as of December 2, 2014, and recommends the following:

(1) That the Chair write to the three House leaders to request that a motion be presented to the House authorizing the committee to review the Local Health System Integration Act, 2006.

(2) That the committee meet in Toronto on Monday, December 8, 2014, for the purpose of holding public hearings on Bill 13, An Act to proclaim the month of June as Ontario Bike Month, and Bill 17, An Act to protect child performers in the live entertainment industry and the recorded entertainment industry.

(3) That the committee meet in Toronto on Tuesday, December 9, 2014, for the purpose of holding public hearings on Bill 20, An Act to protect pupils with asthma, and Bill 28, An Act to proclaim the month of October as Hispanic Heritage Month.

(4) That the committee Clerk, in consultation with the Chair, post information regarding the hearings on the Ontario parliamentary channel and the Legislative Assembly website.

(5) That witnesses be scheduled on a first-come, first-served basis.

(6) That witnesses be offered five minutes for their presentation followed by 10 minutes of questions divided equally among the three recognized parties, for a total of 15 minutes.

The Chair (Mr. Peter Tabuns): Any discussion?

Mr. Lou Rinaldi: We're asking an awful lot here in the very short time that we're here until we break, which

is three more sleeps, as my grandkids would say. I'm not sure we could do due diligence to a lot of these pieces of legislation that are mentioned in the subcommittee report.

Certainly, the commitment to review the LHINs is something that our government is committed to do, and that work has begun. We'd be more than happy, as we come back in February, to pursue that route. But frankly, to deal with all of this in the next three days—some of these bills would impact an awful lot of people, and I think we would need a lot more discussion in the very short time that we're allotting for.

I would strongly recommend that we write to the House leaders requesting some time in the new year for this period. I'm not sure we would be doing it justice.

The Chair (Mr. Peter Tabuns): Okay. I'm going to go to Ms. Martow because she indicated an interest, but if you're suggesting varying the report, you might want to make a motion to that effect.

Mrs. Gila Martow: I think there is certainly some more work to be done. It's for a private member's bill. But I think it's pretty obvious to everybody here that designating bike month and designating a heritage month, both of which are Liberal private members' bills and both entertain quite a lot of support from all parties—it wouldn't be very complicated to meet for even an hour of deputations and get moving on them. There's a two-month break coming up, and we're not going to get to celebrate this June as bike month unless we move forward on it. The time just keeps running and piling up, and as legislators, I think we all know that it's either just before a break or just after a break. That shouldn't be an excuse.

The Chair (Mr. Peter Tabuns): Madame Gélinas.

M^{me} France Gélinas: I guess my comments go in line with the comments of MPP Martow. Here we have a four-hour block of time for this committee. We have work that has been assigned to us by the House to do, and we can't even do this. We will deal with the subcommittee report, and then we will all go our separate ways. The committee won't be able to do any work; meanwhile, work was assigned to us.

We have time when we are all here together and available, today and tomorrow, and we can't agree, in an empty room, to make good use of that time. To me, the taxpayers expect better than that from me, and I am guessing they expect better than that from all of us. There is still an opportunity to salvage tomorrow. I realize that

for this afternoon—but there’s still an opportunity to salvage tomorrow.

There is no reason why we cannot hear a few deputations. Those are not controversial bills. We’ve already all voted in favour of each and every one of them. Some of them have been presented three, four or five times to this House. Some of them I could probably recite by heart, I have heard them so often.

If we’re not ready and willing to do the work, who will? Those are opportunities lost. There’s a cost to an opportunity lost, and that cost will be for kids with asthma; it will be for all of the hard work that people have put together so we would have bike month; it will be for all of the bills that are there. This is really sad.

The Chair (Mr. Peter Tabuns): Any other speakers? Mr. Rinaldi.

Mr. Lou Rinaldi: Speaker, just briefly: I think the reality here is that we could push back and forth, either way. The House sat for two and a half years and didn’t get much accomplished, so if we talk about time and that we’ve only got one day left—from the opposition, I think it doesn’t speak well of what happened here in the last two and a half years.

We’re prepared to move forward with some of this stuff, but I think we need to give it due diligence, and I’m not sure we have the time to do that. I’m certainly going to vote against the subcommittee report.

The Chair (Mr. Peter Tabuns): Any further discussion? Madame Gélinas.

M^{me} France Gélinas: I’m not sure, procedure-wise—I have an amendment to deal with those four bills. Can I move that now?

The Chair (Mr. Peter Tabuns): Yes, you can.

M^{me} France Gélinas: All right. You should find in front of you a piece of paper that looks like this. It starts with “I move” and has four paragraphs. Do I read it into the record now, Chair?

The Chair (Mr. Peter Tabuns): Yes, please.

M^{me} France Gélinas: Okay.

The Chair (Mr. Peter Tabuns): It’s an amendment to the subcommittee report?

M^{me} France Gélinas: Correct. In the subcommittee report, paragraph 2 and paragraph 3 deal with four separate private member’s bills. I would change paragraph 2 and paragraph 3 to read as follows:

“(1) That the committee meet on Monday, February 23, 2015, and Tuesday, February 24, 2015, for public hearings and clause-by-clause respectively, on Bill 13, An Act to proclaim the month of June as Ontario Bike Month.

“(2) That the committee meet on Monday, March 2, 2015, and Tuesday, March 3, 2015, for public hearings and clause-by-clause respectively, on Bill 20, An Act to protect pupils with asthma.

“(3) That the committee meet on Monday, March 9, 2015, and Tuesday, March 10, 2015, for public hearings and clause-by-clause respectively, on Bill 17, An Act to protect child performers in the live entertainment industry and the recorded entertainment industry.

“(4) That the committee meet on Monday, March 23, 2015, and Tuesday, March 24, 2015, for public hearings and clause-by-clause respectively, on Bill 28, An Act to proclaim the month of October as Hispanic Heritage Month.”

The Chair (Mr. Peter Tabuns): Any discussion? Did you want to—

M^{me} France Gélinas: Well, just having heard some of the comments that we wanted due process, each of the private members’ bills that have been referred to us would have up to four hours of deputations and then the next day we would deal with clause-by-clause. Most of those bills only have one or two clauses. I don’t expect this work to take more than the two hours that we have together on Tuesdays. I think that would be a respectful way to hear on each and every one of those bills as well as do the work necessary to be able to refer them back to the House, as the House has sent that work to us.

The Chair (Mr. Peter Tabuns): I have Ms. Martow and then Mr. Rinaldi. Ms. Martow?

Mrs. Gila Martow: I don’t know if it’s a point of order or not, but I’m just wondering why we would be moving forward a motion to change the dates when we haven’t voted yet on the proposal or the motion to go ahead with the—

The Chair (Mr. Peter Tabuns): You can move an amendment to the report. You don’t have to accept the amendment. You can vote against the amendment and then vote simply for the initial report.

Mrs. Gila Martow: Okay.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I wonder if we could ask for a short recess. I mean, certainly this is the first time we’ve seen this.

The Chair (Mr. Peter Tabuns): Absolutely. Would you like 10 minutes?

Mr. Lou Rinaldi: Sure.

The Chair (Mr. Peter Tabuns): Does the committee agree to a 10-minute recess?

M^{me} France Gélinas: Yes.

The Chair (Mr. Peter Tabuns): We’re all agreed? Fine.

The committee recessed from 1412 to 1415.

The Chair (Mr. Peter Tabuns): Everyone is ready to resume? Fine. Committee resumes. Madame Gélinas?

M^{me} France Gélinas: I have been instructed as to my opportunity to present this motion. Therefore, I wish to withdraw this motion to give the committee an opportunity to vote on the subcommittee report. I do reserve the right to reintroduce my motion shortly thereafter.

The Chair (Mr. Peter Tabuns): Should it lose.

M^{me} France Gélinas: Should it lose.

The Chair (Mr. Peter Tabuns): I understand. Shall the subcommittee report—

Interjection.

The Chair (Mr. Peter Tabuns): Sorry; thank you. Further debate? We just seem to be ready; that’s all.

Mr. Lou Rinaldi: We’re just ready to go.

The Chair (Mr. Peter Tabuns): No more debate on the subcommittee report? Shall the subcommittee report be adopted? All those in favour?

M^{me} France Gélinas: Recorded vote.

Ayes

Elliott, Gélinas, Martow.

Nays

Anderson, Dhillon, Mangat, McGarry, Rinaldi.

The Chair (Mr. Peter Tabuns): The motion is lost. Any other business? Madame Gélinas?

M^{me} France Gélinas: Yes, please. I would like to present a motion that I have recently read into the record. I would be more than happy to read it again; or, if you all remember, I will just not read it. I have no idea how these things go.

The Chair (Mr. Peter Tabuns): Please read it again.

M^{me} France Gélinas: I'll read it again. For your enjoyment and pleasure, I will read the motion into the record for the second time:

“(1) That the committee meet on Monday, February 23, 2015, and Tuesday, February 24, 2015, for public hearings and clause-by-clause respectively, on Bill 13, An Act to proclaim the month of June as Ontario Bike Month.

“(2) That the committee meet on Monday, March 2, 2015, and Tuesday, March 3, 2015, for public hearings and clause-by-clause respectively, on Bill 20, An Act to protect pupils with asthma.

“(3) That the committee meet on Monday, March 9, 2015, and Tuesday, March 10, 2015, for public hearings and clause-by-clause respectively, on Bill 17, An Act to protect child performers in the live entertainment industry and the recorded entertainment industry.

“(4) That the committee meet on Monday, March 23, 2015, and Tuesday, March 24, 2015, for public hearings and clause-by-clause respectively, on Bill 28, An Act to proclaim the month of October as Hispanic Heritage Month.”

The Chair (Mr. Peter Tabuns): Any discussion? Ms. McGarry?

Mrs. Kathryn McGarry: Due to the fact that we're still sitting in the House this week and bills are still coming forward to be passed and to be voted on, we may find that our priorities here as a social policy committee may change, just due to the nature of what may come forward by the end of this week. I think that we should probably still give our government House leaders an opportunity to be able to look at the work that's being sent to this committee and to negotiate when those bills may come forward and in what manner.

My recommendation is that there is enough time to reconvene at the beginning of February and look at what work comes out of this week, and then to be able to reorganize. It's not saying that this schedule, which I

know you spent some time on—thank you—may be the one that we adopt at that time, but it doesn't preclude us taking some of the government work that may come out of this week, that may take priority over some of those.

The Chair (Mr. Peter Tabuns): Okay. Any other discussion? Madame Gélinas, Mrs. Martow.

M^{me} France Gélinas: I'd like to ask the Clerk: If the House dictates, let's say through a time allocation motion, a bill to this committee that says “on such a date and such a date,” it is my understanding that they will have priority and it won't matter that we have passed this motion, that the motion coming from the House would dictate the work of the committee. Am I right?

The Clerk of the Committee (Ms. Valerie Quioc Lim): Yes. Anything that the House passes will be a priority over a committee decision. The House is—

M^{me} France Gélinas: The comment that was made by Ms. McGarry—if the House leaders, through a motion in the House, sent something to our committee, it doesn't matter that we have adopted this; the will of the House will prevail and whatever we have scheduled on that day will have to be rescheduled because the work that the House has dictated to us will take precedence.

The Clerk of the Committee (Ms. Valerie Quioc Lim): Anything that the House authorizes the committee—that will be the priority.

M^{me} France Gélinas: Okay. So I see this as a backup; that is, when we come back in February. If between now and Thursday, when we rise, the House sends work to us, we will respect the wish of the House and do what we're told. If they don't send us work for February 23, then at least we would have time to fully advertise and let people know that the 23rd would be the Ontario Bike Month bill's opportunity to be heard. It's to make sure that we use the time of the committee wisely, fully respectful of the fact that the House has precedence.

1420

The Chair (Mr. Peter Tabuns): Ms. Martow.

Mrs. Gila Martow: As the member beside me just said, if we don't move forward, we're not going to achieve very much this year. We can always amend.

It's like all of us being busy here, many of us away from home. We prepare meals in our freezer for our family, and we say, “Monday it's spaghetti sauce. Tuesday, it's that.” It doesn't mean that they can't have something else.

This is kind of the backup plan. We know that if there's something very urgent, it could trump it, and we can let people who are planning to give deputations know that the dates have been changed, but in the meantime, we've got a schedule, and we're prepared. We're allowing people to prepare their time because people have appointments they've made; people have work schedules and family obligations. The more time we give them to prepare to come down for their deputations, if we're not travelling the province, the more likely they can make it.

I think it makes sense to have a plan in place. This is our menu for the coming few months. I agree with the member that we should try to get some work done.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: Look, it all makes good sense. I'm not taking anything away from that. The reality is also that we come back on February 17, I believe, which I think is a Tuesday. There's ample time to make a schedule to deal with this. I've never been a House leader, but in my previous life here for eight years, I know that House leaders many times—especially for private member's bills, we're not going to get a flock of people walking through the door who want to speak to it. They might pass two or three at the same time on unanimous consent, and we've done that in the past.

So to advertise to get folks geared up for something that might not even happen—like I say, yes, we're away till the middle of February, but I think we have lots of opportunity. As we reconvene the first week, if there's nothing waiting from the House that we need to deal with, we'll set our schedule. I think that will give an opportunity for the House leaders too to do their due diligence. I know it's a private member's bill. I get it, but it's kind of almost going in through the back door from a practical standpoint.

I would strongly recommend that, as good as the suggestion is—and I'm not disputing, I know you've put in a lot of work, Ms. Gélinas. But I think we should wait until the House comes back, and it will be one of the first things on the agenda.

The Chair (Mr. Peter Tabuns): Any further discussion? There being none, you're—

M^{me} France Gélinas: I don't get the “the back door” comment. I'm not sure I know what he's talking about.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: What I'm talking about is, most times—and it's happened—House leaders make some agreements to pass some private members' bills that don't really require a lot of consultation. Maybe the “back door” is not the right term. I apologize.

M^{me} France Gélinas: All right. So you meant that—sorry.

The Chair (Mr. Peter Tabuns): Go ahead, Madame Gélinas, and then Ms. Martow.

M^{me} France Gélinas: So you meant that if the House leaders decided to move some private members' bills forward, we would have done that work for nothing? To me, it's still worth doing. It would only be second reading. It won't be brought forward for third reading till the Liberal government decides to bring it forward for third reading, but at least it would have given those bills an opportunity to be heard. There may be comments in second reading that enlighten all of us. We never know. That's why we

have deputations, and deputants have surprised me many times in the past. So to do this work, I think, is a good use of our time, and we don't have to worry. We cannot influence which one makes it to the finish line; only the governing party gets to decide that.

The Chair (Mr. Peter Tabuns): Ms. Martow.

Mrs. Gila Martow: I'm still not hearing any negatives to moving forward with Madame Gélinas's motion. We can always change it. To me, the back door would be to take some of the private members' bills and ask for unanimous consent in the House. That could even be done tomorrow, Wednesday or Thursday, if we're still here. Then obviously, if one of those private members' bills passes even this week, which is possible, by unanimous consent, we're going to be adjusting that on the schedule.

But in the meantime, I think we're all trying to represent not just our ridings, but certainly on a lot of these topics like bike month, it's something that all over the province there are bike enthusiasts who are anxiously waiting for us to get moving on things.

Actually, if we waste time because we need to give time for people to give their deputations, so then there's weeks when we don't have committee meetings, we're getting less work done. We're actually backlogging the government so that when they do have—as Mr. Rinaldi pointed out, sometimes there may be more important government business for us to look at. If we're getting bogged down with things that could have been done, then we're not leaving ourselves time to work on the important business, and we're not doing ourselves or the public any favours.

The Chair (Mr. Peter Tabuns): Thank you, Ms. Martow. Any other discussion? There being none, you're ready to vote? All those in favour of the motion?

M^{me} France Gélinas: A recorded vote.

Ayes

Elliott, Gélinas, Martow.

Nays

Anderson, Dhillon, Mangat, McGarry, Rinaldi.

The Chair (Mr. Peter Tabuns): The motion is lost. Any other business? There being none, we are adjourned.

The committee adjourned at 1426.

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