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Monday 21 November 2016

Journal des débats (Hansard)

Lundi 21 novembre 2016

**Standing Committee on
Social Policy**

Subcommittee report

**Comité permanent de
la politique sociale**

Rapport du sous-comité

Chair: Peter Tabuns
Clerk: Katch Koch

Président : Peter Tabuns
Greffier : Katch Koch

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
SOCIAL POLICYCOMITÉ PERMANENT DE
LA POLITIQUE SOCIALE

Monday 21 November 2016

Lundi 21 novembre 2016

The committee met at 1400 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr. Peter Tabuns): Good afternoon, everyone. The social policy standing committee will come to order. Before we proceed, I'm just going to read a ruling out to you:

Members of the committee, on November 15, 2016, Mr. Fraser moved a motion with respect to the method of proceeding for the Standing Committee on Social Policy on Bill 7, An Act to amend or repeal various acts with respect to housing and planning.

Mr. Hardeman moved an amendment to the motion to add that the Minister of Housing be invited to appear before the committee at the start of the public hearings to address the committee and to answer questions from members of the committee.

Several members have spoken to the amendment, and Mr. Hardeman still had the floor at the time of adjournment.

At this time, I will not allow further debate on Mr. Hardeman's motion because it has been rendered out of order, as it is attempting to amend Mr. Fraser's main motion, which, in my opinion, is also out of order because it contains a number of timelines that have either passed or do not make sense anymore.

However, I am prepared to entertain a new motion or call a subcommittee meeting, if it is the wish of the subcommittee.

Are there any motions to come before the committee? Mr. Dhillon.

Mr. Vic Dhillon: I move, with respect to the method of proceeding on Bill 7, An Act to amend or repeal various Acts with respect to housing and planning:

(1) That the Chair write to the House to request permission for the committee meet in Toronto on Monday, November 28, 2016, at 2 p.m. to 8 p.m. for the purpose of holding public hearings.

(2) That the Clerk of the Committee post information regarding public hearings on Bill 7 on the Ontario parliamentary channel, the Legislative Assembly's website and on Canada NewsWire.

(3) That the deadline for requests to appear be 12:00 noon on Thursday, November 24, 2016.

(4) That, should the hearings be oversubscribed, the Clerk of the Committee provide a list of all interested presenters to the subcommittee following the deadline for requests.

(5) That each caucus provide their selections of witnesses based on the list of interested presenters received from the Clerk of the Committee by 6 p.m. on Thursday, November 24, 2016.

(6) That all witnesses be offered 10 minutes for presentation and nine minutes (or three minutes each side) for questioning by committee members.

(7) That the deadline for written submissions on Bill 7 be 8 p.m. on Monday, November 28, 2016.

(8) That the research officer provide the committee with the following:

—background material on “inclusionary zoning”;

—brief summary of testimonies by 12 noon on Wednesday, November 30, 2016.

(9) That amendments to Bill 7 be filed with the Clerk of the Committee by 5 p.m. on Wednesday, November 30, 2016.

(10) That the Chair write to the House to request permission for the committee to meet for clause-by-clause consideration of Bill 7 on Monday, December 5, 2016 at 2 p.m. to 8 p.m.

The Chair (Mr. Peter Tabuns): Mr. Dhillon, just a note on point 6 of your motion: You had asked for “nine minutes (or three minutes per side).”

Mr. Vic Dhillon: Per caucus.

The Chair (Mr. Peter Tabuns): “Per caucus” is the wording that you intended to use. Okay.

We have that motion on the floor. Any discussion? Mr. Hardeman.

Mr. Ernie Hardeman: Mr. Chair, I'd like to move an amendment to the motion.

The Chair (Mr. Peter Tabuns): Please.

Mr. Ernie Hardeman: I would like, prior to the setting of the dates, between (2) and (3), to add:

“That the Minister of Housing be requested to appear before the committee at the start of the public hearings.

“That the minister be offered up to 15 minutes to address the committee and that the caucuses be offered up to 10 minutes each for questioning.”

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Do you have a copy of that that we can circulate?

Interjection.

The Chair (Mr. Peter Tabuns): Okay. If members of the committee are agreeable, we will recess for five minutes while copies are made. You're agreeable?

The committee recessed from 1409 to 1411.

The Chair (Mr. Peter Tabuns): The committee is back in session.

We have the motion before us. Mr. Hardeman, did you want to speak to this?

Mr. Ernie Hardeman: Yes, thank you very much, Mr. Speaker—or Mr. Chair.

The Chair (Mr. Peter Tabuns): Thanks for the promotion.

Mr. Ernie Hardeman: The reason, of course, I have put this forward is the same as the previous day of debate. I think it's very important that the committee hear from the minister at some point in time to talk about the intricacies of the bill that in fact are not part of the presentations we'll hear from the delegations who will come in. They will talk about the letter of the law and the wording of the bill but not necessarily the intent of the bill.

On the weekend, I was going through the next bill that the ministry would be putting forward. In fact, we were going over it. As we were going through, even looking through it ourselves, we were finding places where we see the writing, and then in the column beside it, we would put in there to ask the ministry: "What does that mean?" Because it's in what might be legalese, but it's not in the country person's way to read it to actually understand what it means. When you ask the ministry a question to explain it, they explain it exactly the way it's written: "This is what it says; this is what it is." And what will it do? Well, in their interpretation, "This is what it will do." But the question would be, why do we want to do that? How does that fit in with the goal of the bill? And there's no one there to answer it.

I think that's the reason that I put this forward. Again, I said this last time, and I don't want to spend this afternoon repeating what we've said—

The Chair (Mr. Peter Tabuns): Good. I'm taking notes.

Mr. Ernie Hardeman: I think it's very important that we reiterate the words of the minister, when he introduced the bill and spoke to it at second reading: "I'd like to reiterate that I look forward to this bill moving to the committee stage so that we can have a more fulsome discussion and debate with members of the opposition and the third party and better understand what their concerns are so that we might be able to incorporate some of those appropriate changes into the final legislation."

It seems to me that in the program, and as we see this whole motion here today—so far in the process, there has been no opportunity for the minister to have that conversation with the opposition to talk about what our concerns are and what we think we could do to make this a better bill. We think that the appropriate time to have the minister come in is before you start the public hearings.

Just the other day, when he was up, the minister told me—he came to my side of the House just before question period and asked what my concerns were. I said, "Well, Minister, I'm glad you're asking. So far, I've had briefings from the ministry, but my concerns haven't

been addressed as to how you're going to implement some of the things that this bill is going to do." I'd like to know what impact it's going to have on the people who own 98% of the condos in the condo building when 2% have to be made affordable. Who pays the condo fees for those two units that are going to be in the inclusionary zoning? How are they going to be charged? Is that going to be at the expense of the rest of the condo? Is it going to be at the expense of the Ministry of Housing, which is going to help the owners of the building to make that up? I don't know. The bill doesn't deal with that, but the minister is going to have to make that decision. So I think that before we pass the bill and have that discussion, we should hear from the minister as to what he proposes to do with that. That's the main reason.

The other thing I just wanted to say—this wasn't available last time, so this is not a repeat from my previous comments—is that there was a story in the paper on the weekend. Mr. Chair, you may very well have read the story about what was happening here. I was kind of taken aback. This is the paragraph—if the press is wrong, I'm wrong: "The housing minister says he has offered the Tories an intensive briefing and that it's time to hear from the public. Ballard also said the bill pretty much speaks for itself and that the Tories are employing a stalling tactic and that the official opposition are just playing politics."

Well, if the bill speaks for itself, then why can't anyone on this side or on the government side answer any of the questions that we've put forward? I don't think that's quite true. In fact, I've just put it on the record trying to convince the members opposite that it would be appropriate for a minister to come—which is not unprecedented; it has been happening. I don't intend to go through them all, Mr. Chair, but I still have a long list of precedents where ministers came forward and brought these things up.

The one other thing that I did want to talk about, and this is why I think it's so important, is that the minister purports in this that somehow I'm holding it up, and if it wasn't for me, this would have been passed much sooner. I would just point out that the government up until now hasn't shown very much haste in getting this bill passed. I think it's totally inappropriate for the minister to suggest that because we want to hear him answer some questions on it, somehow this is not being fair.

I have a list here:

Bill 204, the Promoting Affordable Housing Act, was introduced for first reading on May 18, 2016. Of course, that was introduced before the election, but that was well before the election, so in fact there was time to do debate there, but it never passed second reading.

Bill 7 was introduced on September 14. Second reading was moved on the 28th and voted on November 1. So between the time it was introduced and the time we actually voted second reading was from September 14 to November 1—six weeks—before we got that. Nobody seemed to be in any great rush to get it done at that time.

This issue that we've been talking about, inclusionary zoning, also has another longer history. In fact, on June

4, 2009, Cheri DiNovo introduced a bill; second reading, September 24, 2009. Sent to the Standing Committee on General Government. So it was sent to committee. In fact, at that point, the House had voted in favour of it and we were waiting for the government to move it forward if it was to become the law. Of course, it didn't move forward.

It was reintroduced as Bill 58 on May 6, 2010; second reading in June 2010. Bill referred to regulations and private bills. Again, it went there and never came back.

Bill 128, the Planning Amendment Act (Enabling Municipalities to Require Inclusionary Housing), again by Ms. DiNovo: October 3, 2012.

Bill 37, the Planning Amendment Act (Enabling Municipalities to Require Inclusionary Housing): introduced March 26, 2013—just about every year, and the government has never seen any need, in their minds, to move this forward.

Then introduced by a member of the government, Peter Milczyn, on November 18, 2014; second reading, November 20, 2014. It went to the Standing Committee on General Government. That was again in 2014. So two years ago, in fact, a member of the government introduced and got second reading on a bill that went to committee, but the government didn't see the need to move that bill forward.

Then, today, to suggest that somehow it's inappropriate to have an hour or two of debate about getting the minister to come here, which in the past has been a common practice, but now, for some reason—and I don't know why. When I first talked to the minister about it, he seemed quite receptive to doing it. Later on, I guess when he talked to the centre, or the Premier, all of a sudden we came back with the story in the paper that he has no intentions of doing it. When he walked away, I thought he was going to look into doing it.

Mr. Chair, we could go on with the long list of things, and we could include a lot more of the precedents that we have. I'm somewhat concerned with the outcome of this being a similar outcome to what we started with. I just want to point out that we have a problem here. It seems that we would rather hide from the facts than bring them out and have a reasonable debate so we can make the best possible legislation. We don't seem to be getting that.

Again, I could go here—the list goes on. As you can see here, Mr. Chairman, I have a package here that goes on and on, but I'm more concerned with the minister; that after talking to the centre, somehow he thinks it's inappropriate for the members of the Legislature at committee to want to hear from the minister who's introducing legislation that's going to have a major impact on the housing market in the province of Ontario. It's going to affect a lot of people, but we can't take a day or two to hear from him as to how he's going to help or try to solve the challenge.

I think it's inappropriate, and we should all think again if we think that it's appropriate that ministers can introduce bills—and I'm going to assume that he took it to the Liberal caucus to tell them exactly what the impact

will be of this bill. But the fact that governments can introduce a bill and ask all the members of the Legislature to live by the letter of the law and say, "This is what it says, so that's what it means. I have no interest in speaking to you and telling you what the impact is going to be," I think, is totally inappropriate.

1420

It's bad enough when we go back again to the statement I read at first, where the minister talked about that he wanted to consult to come up with some of the answers. I would point out that, from that point on, there has been no discussion, other than what I've been taking the liberty of trying to extract from the committee—some time to have a debate of what I think is right or wrong with the bill.

We all know that at second reading everybody stands up and takes their rotation and you speak first for an hour and then you speak for 20-minute rotations. No one ever talks about the meeting of the minds. That's a debate, but that's not a discussion back and forth as to what we think you should do and what you shouldn't.

The place where we do that is here. This is where we discuss what we've heard, what we need and what we think we should do. The full motion severely restricts the time that we're going to have to deal with the—we're going to hear the public speak and we're going to ask them a few questions as we go on, and then we're going to have six hours of clause-by-clause in which we can go through and we can deal with all the amendments. But there will be no opportunity to actually talk about that part of the bill that's not being amended or that part of the bill that should be amended or even the part of the bill that is being amended, other than the amendment that's going in: You're for it or you're against it.

Then it goes back to the House and a few hours later we have third reading and it's the law of the land. In that process, I just can't understand how the government can suggest that that's what you call a thorough debate with the opposition so that we can all agree that we have the best possible bill that we could have.

There are a lot of other things I could go through, Mr. Chair, but I would ask for a recorded vote on the amendment.

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

Mr. Vic Dhillon: Yes, Chair, thank you very much—

The Chair (Mr. Peter Tabuns): I had recognized Mr. Dong.

If you want to cede to Mr. Dhillon?

Mr. Han Dong: No.

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

Mr. Han Dong: I'll just say a couple of things.

Interjection.

Mr. Han Dong: Oh, he has a point of order?

The Chair (Mr. Peter Tabuns): Please, Mr. Dong, proceed.

Mr. Han Dong: Sorry; I thought you had a point of order.

I hear the honourable member's argument, but I just want to point out to the committee that a technical briefing was offered to both opposition parties, and I think they've attended one. Further to that, the minister actually walked across and offered the members of both parties a briefing on this particular bill. It's my belief that we are moving to have a public consultation opportunity, to hear from the public their priorities and their views on this bill. I think that opportunity is so precious—let's leave the time for public consultation.

I also hear what the member was saying with regard to his concern on this bill, and I think it's a reasonable ask. As a member of the Legislature, he is entitled to know more about this bill, and we can certainly check with the minister's schedule and see if something can be done prior to the public consultation date so he will have this information and his questions answered even before the public consultation date that is proposed here.

I don't know if that will be to his satisfaction or not, but we can definitely give it a try. Thank you.

Just to my point: I don't think this amendment is necessary for this committee to consider.

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

Mr. Vic Dhillon: Yes, Chair. I would just like to move to the vote. I know that Mr. Hardeman mentioned that it's a precedent that the ministers appear before committee, but it's not conventional. It usually doesn't happen before any committee hearings begin. I think we're here to listen to what the presenters have to say, and I would like to get to that point as soon as possible. I think we should proceed to the vote.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Dhillon.

Mr. Hatfield?

Mr. Percy Hatfield: I'm not sure of the rules of the committee—in the House, you can't say who's here and who isn't here—but I want to acknowledge that Mr. McMeekin is here now. Through you, I don't know if I'm allowed to ask Mr. McMeekin any questions.

The Chair (Mr. Peter Tabuns): You can say whatever you want. You can put questions into your statement. Whether someone answers you or not is another matter entirely.

Mr. Percy Hatfield: Thank you, Chair. Mr. McMeekin was the original author of the bill, I believe, as the former housing minister—and municipal affairs? Were you both? Then, they split.

Interjection.

Mr. Percy Hatfield: Yes. So Mr. McMeekin, I would think, could answer some of my questions. I don't know if that's in order or not. Like, for example—I'll just give you the example—on inclusionary zoning and the way the bill is shaped, you can have inclusionary zoning or you can go to the former practice of cash-in-lieu, but as I understand the bill the way it's written, you can't do both. I would like to ask those who shaped the bill, those who put it together: What was the reasoning behind either/or: inclusionary zoning or cash-in-lieu? If I could get those types of questions asked and answered to my

satisfaction, prior to the beginning of the bill, it might shape the way I approach all of the delegations who come here. It may give me some insight into my line of questioning on inclusionary zoning, just as one small example of the entire bill.

I don't know if Mr. McMeekin—

Interjection.

The Chair (Mr. Peter Tabuns): If you want to be on the speakers' list, Mr. McMeekin, I'd be happy to put you on the speakers' list.

Mr. Ted McMeekin: Sure.

The Chair (Mr. Peter Tabuns): I'll put you on the speakers' list.

Mr. Hatfield, have you finished?

Mr. Percy Hatfield: I will stand aside for now, just to hear if this is—I may want to get back on the list after.

The Chair (Mr. Peter Tabuns): Fair enough. Mr. Hatfield, thank you.

Mr. Hardeman, you're next.

Mr. Ernie Hardeman: Just in reply to Mr. Dong, I appreciate the fact that the minister not only—I went to the briefing and had a very good briefing. When he came over to talk to me in the Legislature, he offered to have the ministry give me another briefing. I said, "Minister, that's not what I need. They gave a very good briefing, but the questions I have, the ministry can't answer them, because they are: 'Why are you doing what you're doing and what you hope to accomplish with that?'" They just point out what the letter says and let me interpret what that means. I want someone for "why we're doing it that way, or why we're not." I think Mr. Hatfield mentioned a very good comment: that the ministry would tell you in the briefing, and they did, that the legislation is clear: You can't charge cash-in-lieu and not provide the inclusionary housing when you have a development.

You also can't take it off-site. If you're building a building, that building must include the affordable housing within the building. That's what the minister's briefing said. The question is: If you're building two buildings, do you have to put some in each building, because the legislation is that way, or was it the minister's intent to make sure that every dollar that was allocated towards building this type of housing—that they would build that type of housing? A lot of the areas where they have inclusionary zoning, in fact, they have a radius of how far away from that development you can build it and still get that. I think those are the types of questions that are ministry questions as opposed to the minister, and so I think that's a very important thing. So I wanted to say that I appreciate that I had the ministry briefing, but I'm more interested in the minister's briefing.

The other part about having a discussion with the minister: My motion was to put it just before the delegations. In fairness for the meetings of this committee, that would be tomorrow, because if this motion passes today, the meetings for this will not start till next Monday. In fact, there will be nothing on the agenda for this committee for tomorrow, so we could have the

minister come in and do his briefing tomorrow, and we would all be happy. Yes, that would solve the problem. That's not what the legislation or your regulations say, but I think it's important not only that I hear it, but that all of the committee hears what the minister's intent—and I think this, in fairness, is just as important for the members on the other side.

1430

As Mr. Hatfield said, Mr. McMeekin would be the only one that would know exactly what the intent of the legislation was the way it's written. I think it behooves us all to be aware of that as we're moving forward. That's why I wanted to have the minister—and I appreciate your comments, but I still don't think that just saying, "By listening to the people," and then voting on the amendments that the government puts forward based on what the people—that that really encouraged me to think that I had a great part in making this a better piece of legislation.

The Chair (Mr. Peter Tabuns): Okay. I have Mr. McMeekin.

Mr. Ted McMeekin: Well, let me just say that I very sincerely appreciate the interest that my colleagues from the opposition and the third party have. They're both strong advocates on housing and, I'd like to think, on social housing in particular. These things are complex, as you know. There are a lot of stakeholders that have been consulted and have had input into the formation of the legislation, including municipalities and various stakeholders in the industry itself.

I would answer this specific question, Mr. Chairman, by asking a question of my own.

The Chair (Mr. Peter Tabuns): Make whatever statement you wish.

Mr. Ted McMeekin: Well, I remember that coach Pat Riley, the iconic basketball coach, was once asked by a reporter, "Hey, coach, is your team going to win a championship this year?" He responded by saying, "Well, let me answer your question with a question." He said, "Go ahead." He asked, "Well, if you take an orange and you stick it in a vice and you tighten the vice until both sides touch, what do you get?" The reporter chuckled and said, "Well, it's obvious. You get fresh-squeezed orange juice." And he said, "Well, that's your answer." So the reporter said, "Coach, I'm a university grad, but I don't quite understand where you're going with this." His response was, "You put your team under enough pressure and you find out what they're made of."

I think that's true, so I think the ministry itself, and I had the privilege of being there for a while, was forged in a lot of pretty—this inclusive zoning stuff has been going round and round and round for a long time.

The briefings that you've had an opportunity to have with the minister—my question is, did you ask him that question when you had your briefing? And, if not, then what is inherently wrong with Mr. Dong's suggestion that we on this side would be quite prepared to talk to the minister to see if he's willing to sit down with you for an additional period of time to answer those specific

questions? I think that's a very honourable and fair way to get us out of what would seem to be a bit of a logjam here. I would say that respectfully, Mr. Chair.

I don't know whether those questions were previously asked. Maybe they should have been if they weren't, but I'm sure they were.

The Chair (Mr. Peter Tabuns): Okay. Thank you, Mr. McMeekin. Mr. Hardeman?

Mr. Ernie Hardeman: Thank you very much, Mr. Minister, for your comments. At the end you made a comment, "Did you ask that question?" I think that's the whole purpose of this discussion: that we've never had the opportunity to ask the minister that question. This is as close as we've come right now, with you being the former minister, because so far any consultation or any discussions and briefings we've had were provided by the ministry. Anything that was offered beyond that was also having the ministry do it again. They did a great job the first time, but the information that I need I think we need directly from the minister.

To be fair, so far my success with getting results hasn't always been—not lead me to saying that the members of the government side will talk to the minister and they'll tell me what the minister said. I really can't depend on that being the facts, so that really is a problem.

The last thing I want to say in this round is that I think it's important to recognize that this isn't about whether we agree or disagree with the bill. All three parties voted for this bill on second reading because we all support inclusionary zoning. We all want to make this the best bill possible. That's why we need the information from the minister. That's why I think that if he could come in tomorrow morning or tomorrow afternoon—when this committee has the authority to sit tomorrow afternoon—it would take nothing away from the debate with the public and it would give this committee an opportunity to speak directly to the minister.

The Chair (Mr. Peter Tabuns): I have Mr. Hatfield and then I have Mr. Dong. Mr. Hatfield?

Mr. Percy Hatfield: Thank you, Chair. Just to Mr. McMeekin's question—and it has been answered by Mr. Hardeman—we had a ministry briefing. In fact, you were still the minister when we had the briefing. The language is identical to the bill that you presented. When I was offered another briefing, I didn't see the need to talk to ministry staff, but at no time—just to be clear—was I ever offered an opportunity to meet with the minister to talk about the minister's bill and to ask questions of the minister about his bill and to ask him why the either/or on inclusionary zoning or cash-in-lieu was put in there.

When you talk to the stakeholders, one side says it's either/or: fish or cut bait, or whatever it is. The other side says, "Wait, we want a little bit of both here." It would be more fair if we did have a little bit of both as an option. I just want to know why we ended up with the either/or—or hit the highway—as opposed to, "Let's have a little conversation here."

After that conversation, is the minister willing to suggest to the committee that there may be some

flexibility that we could work within? I just want to make that clear to Mr. McMeekin, my friend who was a great minister and presented a great bill and was always forthcoming, always willing to meet and always willing to have conversations away from the table. I've not seen that from the new minister.

Mr. Peter Tabuns: Mr. Dong.

Mr. Han Dong: Thank you, Chair. I completely understand where Mr. Hardeman and Mr. Hatfield are coming from. I want to point out the fact that the minister did offer a briefing with them. I think a briefing is a more ideal setting for discussions on the bill and the intentions of this bill.

Some of the things that Mr. Hardeman mentioned in his previous comment I think will be addressed—if this bill passes, it will be addressed in the regulation process, which will see more public consultation.

My point is that maybe those questions are too much about the details; that is, the answer is not in this bill, but maybe there will be some indication through the briefing by the minister. So I strongly recommend the members across to look at the option of having a discussion with the minister, but not in the committee setting.

My understanding of committee is that this is where we offer an opportunity to the public, for them to present their ideas, their perception on this bill. We'll question them, and I think it'll probably be more productive for the members across to have a direct conversation with the minister to find out about those answers.

I just feel that again, it's not necessary to have this amendment before this committee. I'm quite prepared to vote on this.

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

Mr. Ernie Hardeman: Again, I appreciate the conciliatory tone, but someone is missing the point between that side and this side. The minister has offered more briefing, but the minister has never offered to meet and be at that briefing. It has always been that he will let the ministry give us more briefing, and I'm sure that's what he offered the third party too. I think really that's where we're at now. We seem to be talking about the precedent, whether this is the appropriate place. To me, this is the only appropriate place.

I wasn't going to do it, Mr. Chair, but we got this far in the debate. I'm just going to go through a list of some of these, of ministers who decided it was important to be here.

On Bill 83, the Budget Measures Act: Greg Sorbara appeared on June 15, 2004.

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On Bill 2, the Fiscal Responsibility Act, 2003: Again, Minister of Finance Greg Sorbara appeared at the finance committee.

On Bill 106, the Fair Municipal Finance Act, 1997: Ernie Eves, Minister of Finance, appeared before the finance and economic committee.

On Bill 146, the Farming and Food Production Protection Act, 1997: Noble Villeneuve, Minister of Agriculture and Rural Affairs and minister responsible for

francophone affairs, appeared before the resource development committee on February 17, 1998.

On Bill 136, the Public Sector Transition Stability Act, 1997: Elizabeth Witmer, Minister of Labour, appeared before the resource development committee on 23 September 1997.

On Bill 99, the Workers' Compensation Reform Act: Again, Elizabeth Witmer, Minister of Labour, appeared before the resource development committee on June 16, 1997.

On Bill 98, the Development Charges Act, 1996: Al Leach, Minister of Municipal Affairs and Housing, appeared before the resource development committee on March 24, 1997.

On Bill 49, the Employment Standards Improvement Act, 1996: Elizabeth Witmer, Minister of Labour, appeared before the resource development committee on 19 August 1996.

On Bill 20, the Land Use Planning and Protection Act, 1995: Al Leach, Minister of Municipal Affairs and Housing, appeared before the resource development committee on 12 February 1996.

This one—I want to read it. I happened to be in that ministry at the time. This is what the minister said: "I'm very pleased to open this committee's public hearings on Bill 20, the Land Use Planning and Protection Act. I'm also pleased to hear that everyone who's asked to appear before you has been scheduled and nobody's been turned away.

"I'd like to take a few minutes to set the stage for your discussions over the next couple of weeks. I'd like to begin with a general picture—the purpose of the bill, the philosophy behind it—and then I'll touch briefly on the three main components." He outlined why he appeared before the committee, and that's the same reason that I believe that the minister should appear at this committee.

On Bill 104, the Fewer School Boards Act, 1997: John Snobelen, Minister of Education and Training, appeared before the social policy committee on 17 February 1997.

On Bill 34, the Education Amendment Act: John Snobelen, again, Minister of Education, appeared before the social development committee on 6 May 1996.

On Bill 84, the Fire Protection and Prevention Act, 1996: Robert Runciman, Solicitor General and Minister of Correctional Services, appears before the committee on 7 April 1997.

On Bill 132, the Public Safety Related to Dogs Statute Law Amendment Act, 2005: Michael Bryant, Attorney General, appeared before the committee on February 3, 2005.

On Bill 214, the Election Statute Law Amendment Act, 2005: Marie Bountrogianni, Minister of Intergovernmental Affairs, came before the committee on September 10, 2005.

On Bill 133, the Environment Enforcement Statute Law Amendment Act, 2005: Leona Dombrowsky, Minister of the Environment, appeared before the committee on May 12, 2005.

On Bill 206, the Ontario Municipal Employees Retirement System Act, 2005: John Gerretsen, Minister of Municipal Affairs, appeared before the general government committee on November 14, 2005.

On Bill 96, the Liquor Licence Amendment Act: Jim Watson, Minister of Consumer and Business Services, appeared. That was on December 1, 2004.

On Bill 21, the Energy Conservation Responsibility Act, 2006: Donna Cansfield, Minister of Energy, appeared before the committee on 3 February 2006.

On Bill 117, An Act to better protect victims of domestic violence: David Tilson, parliamentary assistant, appeared with several staff from the Attorney General's office on October 13.

On Bill 30, An Act to amend the Fire Protection and Prevention Act, 1997 in order to protect the employment of volunteer firefighters: that "the committee shall invite the Minister of Correctional Services and staff to appear before the committee" on October 8 "to make a presentation and to answer questions." The parliamentary assistant appeared on his behalf.

On Bill 12, An Act to increase the safety of equestrian riders: "That the Minister of Transportation be invited." The parliamentary assistant, Julia Munro, appeared on the minister's behalf.

On Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication: The committee report read,

"(7) That in Toronto, on the first day of public hearings, the appropriate staff of the Ministry of the Attorney General will provide a 20-minute technical briefing, followed by 40 minutes of questions. The time for questions is to be divided equally....

"(8) That the parliamentary assistant, the opposition critic and the third party critic each shall have 20 minutes for a statement after the technical briefing and questions."

The briefing occurred on the 28th of August.

On Bill 74, Marriage Amendment Act, 2002: That's when the ministry staff came after they were invited. That goes on. I have the other list here of the ones I repeated last time, Mr. Chair, and I will not be going through that.

I'd just point out that if there is a precedent, the precedent that is being set today is that the opposition parties are asking the minister—very politely, I might add—to appear before this committee to explain the bill, and the government doesn't see it as inappropriate that a minister of the crown should not have to come and answer for his bill in front of this committee as it's going through committee to go to third reading. I think that's totally inappropriate, and if you're setting a precedent today, that's the one you're setting.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. I have Mr. Hatfield.

Mr. Percy Hatfield: Thank you, Chair, and through you, I know that earlier Mr. Dhillon had suggested that

having a minister come before a committee was an unusual practice. We've heard now from Mr. Hardeman on this list—I'm not sure Mr. Dhillon was here last week when we met and Mr. Hardeman had a previous list, which was perhaps even longer. So I know the government members sub in and out. I think Mr. Potts was in that chair the last time Mr. Hardeman did the list. I didn't know, Vic, if you knew what Mr. Hardeman had said this afternoon or you looked at the Hansard from last week.

There's a long and established historical acceptance of a minister appearing before a committee. It was news to me. I'm a new member. I've only been here three and a half years, so I accepted that that is the past practice. I didn't think that we were trying to break new ground or till new soil of having a minister come before a committee. Maybe it hasn't happened in the last year or two, but it used to be the way they did things around here. I can see that the way they used to do things around here was to travel a bill around the province, which, as you know, I've asked for in this case, that we take it to the north, the east and the south—away from Toronto necessarily—because the people who might like to appear before the committee couldn't afford to come to Toronto to make a presentation because many of them live in or would like to live in affordable subsidized housing.

I can accept the argument from the government that, "No, we want to rush this through. We want to get it done. We just want to meet in Toronto." But if I accept that, then I believe you should accept that there's nothing wrong with having a minister come in for half an hour, make a presentation and answer a few questions. That moves the agenda that gets us to the delegation stage, the presentations and then the clause-by-clause. That is part of, I guess, one of the cogs in the machine, Chair, that we try to get some legislation done around here.

But when you put a roadblock up and a roadblock up, and after hearing the precedents that have been set and have been enunciated very clearly and very well by Mr. Hardeman, I would think it's time to ask the government side if they would like to reconsider their position and perhaps if we could have a short recess for them to have that conversation to find out where we go from here, because once you've established, if you will, a precedent and you've enunciated it and laid it out—and you're not tilling new soil. You're not plowing new ground here. Ministers used to come here all the time. I think they should have that conversation. They may have to go elsewhere to have it with people in a corner office or wherever, but perhaps they need time to do that. If they do, then I would move that we recess for 20 minutes.

The Chair (Mr. Peter Tabuns): I have had a request from Mr. Hatfield to recess for 20 minutes. Is that agreed?

Interjection: No.

The Chair (Mr. Peter Tabuns): No, it is not agreed.

Mr. Percy Hatfield: All right.

The Chair (Mr. Peter Tabuns): All right. I see no other speakers—Mr. Hardeman.

Mr. Ernie Hardeman: I spoke earlier about the newspaper—the media reporting on the weekend. There was one line that I thought was rather important and I forgot to mention it. “‘It’s unfortunate that the opposition has pulled this trick because there is the potential to slow things down,’ Ballard said. ‘It may very well backfire on them.’” I don’t know what that means, whether he’s somehow implying that it may be hazardous to me because I tried to have the committee ask the minister.

I want to go on. The paper reports here:

“But Ballard’s absence continues a trend among Liberal cabinet ministers that was identified by the Financial Accountability Officer in his most recent annual report, that members of Premier Kathleen Wynne’s executive council haven’t been testifying to their bills at committee.

“‘By failing to call ministers and public servants to testify before them on the implementation of these bills, committees are less able to examine and challenge the government’s forecasts of the economic and financial impact of those sorts of policies,’ said the FAO’s report.

“‘Bill 7, meanwhile, is a fairly comprehensive bill, as per its explanatory note’”— and he goes on to talk about all the things it does.

Then the next line is, “‘Enough debate is enough debate at this point,’ says Ballard.”

I don’t know what the word “enough” means when you use it twice in succession—“enough is enough.” I’m not sure that anything that we’ve done so far with this bill would fit in that category that we’ve had “enough is enough debate.”

With that, I’ve said all I need to say.

The Chair (Mr. Peter Tabuns): Okay. I have no other speakers. You’re ready for the vote on the amendment?

Interjection.

The Chair (Mr. Peter Tabuns): A recorded vote was the request.

All those in favour of the amendment, please indicate.

Ayes

Hardeman, Hatfield, Scott.

Nays

Anderson, Dhillon, Dong, Mangat.

The Chair (Mr. Peter Tabuns): The amendment fails.

Mr. Hatfield?

Mr. Percy Hatfield: Thank you, Chair. I have another amendment. I was going to present it, and I was notified by the Clerk that I need to correct something in there, so I would request a recess while I run out and make a correction and then bring it back so we can discuss it.

The Chair (Mr. Peter Tabuns): To be clear on time, how much time are you asking for?

Mr. Percy Hatfield: Well, let’s say 20 minutes?

The Chair (Mr. Peter Tabuns): A recess has been requested. All those in favour?

Mr. Vic Dhillon: I would think 10 minutes.

Mr. Percy Hatfield: Ten?

The Chair (Mr. Peter Tabuns): People are agreeable to a 10-minute recess? Agreed. We will recess for 10 minutes.

The committee recessed from 1452 to 1502.

The Chair (Mr. Peter Tabuns): The social policy committee has returned. Mr. Hatfield, you had the floor when we recessed.

Mr. Percy Hatfield: Thank you, Chair. I looked at my amendment and decided at this point that it does not need to be introduced at this time.

The Chair (Mr. Peter Tabuns): Thank you. I have no other speakers—

Interjection.

The Chair (Mr. Peter Tabuns): Yes, we’re going back to the main motion. I have no speakers on the main motion. People are ready to vote?

Mr. Ernie Hardeman: Recorded vote.

Ayes

Anderson, Dhillon, Dong, Mangat, McMeekin.

Nays

Hardeman.

The Chair (Mr. Peter Tabuns): It is carried.

Thus, we have our instructions. We will proceed from there. I will send a letter to the House leaders as requested. The meeting is—

Mr. Ted McMeekin: What was the motion?

The Chair (Mr. Peter Tabuns): I’ll give you the motion.

Interjection.

The Chair (Mr. Peter Tabuns): We’ll have the Clerk give you a copy.

This meeting is adjourned.

The committee adjourned at 1505.

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