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**Official Report
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Monday 13 April 2015

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des débats
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Lundi 13 avril 2015

**Standing Committee on
General Government**

Committee business

**Comité permanent des
affaires gouvernementales**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Monday 13 April 2015

Lundi 13 avril 2015

The committee met at 1403 in committee room 2.

SUBCOMMITTEE REPORT

The Chair (Mr. Grant Crack): Sorry to interrupt everyone's fun. Good afternoon, everyone, and welcome to the Standing Committee on General Government.

We're here today to discuss the report of the subcommittee regarding Bill 45, An Act to enhance public health by enacting the Healthy Menu Choices Act, 2015 and the Electronic Cigarettes Act, 2015 and by amending the Smoke-Free Ontario Act.

We met as a subcommittee by teleconference on Thursday, April 9. I believe, Mr. Colle, you have the opportunity to read into the minutes what was decided by the subcommittee that day.

Mr. Mike Colle: This is the report of the meeting of the Standing Committee on General Government subcommittee on committee business—I'm going to read it into the record—which took place Thursday, April 9, 2015.

Your subcommittee on committee business met on Thursday, April 9, 2015, to consider the method of proceeding on Bill 45, An Act to enhance public health by enacting the Healthy Menu Choices Act, 2015 and the Electronic Cigarettes Act, 2015 and by amending the Smoke-Free Ontario Act, and recommends the following:

(1) That the committee hold public hearings on Bill 45 in Toronto at Queen's Park on Monday, April 20, and on Wednesday, April 22, 2015, during its regular meeting times.

(2) That the Clerk of the Committee, with the authorization of the Chair, post information regarding the committee's business with respect to Bill 45 in English and French on the Ontario parliamentary channel, on the Legislative Assembly website and with the CNW news-wire service.

(3) That interested people who wish to be considered to make an oral presentation on Bill 45 should contact the Clerk of the Committee by 4 p.m. on Wednesday, April 15, 2015.

(4) That, following the deadline for receipt of requests to appear on Bill 45, the Clerk of the Committee provide the subcommittee members, by email, with a list of all the potential witnesses who have requested to appear before the committee.

(5) That, if required, each of the subcommittee members supply the Clerk of the Committee with a prioritized list of the witnesses they would like to hear from by 1 p.m. on Thursday, April 16, 2015. These witnesses must be selected from the original list distributed by the committee Clerk.

(6) That groups and individuals be offered five minutes for their presentations, followed by up to nine minutes for questions by committee members.

(7) That the deadline for receipt of written submissions on Bill 45 be 5 p.m. on Wednesday, April 22, 2015.

(8) That amendments to Bill 45 be filed with the Clerk of the Committee by 12 noon on Friday, April 24, 2015.

(9) That the committee meet on Monday, April 27, 2015, during its regular meeting time for clause-by-clause consideration of Bill 45.

(10) That the Clerk of the Committee, in consultation with the Chair, be authorized to commence making any preliminary arrangements necessary to facilitate the committee's proceedings prior to the adoption of this report.

The Chair (Mr. Grant Crack): Thank you, Mr. Colle. Further discussions? Ms. Gélinas had her hand up—okay, Mr. Colle.

Mr. Mike Colle: I just wanted to ask for adoption of the report but with a couple of changes. I'm not sure of the process here, but in terms of the public hearings, I think there's consensus here that we may need another day of public hearings, but in order to do that we have to get unanimous consent from this committee for you to go to the House and ask for this extra day of hearings because we've only been instructed by the House to meet on prescribed days. This would take leave for us to have an extra day of hearings to accommodate the people who wanted to speak.

That's the first request I'd like to make, that the committee accept a unanimous request that we have authorization—through your letter to the Speaker—in the House that we have an extra day of hearings on Tuesday, April 21, between 9 a.m. and 10:15 a.m., and from 4 a.m.—4 a.m.?

The Chair (Mr. Grant Crack): At 4 p.m.?

Mr. Mike Colle: It must be, yes—from 4 p.m. to 6 p.m., I think that should read. So that's the request I make for unanimous consent to ask for you to undertake that process.

The Chair (Mr. Grant Crack): Mr. Colle is asking for unanimous consent from the committee. Is there further discussion on what Mr. Colle is proposing?

Mr. Colle is requesting and moving unanimous consent to have an extra day of public hearings on Tuesday for the times that he has mentioned. It would be something that maybe we could add into the subcommittee report, under (1.1), for example. Is there a discussion on that? Ms. Gélinas?

M^{me} France Gélinas: I'm not opposed to what you're putting forward. If people want to be heard, I'm more than willing to hear them. I'm more curious to know: What leads you to believe that there is such a demand? I'm pointing the question at the Clerk. Have you received many requests?

The Chair (Mr. Grant Crack): I believe at the time of the subcommittee meeting the Clerk had received 130-plus—I believe that number has actually increased—requests to come before the committee at this particular time. Madam Clerk, do you have a final number as to the number of requests?

The Clerk of the Committee (Ms. Sylwia Przewdziecki): No precise number, but we have been taking calls since there's a committee meeting, so the list is growing longer.

M^{me} France Gélinas: Okay.

1410

The Chair (Mr. Grant Crack): Further discussion? Do we have unanimous consent? Is that how I would proceed here?

As I believe I had mentioned earlier, Mr. Colle, are you moving an amendment to the original subcommittee report?

Mr. Mike Colle: Yes.

The Chair (Mr. Grant Crack): And you're requesting unanimous consent—

Interjections.

The Chair (Mr. Grant Crack): If I understand this correctly, you're proposing an amendment to the subcommittee report in order to hold an extra day of public hearings.

Mr. Mike Colle: Yes.

The Chair (Mr. Grant Crack): Okay. So that would require an amendment to the report. Is there further discussion?

Interjection.

The Chair (Mr. Grant Crack): Okay. The Clerk is requesting that she be able to write out exactly what you're requesting, but I believe you requested an extra day of public hearings on Tuesday.

Mr. Mike Colle: Right.

The Chair (Mr. Grant Crack): Which day?

Mr. Mike Colle: April 21.

The Chair (Mr. Grant Crack): April 21, from 9 to 10:15 a.m. and 4 to 6 p.m. Is that correct?

Interjections.

The Chair (Mr. Grant Crack): Okay. There's going to be a request from the committee here to me to write to the House in order to seek approval for that extra day of

hearings. That's an amendment to this subcommittee report.

Mr. Mike Colle: Right.

The Clerk of the Committee (Ms. Sylwia Przewdziecki): I'm just going to have you read that out.

Mr. Mike Colle: The amendment is that we request that the Chair write to all three House leaders to request that the House authorize this committee to sit on Tuesday, April 21, from 9 a.m. to 10:15 a.m. and from 4 p.m. to 6 p.m.

The Chair (Mr. Grant Crack): Any discussion on that amendment? There being none, I'm going to ask for a vote. Those in favour of the amendment? Any opposed? The motion on the amendment is carried.

Mr. Colle?

Mr. Mike Colle: I have another minor amendment. At the subcommittee, in our discussion, we set forth the date for amendments to be filed with the Clerk on the Friday, but I've had a request that we change that to Thursday in order to give the ministry time to assess the amendments that are filed, because some of them may require some deliberation by ministry staff. They felt that on the Friday there wouldn't be enough time to really give the proposed amendments their due diligence, so they asked for us to move the filing for amendments to the Thursday rather than Friday so that the amendments could get a fuller analysis by ministry staff. That was the request from ministry people for that.

The Chair (Mr. Grant Crack): Okay. Are you moving an amendment to the subcommittee report which reflects what you had just provided as information to the committee, so that the deadline would be Thursday, April 23, at 12 noon for filing amendments?

Mr. Mike Colle: Yes.

The Chair (Mr. Grant Crack): That would be the deadline.

Mr. Mike Colle: That amends number 8 of the subcommittee report.

The Chair (Mr. Grant Crack): That would read, amended, "That amendments to Bill 45 be filed with the Clerk of the Committee by 12 noon on Thursday, April 23." Is that correct?

Mr. Mike Colle: Yes.

The Chair (Mr. Grant Crack): Okay. Further discussion? Ms. Gélinas.

M^{me} France Gélinas: Although I understand that people in the ministry need time to look at it, I also understand that I need time to prepare those amendments. We finish at 6 o'clock on Wednesday night, so I will have to ask my people to stay here very late on Wednesday in order to meet your deadline. It's either your people work hard or our people work hard.

So how about we split it in two and we say "by 6 o'clock on Thursday"? This way, you have Friday to work on it and we have Thursday to listen to everything that people will have said on the Wednesday and see if there's reason to make amendments, to work with legislative counsel and draft those amendments and get them to you in time. To ask that to be done between 9

a.m. on Thursday morning and noon is not going to work. And I would ask that it not be a hard deadline, as in: We will try really hard to get all of those amendments in by 6 o'clock on the Thursday, but if some of them come later, that they be accepted.

Mr. Mike Colle: Can we have a five-minute recess to discuss it with the people who are in the ministry?

The Chair (Mr. Grant Crack): Is a five-minute recess reasonable to all committee members? Okay. A five-minute recess, beginning now.

The committee recessed from 1416 to 1421.

The Chair (Mr. Grant Crack): Okay, five minutes is up.

Mr. Colle had moved a motion to amend item 8 in the subcommittee report. Following that, Ms. Gélinas had made a suggestion to amend the amendment to 6 p.m.

We'll have a discussion on this: Mr. Colle.

Mr. Mike Colle: I know there is pressure both ways. There's pressure to people that prepare amendments, which is a given. But then there's also time needed for all three parties to consider the amendments seriously, and also for staff in the ministry or the clerical staff. So how about 3 p.m. on Thursday? I think that's reasonable. We'll try and do the best we can with that.

The Chair (Mr. Grant Crack): Mr. Colle is proposing an amendment to the amendment of the original amendment.

Ms. Gélinas?

M^{me} France Gélinas: I'm flexible. The issue is quite simple: We don't write the amendments ourselves. We have to deal with legislative counsel to do this, and it has been really slow.

What I can say is that I will hand over to you everything that I have—I was going to say by 4, as she just informed me that her office closes at 5. I would hand over everything that has been prepared, by 4 o'clock. I hope that will be it, but experience has shown me that they are very slow. If the amendments are not received by 4, then as soon as I receive them from legislative counsel, I will send them in.

I have no problem putting in a hard deadline, and we will tell legislative counsel that this is our hard deadline that we need. But I can just about guarantee you of that phone call that will say, "Well, we were able to do this and this and that, but I'm sorry, we haven't had time for those."

I would really hate to leave those unattended to at all, because when legislative counsel writes those up, they don't ask us, "What's your number one priority?" or whatever. I don't know how they set priority, to tell you the truth. But here they come, and sometimes the right one comes, but sometimes the not-so-significant one comes forward and the most important one is the one that is late.

The Chair (Mr. Grant Crack): Further discussion? Ms. Hoggarth.

Ms. Ann Hoggarth: I just have a question. I know that in my former life, when dealing with—

Mr. Mike Colle: Children.

Ms. Ann Hoggarth: —yes, children—with issues where we were passing some kind of legislation or constitution or whatever, as soon as we got the first draft of the bill, that we would start with making amendments. We might change them later, but we got them all ready. Then we decided whether we'd put them in or not.

Is that not something that could be done? Are we expecting a lot because of the hearings?

The Chair (Mr. Grant Crack): I can't answer about the amount—

M^{me} France Gélinas: We don't know until we hear them.

I agree with what the MPP has said. There are amendments right now that are already there. They already know. I'm on the record saying that I want a flag for sodium. I'm not going to wait until Wednesday to say this. I want menthol in. You already know that; it's on the record. I have told legislative counsel to start drafting those amendments. What I don't know is what I am going to hear until I hear it, and then what do I do?

Mr. Mike Colle: Chair?

The Chair (Mr. Grant Crack): Mr. Colle.

Mr. Mike Colle: I think we've discussed this, the realities of trying to meet deadlines and so forth. But I think it's a reasonable time, 3 p.m., and I'd like to call the vote on this amendment at 3 p.m.

The Chair (Mr. Grant Crack): Okay. Thank you for that.

Mr. Colle had proposed an amendment to number 8 of the subcommittee report, that it would be changed from Friday to Thursday at noon. Ms. Gélinas proposed an amendment to that amendment to make it 6 p.m., then Mr. Colle has come back and has proposed 3 p.m. I know Ms. Gélinas had talked about 4 p.m. I know you've called it to a vote, but there could be some more discussion here. Is there any further discussion, because I still don't have clarity whether 3 p.m. is accepted or 4 p.m. is—

Mr. Mike Colle: Can we vote on the 3 p.m. first?

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

M^{me} France Gélinas: I just want to clarify with the Clerk. What happens with amendments that will come in after 3 p.m.?

The Chair (Mr. Grant Crack): Madam Clerk?

The Clerk of the Committee (Ms. Sylwia Przewdziecki): Any amendments that come to me at whatever time I will send out to the committee. Once a deadline passes, I will create the original package. I will number it and order it, and send it to members as soon as possible. Anything that comes after the deadline I will add to the package when I receive it, and send out a revised package.

M^{me} France Gélinas: Good enough.

The Chair (Mr. Grant Crack): Okay. I'm not going to go back over all of this again. Mr. Colle has proposed 3 o'clock. Is there any further discussion?

Mr. Monte McNaughton: Is that a.m. or p.m.?

Mr. Mike Colle: It's p.m.

The Chair (Mr. Grant Crack): So 3 p.m. on Thursday, April 23, 2015, is the deadline for filing amendments with the Clerk. Any further discussion on 3 p.m.? Those in favour? Any opposed? Carried. The amendment to the amendment is carried.

Any further discussion concerning the subcommittee report? Ms. Gélinas.

M^{me} France Gélinas: Monday, April 20 is l'Ordre de la Pléiade. This is one of the highest honours that the Legislative Assembly gives to francophones in Ontario. We have seven people coming from all over the province to participate in this honour. Several members of this committee will be trying really hard to take part in that great honour and the celebrations that we do. Celebrations are to start at 2 p.m. and go until about 5 o'clock on Monday. Then there is a supper after the committee has risen.

I am telling you this with the hope that when the list of people who have come to present is put forward, if there would be an opportunity to also tell you which day we would like them scheduled, as in—it will be extremely hard for me. I have people coming from my riding for that great honour. I feel that I have to be there or it would be very disrespectful.

At the same time, I want to do my work as an MPP and make sure that I'm here to listen. I don't know if the committee would agree, but once we receive the list and we prioritize it, there are certain groups that I would really like to be there for when they present. Therefore,

for those groups I would ask that they present Tuesday morning, Tuesday afternoon or Wednesday afternoon to make sure that I am there. I'm just putting it out to the committee.

Mr. Mike Colle: Yes, that's fine. You could talk to the Clerk. I don't see any objection to working that out, but you know the times and so forth. We have no issues with time.

M^{me} France Gélinas: Okay. Thank you.

Interjection.

The Chair (Mr. Grant Crack): The Clerk is advising that it all depends on the witnesses' availability as well and how we schedule how we move forward.

M^{me} France Gélinas: Of course, of course. But the people who are coming forward who I want to be there will want me to be there, too.

The Chair (Mr. Grant Crack): Understandable.

The next order of business is, we've amended the report of the subcommittee on two different occasions. I'm going to ask for the final time: Is there any further discussion on the report of the subcommittee, as amended?

There being none, I will be asking for a vote with regard to approval of the report of the subcommittee, as amended. Those in favour? Those opposed? The report of the subcommittee is carried.

Then there is no further business of the committee at this point. The meeting is adjourned.

The committee adjourned at 1431.

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