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**Standing Committee on
Justice Policy**

Committee business

1st Session
42nd Parliament

Thursday 22 October 2020

**Comité permanent
de la justice**

Travaux du comité

1^{re} session
42^e législature

Jeudi 22 octobre 2020

Chair: Roman Baber
Clerk: Thushitha Kobikrishna

Président : Roman Baber
Greffière : Thushitha Kobikrishna

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Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

Thursday 22 October 2020

**COMITÉ PERMANENT
DE LA JUSTICE**

Jeudi 22 octobre 2020

The committee met at 0902 in committee room 1 and by video conference.

COMMITTEE BUSINESS

The Chair (Mr. Roman Baber): Good morning, everyone. The Standing Committee on Justice Policy is hereby convened to discuss organization and business on Bill 168, An Act to combat antisemitism. Any motions or business in connection thereto? Mr. Bouma.

Mr. Will Bouma: I have a motion here. I move that the committee enter closed session for the purposes of organizing committee business and that broadcasting staff be permitted to remain in the closed session meeting for the purposes of operating the electronic meeting technology.

The Chair (Mr. Roman Baber): Mr. Singh.

Mr. Gurratan Singh: This is a matter that a lot of people are interested in, and I think the public would like to see this discourse publicly. There are not any privacy issues or any commercial interest here, so I think it's best that this conversation is one that is in open session.

The Chair (Mr. Roman Baber): Mr. Bouma.

Mr. Will Bouma: I would just say that typically, organizational meetings for committee business are held in closed session, so that's why this motion is before us.

The Chair (Mr. Roman Baber): MPP Taylor.

Miss Monique Taylor: Historically, no meetings pertaining to organization have been done in closed committee; we've actually done them in subcommittee. Like my colleague said, it's important that people hear the entire process that's being taken with this very contentious bill, so we would disagree with this and hope to have it in an open forum.

The Chair (Mr. Roman Baber): Further debate? Mr. Singh.

Mr. Gurratan Singh: I'm just more so on the side of—I don't understand—there are no privacy issues with this matter. There's a lot of interest in the subject matter. I think having it open is a more transparent way we can have this conversation.

The Chair (Mr. Roman Baber): Any further debate? Madame Collard.

M^{me} Lucille Collard: It's more in the form of a question, I guess. I would just like to understand their reason, other than being typical, for why it would have to be in camera or private. If there's a real reason, we can

agree to it, but I can't see anything that needs to remain confidential in this conversation.

The Chair (Mr. Roman Baber): I see someone just joined the committee. MPP Vanthof joined. Welcome, MPP Vanthof. Would you kindly confirm that it is indeed yourself, and where you are in Ontario?

Mr. John Vanthof: I am John Vanthof, and I'm in my office at Queen's Park.

The Chair (Mr. Roman Baber): Thank you, sir. Further debate? Seeing none—

Mr. Gurratan Singh: Chair, if we're going to be proceeding to a vote, I would ask for a recorded vote.

The Chair (Mr. Roman Baber): We have a motion by Mr. Bouma. Are members prepared to vote on the motion? All those in favour? With a recorded vote being sought:

Ayes

Barrett, Bouma, Park.

Nays

Collard, Gurratan Singh, Taylor, Vanthof.

The Chair (Mr. Roman Baber): I declare the motion lost.

MPP Park?

Ms. Lindsey Park: Point of order, Chair. Can you just confirm who the voting members are on this committee?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Barrett has been subbed in for MPP Gill, who is a voting member; MPP Vanthof has been subbed in for MPP Yarde, who is a voting member; and then MPP Taylor has also been subbed in for MPP Morrison, so everyone has been subbed in. Did you want me to go through the entire list?

Ms. Lindsey Park: Yes, the entire list would be great. Thank you.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): Sure: MPP Bouma, MPP Collard, MPP Gill, MPP Kusendova, MPP Morrison, MPP Park, MPP Singh, MPP Tangri, MPP Triantafilopoulos and MPP Yarde.

Ms. Lindsey Park: So can you just confirm: There are three votes for the NDP on this, one vote for the independents—

The Chair (Mr. Roman Baber): There are three opposing NDPs, one opposing independent and three in favour.

Ms. Lindsey Park: Okay.

The Chair (Mr. Roman Baber): We will now proceed with committee business. Is there a motion? MPP Park.

Ms. Lindsey Park: Point of order, Chair. MPP Triantafilopoulos has been trying to get into the committee meeting but was not able to get in in time for the vote because she wasn't let in.

Interjection.

The Chair (Mr. Roman Baber): I'm told by the Clerk that we don't see her in the waiting room.

Ms. Lindsey Park: She says she's been trying to get the meeting ID since 9 o'clock.

The Chair (Mr. Roman Baber): Mr. Singh?

Mr. Gurratan Singh: In the interests of time, Mr. Chair, if we could proceed forward. I know we all have busy schedules. If we could continue with today's organization meeting, because I know there are a lot of matters to discuss today.

The Chair (Mr. Roman Baber): Clerk, is there anyone currently waiting to get in?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): There's currently no one in the meeting room to be let in.

The Chair (Mr. Roman Baber): I understand that there's no one waiting to get in. Thank you.

Ms. Lindsey Park: Chair, I can confirm Ms. Triantafilopoulos has said her link is not working for her.

The Chair (Mr. Roman Baber): Okay.

Mr. Gurratan Singh: Mr. Chair, if I could say that for any technical issues, MPPs can connect directly with staff. That's probably a better medium to discuss that matter, as you described at the onset. If there are any technical issues, MPPs should connect with the appropriate Clerks and staff.

I would encourage that we move forward.

The Chair (Mr. Roman Baber): I would encourage any members who are having difficulties getting in to contact Andrew Kleiman from technical services at akleiman@ola.org.

Mr. Gurratan Singh: Chair, in the interests of time, I propose that the Clerk could put that in the chat, and then we can move forward. It's a far better, new technology we can use, at our disposal, as opposed to reading it out and having confusion. So if the Clerk could put it in the chat, and then the MPPs could convey the information—and we can move forward.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): Our office is getting in contact with MPP Triantafilopoulos to help her get in, as well.

The Chair (Mr. Roman Baber): I understand that the Clerks' office is getting in touch with MPP Triantafilopoulos to try to get her on the line.

Is there a motion to discuss committee business? MPP Park.

Ms. Lindsey Park: Due to technical difficulties, I request that that vote be considered again, once everyone has been able to attend appropriately.

The Chair (Mr. Roman Baber): I'm going to recess the committee for exactly one minute.

The committee recessed from 0912 to 0914.

The Chair (Mr. Roman Baber): We're back from recess.

We have MPP Nina Tangri joining us in the room physically. Welcome.

I have a motion from Ms. Park to annul the results of the vote regarding the manner by which business will be considered this morning. Ms. Park predicated her objection to the vote on the basis of the fact that MPP Triantafilopoulos attempted to get in to the Zoom call of this committee this morning and wasn't able to do so. I have conferred with the Clerk and understood that the Legislative Assembly of Ontario has no reason to believe that there were any technical difficulties this morning. I also understand from the Clerk that Ms. Triantafilopoulos was not in the waiting room on the Zoom call at any time, even at this moment.

In the absence of any evidence of technical difficulties or Ms. Triantafilopoulos's presence, I will decline—excuse me, Ms. Park, I'm going to complete my ruling—I will deny the request and I will not overturn the results of a properly constituted vote.

Ms. Park.

Ms. Lindsey Park: I see a call-in user. I've also put in the chat for the last few minutes Ms. Triantafilopoulos's phone number. If someone could call her—I don't think you can say properly whether she has tried to get into the meeting without speaking to the member, and I think it's—

The Chair (Mr. Roman Baber): Ms. Park, I did not say—I just didn't see any evidence of her getting in. It's not that there was any evidence to suggest that she was in, right? I cannot prove a negative, unfortunately.

Yes, Ms. Park.

Ms. Lindsey Park: I believe she is on the line now by phone. Perhaps you can ask the member what her actual troubles were, if you need evidence.

Mr. Gurratan Singh: Chair?

The Chair (Mr. Roman Baber): Yes?

Mr. Gurratan Singh: If I may, I feel like this all seems very irregular. We had a properly constituted vote, the vote went forward, and we should continue with the discussion as per the results of the vote.

The Chair (Mr. Roman Baber): Okay. I understand that MPP Triantafilopoulos has now joined. Is that correct? By phone?

Ms. Effie J. Triantafilopoulos: Good morning, Chair. Can you hear me?

Mr. Roman Baber: Good morning, Ms. Triantafilopoulos. Yes, we can hear you now.

Ms. Effie J. Triantafilopoulos: Terrific. Regrettably, I wasn't able to connect through Zoom this morning, so I had to find both the meeting ID and the password to be able to telephone in, which I've just done.

The Chair (Mr. Roman Baber): You've attempted to connect without the password or the ID?

Ms. Effie J. Triantafilopoulos: I only had the ID, but I did not have the password to telephone in, so that's what I was finding. It took me some minutes to sort that out, and so now I'm on a call.

The Chair (Mr. Roman Baber): Mr. Singh.

Mr. Gurratan Singh: Respectfully, Chair, this seems akin to a modern version of showing up late to a meeting. If someone does not have the appropriate information—that’s the duty of the MPP or the member, to be present on time and ensure they have the information required.

I would say, respectfully, that we have had an appropriately constituted vote. We have a result from it. We all have a busy schedule before us. I would encourage that we go forward, as per the results of that vote.

The Chair (Mr. Roman Baber): Thank you, Mr. Singh. I have made a ruling on the evidence available before us. There is recourse in the event that members do not feel that I have ruled correctly. We will now proceed with the meeting.

Ms. Park.

Ms. Lindsey Park: I ask that you reconsider that ruling based on the new evidence presented by Ms. Triantafilopoulos.

The Chair (Mr. Roman Baber): Ms. Park, I do not believe that I have authority to reconsider my own ruling, and so I will not delve into the evidentiary substance that Ms. Triantafilopoulos presented.

However, I understand from the Clerks’ table, in consultation with the Clerk, that we’re of the view that we need to proceed.

Yes, MPP Park.

0920

Ms. Lindsey Park: I’d like to put forward an amended motion that, again, this be all considered in closed session.

The Chair (Mr. Roman Baber): MPP Singh?

Mr. Gurratan Singh: Chair, I would say that this matter has been dealt with. You’ve done a ruling and as Chair you’ve ruled numerous times. I don’t think it is fitting to the decorum of this committee to continually challenge the authority of the Chair in such a matter.

The Chair (Mr. Roman Baber): Ms. Park, I appreciate you bringing the matter forward again. However, the matter has been decided. It is *sui iustitia*, I believe is the Latin phrase.

Yes, Ms. Park?

Ms. Lindsey Park: I’m no longer speaking of your ruling on whether the vote should be reconsidered. I’m bringing a new motion forward. I can ask that the committee go into closed session by motion at any time. It may not have been appropriate to go into closed session 15 minutes ago, but there can be a change of opinion of the committee at any time.

So I’d like to put forward a new motion at this time, and the motion reads, “To move the committee into closed session.”

It’s our position that subcommittees meet in closed session to organize committee business and a full committee, similarly, should when organizing business.

The Chair (Mr. Roman Baber): In order for the motion to be considered on its substance, it has to be substantially or materially different from the initial motion. I am advised, therefore, that in order to proceed and agree to your proposed motion, we would have to get

unanimous consent of the committee. Would you like me to proceed in the seeking of that, Ms. Park?

Ms. Lindsey Park: Yes, Chair. I’d like to make some comments first before the committee members consider this.

I think it would be in alignment with the decorum of this House that we all consider we’re all adapting to a Zoom platform and sometimes have technical difficulties accessing it. I know certainly if I had difficulty accessing it for matters that I cared about as a justice committee member, I would hope that everyone would extend some grace to me trying to access the platform. I hope we can all extend that grace to Ms. Triantafilopoulos at this time. I think that’s fair and reasonable, and I hope that everyone will express that decorum in voting on this motion.

Mr. Gurratan Singh: Chair, this matter has clearly been ruled on numerous times by yourself and we’ve had direction from the Clerks. It’s not the responsibility of independent members for an MPP from the government who is tardy and late and unable to access the information that is readily available to everyone else. This seems to be a clear tactic in delaying proceeding forward, Chair, and I would ask that, respectfully, we move forward and continue with the discussion as per the vote and your ruling.

The Chair (Mr. Roman Baber): Ms. Park?

Ms. Lindsey Park: Again, I’d like to move for unanimous consent to reconsider the vote with MPP Triantafilopoulos present. I understand that Ms. Tangri, of course, wasn’t here and didn’t express similar issues. I think it’s appropriate that she wouldn’t be part of the vote, but I think it’s appropriate that Ms. Triantafilopoulos would be.

Again, if the committee would like to hear more—that she has been trying to get access since 8:50 in the morning—I know she would be happy to share that.

The Chair (Mr. Roman Baber): Ms. Park, I’m not sure that that is what we’ve heard from Ms. Triantafilopoulos, and so I would invite her to make her own submissions with respect to material evidence, especially since she’s on the line.

Do I have unanimous consent to reconsider the motion? I heard a no.

I’ll proceed with business. Mr. Bouma.

Mr. Will Bouma: I move that the committee meet for public hearings on Bill 168, An Act to combat anti-semitism, on the following dates and times:

—Wednesday, October 28, 2020, from 9 a.m. until 9:30 a.m. and 1 p.m. until 6 p.m.;

—Friday, October 30, 2020, from 9 a.m. until 12 p.m. and 1 p.m. until 4 p.m.; and ...

That the sponsors of the bill be invited to appear, jointly, as the first witnesses at 9 a.m. on Wednesday, October 28, 2020, and that the sponsors shall have 15 minutes to make an opening statement, followed by 15 minutes for question and answer, divided into one round of five minutes for the government members, one round of five minutes for the official opposition members, and one round of five minutes for the independent member; and

That subsequent witnesses shall be scheduled in groups of three for each one-hour time slot, with each presenter

allowed seven minutes for an opening statement, followed by 39 minutes of questioning for all three witnesses, divided into two rounds of 7.5 minutes for the government members, two rounds of 7.5 minutes for the official opposition members, and two rounds of 4.5 minutes for the independent member; and

That the Clerk of the Committee shall provide a list of all interested presenters to each member of the subcommittee on committee business and their designate as soon as possible following the deadline for requests to appear; and

That, if the study is oversubscribed, each member of the subcommittee or their designate provide the Clerk of the Committee with a prioritized list of presenters to be scheduled, chosen from the list of all interested presenters, by 10 a.m. on Tuesday, October 27, 2020; and

That the deadline for written submissions be 5 p.m. on Friday, October 30, 2020; and

That legislative research provide the committee members with a summary of oral presentations and written submissions by 5 p.m. on Monday, November 2, 2020; and

That the deadline for filing amendments to the bill be 5 p.m. on Monday, November 2, 2020; and

That the committee meet for clause-by-clause consideration of Bill 168 on Tuesday, November 3, 2020, from 3 p.m. until 6 p.m. and 6:30 p.m. until 11:59 p.m.

The Chair (Mr. Roman Baber): Ms. Park?

Ms. Lindsey Park: Just for process—can you please clarify how MPP Triantafilopoulos is supposed to express that she wants to speak? She has been trying for the last five minutes to no avail.

Interjection.

The Chair (Mr. Roman Baber): If Ms. Triantafilopoulos wants to be heard, she should press *9.

Mr. Singh.

Mr. Gurratan Singh: My feedback with respect to the motion moved by MPP Bouma is: We know there's a lot of interest in this bill, and I'm a little bit concerned about the amount of time that has been delegated right now for testimony and for witnesses. I note only a half-hour session—and I could be incorrect; maybe you can provide the explanation. From 9 a.m. to 9:30 a.m. would not provide any fruitful discussion in such a short period of time. Further to that, only two days—not even two days, most likely one and a half days. I would encourage—up to four days is what I would say is appropriate for this kind of bill, with the kind of interest that there is. That would allow for the greatest involvement of folks who want to have their opinion heard.

The Chair (Mr. Roman Baber): Further debate? Ms. Park.

Ms. Lindsey Park: I'm willing to amend that to be an hour.

The Chair (Mr. Roman Baber): I'm sorry; one more time, Ms. Park.

Ms. Lindsey Park: I think you'll find we're willing to make an amendment on the point that the member opposite raised.

The Chair (Mr. Roman Baber): I don't see a motion before me on which to make a ruling.

I did inquire myself as to why the first portion of the first day of testimony has been structured to this effect, and I understood that the bill co-sponsors will make 15 minutes' worth of submissions at the commencement of the day, which will take us from 9 to 9:30. That would not leave sufficient time for a panel to be considered for an hour, as the committee is not permitted to sit past 10:15.

Further debate?

Interjection.

The Chair (Mr. Roman Baber): Oh, sorry; Ms. Triantafilopoulos has her hand up. Ms. Triantafilopoulos, can you hear me? MPP Triantafilopoulos?

Ms. Effie J. Triantafilopoulos: Thank you, Chair. I was able to unmute.

Given that we're on the discussion of this particular point, I'd like to defer my comments to later. Thank you.

The Chair (Mr. Roman Baber): Mr. Singh.

Mr. Gurratan Singh: I would make a motion, then, to say that this committee should institute four days as opposed to what looks to be one and a half days. I would put a motion forward that this committee provide four days in which witnesses can provide their testimony with respect to this bill.

The Chair (Mr. Roman Baber): I believe that you would have to propose an amendment. Do you have an amendment to propose?

Mr. Gurratan Singh: I do not.

The Chair (Mr. Roman Baber): I understand that the Clerk will be happy to assist you with drafting such an amendment.

We're going to recess for five minutes.

The committee recessed from 0932 to 0938.

The Chair (Mr. Roman Baber): The committee will proceed to recess until a quarter to 10.

The committee recessed from 0938 to 0948.

The Chair (Mr. Roman Baber): I call the committee back to order. We're resuming consideration of business on hearings on Bill 168. Mr. Singh has an amendment, I believe.

Mr. Gurratan Singh: I do. I have the amendment, which I believe will be provided to me shortly. Are they on the screen?

Interjections.

Mr. Gurratan Singh: I'll just read it off the screen, then, when it comes forward.

Procedurally, Chair, I am wording this as an amendment, correct?

The Chair (Mr. Roman Baber): Yes.

Mr. Gurratan Singh: Okay. I'm just waiting for the amendment to show up on the screen.

I move that the first paragraph be amended by adding the following days for public hearings:

—Thursday, October 29, 2020, from 9 a.m. to 10:15 a.m. and 1 p.m. until 6 p.m.;

—Monday, November 2, 2020, from 9 a.m. to 10:15 a.m. and 1 p.m. until 6 p.m.

The purpose of this is to allow for greater evidence and testimony from folks, because we know there's a lot of interest in this bill.

The Chair (Mr. Roman Baber): Mr. Bouma.

Mr. Will Bouma: I am very pleased to see so much interest in this piece of legislation. But rather than doing this—because, of course, we would need to add other lines to it regarding clause-by-clause consideration, which had been scheduled in the other motion for Monday, November 2—I would suggest that we defeat this motion, and then I would be happy, if necessary, to bring forward a motion to committee to add dates and times, if it turns out that we are oversubscribed. Because I would like everyone to have an opportunity to speak on this bill.

The Chair (Mr. Roman Baber): Mr. Singh.

Mr. Gurratan Singh: Procedurally, I'm a bit confused on how that would work. Is Mr. Bouma suggesting that we see the interest and then schedule? We do know there's going to be a lot of interest in this bill and a lot of folks want to have their input. They should have the ability to do so.

Quite frankly, I put this motion forward, but I am open to another suggestion of dates and times. I'm in no way committed to only this date and time. This is a suggestion. My main point that I'm trying to put forward is that we consider—my intention for bringing this motion forward is that we have further dates available for folks to provide their evidence.

If this motion is defeated, I would encourage the government to put forward a motion that allows for four days of testimony.

The Chair (Mr. Roman Baber): Mr. Bouma.

Mr. Will Bouma: Again, I would suggest that we wait and see before we add other dates and make all the changes to our schedules and see exactly if we are oversubscribed, and then I believe we could make that change to the schedule in committee, if necessary.

The Chair (Mr. Roman Baber): I wish to be clear that it is my desire to act in the spirit of neutrality, and that includes the appearance of neutrality. In that spirit, along with the Clerk, we would like to assist the members by making the process transparent and understandable with respect to what options they have.

What Mr. Bouma is proposing is indeed possible. The committee can proceed to vote on this motion and put the question to the committee. Subsequently, if the committee wishes to reconvene to add additional days by motion, should the committee be oversubscribed, that is a possibility. Somebody would ask the Chair to call a meeting, and the Chair would call a meeting if there was such a request.

A second possibility in this process is a meeting of the subcommittee which would add additional days of hearings. At that point, the subcommittee would produce a report, and such a report would either be adopted or voted down when the committee reconvenes.

There's yet a third option: for Mr. Singh to stand down his pending motion in an attempt to confer with the government.

All options are on the table, and I invite further debate. Mr. Singh.

Mr. Gurratan Singh: So I can ask for clarity from the Chair and Clerk: If we prepare for more days, if the

concern is how to fill those days—if there's less interest, then, naturally, those further days will be cancelled, as opposed to scheduling days right now that we know will be oversubscribed and then having to react accordingly and then push everything forward from there. I would just say from a purely organizational perspective, if we just choose the days now—I doubt it, but if there is a day that's less full, then we'll end committee earlier that day.

I would suggest that we know there's a lot of interest, a lot of folks want to have their opinions heard; we should facilitate that, and I encourage that. That's the main intention of me putting forth this motion and putting forth my testimony: to allow for greater input from the public on this bill, which is the very purpose of committee. Right now, just for the record, what's being proposed by the government is half an hour on Wednesday in the morning and an additional five hours in the afternoon, then from 9 a.m. until 12 p.m. and 1 p.m. to 4 p.m. on Friday. That's a very short period of time, in my opinion, and I'm very much open to other suggestions, but I would think what's appropriate is four days of hearings for this bill and, quite frankly, for any bill, because people should be able to have the ability to have a discussion openly. That's my only motivation for my testimony in putting this motion forward.

The Chair (Mr. Roman Baber): Thank you, Mr. Singh. I sought technical clarification and I understand as follows: If hearing of the evidence concludes prior to clause-by-clause being scheduled, and there is a day remaining before clause-by-clause being scheduled, then there are two options. One is to convene the committee and decide that—because clause-by-clause will be set today, or whenever the committee adopts the manner by which business will proceed. So if we want to move up that date of clause-by-clause, we could do that with a subsequent attendance at committee, or we could do that again by subcommittee meeting, which will then subsequently be adopted by the full committee, at which point the committee would immediately be able to move into clause-by-clause on the same day as it adopts the moving up of the clause-by-clause hearing, by virtue of adopting the subcommittee report.

Mr. Singh.

Mr. Gurratan Singh: Based on the testimony that I have heard today, when I made a suggestion to extend the hour—which is not something that I seek anymore, but when I made that suggestion, MPP Park was quick to say, “No problem.” When I made the suggestion for multiple days, MPP Bouma was quick to say, “That's fair, there's a lot of interest.”

If the committee agrees in further time, my suggestion would be, respectfully, to support this amendment or, in the alternative, today, let us schedule a period that allows for greater time for hearings so the public can have their input and interest groups can have their input, and whoever's interested in this matter can provide their testimony on this bill.

The Chair (Mr. Roman Baber): Further debate on Mr. Singh's amendment? Ms. Park.

Ms. Lindsey Park: I'm just trying to understand where MPP Singh is coming from on this. I think we're all trying to act in good faith and just schedule this in the way that makes the most sense.

Here is my concern: We don't know how many people are going to subscribe to this. We don't. You can think you know the answer to that right now, but you just don't. We've scheduled this same amount of time on government bills in the past, and then slots haven't been filled. We're not treating this any differently because it's a private member's bill versus a government bill.

There have been examples in the past. I believe it was on SCOFEA: One of the sectors was oversubscribed, so they added more days of committee hearings when that was known.

I don't really see the need to schedule all those unlimited days in right now when that would delay clause-by-clause and delay the bill. Why don't we schedule it as it is before us, and then we're committing—we're saying, "If it's oversubscribed, we'll add days as necessary." I think that's a very reasonable position. So I don't see the need to support this amendment.

The Chair (Mr. Roman Baber): Further debate? Mr. Singh.

Mr. Gurratan Singh: I don't disagree with the spirit of what is being said by the government members right now. What I disagree with is the process. I think it's always better to just deal with everything now, which will not force us to then have subsequent meetings scheduled, having to then push everything back and possibly create further delay. I'm a very firm believer in measure twice and cut once, and I believe we are not measuring twice right now.

1000

We know there will be interest from the public on this matter. Instead of having a reactive approach, I'm suggesting a proactive approach: Allow for folks who should have the ability to provide their testimony and have their opinions heard—allow a greater venue for that, so that this bill can be discussed in an appropriate manner. I think to act reactively, in general—not even with respect to this bill, but for any bill—is a recipe for disaster because it will then result in us having to scramble to schedule different dates; to schedule, first, a subcommittee meeting or another committee meeting and go forward.

We're all here together, and I think there is alignment on wanting to have more time for people to speak. If we all agree on that, let's just have that conversation and schedule whatever is appropriate. If people have an issue with the days I provided—like I said, this is one amendment that I have put forward. If the government doesn't like these particular days, I'm not necessarily married to these days. I am putting forth my intention to advocate for more days of hearings. That's my only motivation right now. I want more days of hearings so that folks can have their opinions heard. I believe the government is saying the same thing. But you're saying, "Let's do it reactively. Let's do it after we're oversubscribed." I would say, let's

do the alternative: Schedule the days now, and that way, we can ensure that everything goes smoothly.

The Chair (Mr. Roman Baber): Mr. Bouma?

Mr. Will Bouma: Mr. Chair, through you, when this committee sat over constituency week not long ago, we heard from the independent member and opposition members that they were dismayed that these dates were scheduled—and, as it turned out, for a different bill. We were undersubscribed, and so we cancelled a whole bunch of meetings during our constituency week, which turned out to be necessary. That's why I'm proposing, rather than making all those changes to our schedules, which are full right now, let's wait and see if we need to. If we cancel, we have to cancel—but I would rather wait until that's a necessity, rather than doing that at this point. The government is more than happy to schedule more days, if necessary.

With that said, I would ask that you call the vote, Mr. Chair.

The Chair (Mr. Roman Baber): Mr. Vanthof?

Mr. John Vanthof: Out of respect to the people who are going to want to make deputations on this very important issue, it would be much more respectful—I know we're all worried about our own schedules, but I'm very cognizant of the people who need to depute before this committee. It's much more respectful and it looks much better on the government if there's actually a clear set of adequate time—and if that time isn't filled, fine, we have to change our schedules. But if there are more people who are going—if it's oversubscribed, and then we have to come back to them and say, "How about you come next Tuesday?"—given the gravity of this issue, it's much more respectful and businesslike, quite frankly, if we hear the dates, we have what we all believe is, hopefully, sufficient time, that people have the time to subscribe, as opposed to, "Sorry, we don't have the time right now, but maybe we can slip you in next Wednesday"—because that's what it's going to look like to the people who find this issue and who, rightfully so, are very interested in making their views known on this issue or any other.

The Chair (Mr. Roman Baber): MPP Park?

Ms. Lindsey Park: I think I hear what Mr. Vanthof is trying to say, although in practice, that's not really operationally what will happen. Everyone is going to express interest to be a witness before we even have our first day of hearings. They're going to get the same notice, whether they're on day four or day one, because we'll know right at the start. And then if we know we need more time, at that point we can address it, whether it's on the first day of hearings, second day of hearings, whatever it is. So I don't think, in practice, that's a real thing.

I don't think it's fair to propose that the NDP know better than the government how many people are going to subscribe to this. The truth is no one knows until we put the notice out and people express interest. I think it's proper to wait for that. As MPP Bouma suggested, on the family law bill that just went through the same committee, we heard that, oh, my gosh, there weren't going to be enough days. We scheduled three days, and then there was less than one day's worth of witnesses. If we listen to the

NDP again—unfortunately your credibility is kind of shot, because last time you weren't right.

I'm not going to stand here and propose that I'm going to be right. The truth is we just don't know. We think we've set it up in a way that is adaptable but also moves the bill through in a reasonable way without delay.

The Chair (Mr. Roman Baber): Mr. Singh?

Mr. Gurratan Singh: Respectfully, Chair, the intention provided today from the opposition is very clear. This is not about anything other than ensuring the public is treated with respect, is treated in a manner that is dignified and treated in a manner that allows them to participate in a matter that we know there is substantial interest in from folks across the province.

I would say, respectfully, that with respect to your comments on credibility, the motivation of this is to allow for folks to contribute. If, as MPP Vanthof described, there is an issue of undersubscription, I would be very much happier having put ourselves at an inconvenience as opposed to putting the public at an inconvenience. I believe, as public servants, that is something which is far more attuned to our role and far more in line with how we should be acting in respect to this committee.

The Chair (Mr. Roman Baber): Mr. Bouma, I'm mindful of the fact that you asked for the question to be put. I did decide to entertain further debate since a number of speakers that had not spoken on the amendment wanted to be heard. I would also suggest that if there is going to be further debate on this, then I would have to, in good conscience and fairness, entertain a right to reply. So, I'll recognize Mr. Bouma.

Mr. Will Bouma: Yes, through you, Mr. Chair, if I could just add then, I am a bit confused, as MPP Park has stated, that the substance of the argument of the opposition today is in direct contradiction to the arguments made before this committee two weeks ago as to the timing of this. However, having said that, again, I would ask if you could put the question, please.

The Chair (Mr. Roman Baber): MPP Collard—after which I'll put the question to a vote.

M^{me} Lucille Collard: I'm noticing that in the same motions where we're limiting time for people to appear—and listening to the argument that if we need more time, we'll add days, that's actually in contradiction with the portion of the motion that says, "That, if the study is oversubscribed, each member of the subcommittee or their designate provide the Clerk of the Committee with a prioritized list of presenters to be scheduled, chosen from the list of all interested presenters...." So that would mean that there wouldn't be more time scheduled; we would actually make a selection of the presenters. I'm trying to understand what's the logic we're going with here.

The Chair (Mr. Roman Baber): Okay. I will now have the question put. The vote will have to be roll called, seeing that MPP Triantafilopoulos is on the phone and we cannot see her voting.

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Mr. Gurratan Singh: Is that akin to a recorded vote, Chair?

The Chair (Mr. Roman Baber): It's akin to a recorded vote, yes. Is that right? If the Clerk does a roll call, that is akin to a recorded vote, correct?

Interjection.

Mr. Gurratan Singh: Then I'll ask for a recorded vote.

The Chair (Mr. Roman Baber): For the record, the Clerk called it a "roll call." I think she meant to say a "recorded vote."

Interjection.

The Chair (Mr. Roman Baber): Okay, so it would be a call, but not recorded.

Mr. Gurratan Singh: I'll ask that the vote be recorded.

The Chair (Mr. Roman Baber): Thank you. We will now vote on Mr. Singh's proposed amendment. Are members ready to vote? All those in favour?

Interjection.

The Chair (Mr. Roman Baber): We'll go one by one, and please answer with a "yea" or a "nay."

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Bouma?

Mr. Will Bouma: Nay on the motion.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Collard?

M^{me} Lucille Collard: Yes, in favour of the motion.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Park?

Ms. Lindsey Park: Nay.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Singh?

Mr. Gurratan Singh: Yes.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Tangri?

Mrs. Nina Tangri: Nay.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Triantafilopoulos?

The Chair (Mr. Roman Baber): MPP Triantafilopoulos? Is she on the line?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): Okay. I'm going to move forward.

MPP Barrett?

Mr. Toby Barrett: I vote nay.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Vanthof?

Mr. John Vanthof: Yes.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Taylor?

Miss Monique Taylor: Yes.

The Clerk of the Committee (Ms. Thushitha Kobikrishna): And returning back to MPP Triantafilopoulos.

Interjection.

The Chair (Mr. Roman Baber): Ms. Park, we're just in the middle of a vote but I can assure you that I will make every possible effort to count Ms. Triantafilopoulos's vote, especially since she's on the line and we appear to have technical difficulties—or, she appears to have technical difficulties—and the matter has yet to be decided.

The Chair is going to exercise some unusual discretion right now. I understand that Ms. Triantafilopoulos is on

the line and we have a recorded vote and her vote should be counted. I will permit the Legislative Assembly to attempt to allow her to vote again. If not, I will telephone her, put her on speaker, and permit her to vote.

Interjection.

The Chair (Mr. Roman Baber): The Clerk was concerned that I was going to hear her answer and then convey it to you all.

Interjection.

The Chair (Mr. Roman Baber): We're in the middle of a vote, Mr. Singh.

Ms. Effie J. Triantafilopoulos: Hello. This is MPP Triantafilopoulos. Hello?

Interjection.

The Chair (Mr. Roman Baber): Ms. Triantafilopoulos, just one moment.

Mr. Singh, we're in the middle of a recorded vote. You're out of order.

Ms. Triantafilopoulos, I understand that you are on the call—

Ms. Effie J. Triantafilopoulos: That's correct.

The Chair (Mr. Roman Baber): —but you're unable to unmute yourself.

Ms. Effie J. Triantafilopoulos: I've tried several times and have not been able to unmute myself.

The Chair (Mr. Roman Baber): You are now on speaker on my cellphone, and I believe that the room can hear you.

Ms. Effie J. Triantafilopoulos: Thank you. My vote would be nay to the motion proposed by MPP Singh.

The Chair (Mr. Roman Baber): Thank you. I declare the motion lost.

Mr. Singh.

Mr. Gurratan Singh: What I would like to put on the record is that I understand the intention of putting a member on the phone, but I'm concerned about the precedent that it can set. I understand that these are very unusual times, but this is a very unconventional way of recording a vote. That's something that I think is something that is important to put on record from a procedural standpoint, that a vote being recorded from a cellphone in opposition to the vote being recorded in the traditional manner, or the manner that has been set up under this new online or telephone-in process—so I'm concerned about the precedent that we're setting, and that is something I'd like to put on the record.

The Chair (Mr. Roman Baber): Surely you don't wish to deny Ms. Triantafilopoulos a vote, seeing that she's present at the meeting. Am I correct, Mr. Singh?

Mr. Gurratan Singh: As per my comments, which I very clearly articulated, Chair, I have concerns about a manner in which a vote was recorded. That is the extent of my concern, and I believe that is an appropriate concern to have. We have a process in which legislative staff record votes. We have a vote being recorded in a way which is not as per that process. Anything which is outside of the process I have concerns with, and that is something I'd like to put on the record, because it is a manner which is—generally, you would hope or you would think that process should be followed.

The Chair (Mr. Roman Baber): Mr. Singh, I thank you for your comment.

Mr. Barrett, I'm prepared to let you speak even though the committee is out of time, but I understand that there are questions with respect to the process. As such, I'm inclined to exercise my discretion to let folks proceed. MPP Barrett.

Mr. Toby Barrett: Just by way of discussion, I'm on two Zoom meetings right now. I'm in the Cayuga courthouse with respect to the Caledonia Six Nations conflict. Justice Harper has allowed us to be part of the court proceedings by iPhone. I just want to throw that in. I'm not a judge; I'm not a lawyer, but the world has changed. It's very important for me to be on this committee, and it's very important to me to be in the Cayuga courthouse right now by iPhone.

The Chair (Mr. Roman Baber): I would suggest again to all parties that there's a process to challenge the call of the Chair. Such challenge would be made to the Speaker of the House. I would also suggest that there are standing orders that allow for the bringing of concern or are to be reviewed in connection with the conduct of business.

I was not inclined to let an MPP who was clearly present in the meeting not vote because she was unable to unmute herself. With that, I will recess the meeting until 1 o'clock this afternoon.

The committee recessed from 1020 to 1021.

The Chair (Mr. Roman Baber): Back on the record: Ms. Park?

Ms. Lindsey Park: Can you just clarify, just so it's on the record and the information is being shared, (1) how someone attending by phone can express interest in speaking, and (2) what they need to press on their phone to unmute so it's clear to us all? I don't see that in the notice that went out, the call-in details. I think, perhaps, in the future, that can be added for ease of conduct of the meeting.

The Chair (Mr. Roman Baber): It will be added, and I propose to address any of the remaining issues here at 1 p.m.

Ms. Lindsey Park: Thank you, Chair.

The Chair (Mr. Roman Baber): The committee stands in recess until 1 p.m.

The committee recessed from 1021 to 1301.

The Chair (Mr. Roman Baber): The Standing Committee on Justice Policy will come to order. We're here to resume deliberation on the organization of business in connection with Bill 168, Combating Antisemitism Act.

I understand that MPP Triantafilopoulos would like to make a few comments, which I will permit her in a minute.

If I may, just before that, I'd like to confirm that MPP Natalia Kusendova joined us. Welcome, MPP Kusendova. Would you kindly confirm where you are?

Ms. Natalia Kusendova: Good afternoon, Chair. I am calling in from Mississauga, Ontario.

The Chair (Mr. Roman Baber): I also see that MPP Parm Gill is joining us this afternoon. He will be joining as a member, but not a voting member. MPP Parm Gill, would you kindly confirm where you are?

Mr. Parm Gill: I'm here at Queen's Park, Chair.

The Chair (Mr. Roman Baber): Thank you.

As a point of clarification to a question posed by Ms. Park before we took the break, if a person is calling by audio only, they are to press *9 to indicate to the Clerk that they wish to speak. They then would press *6 in order to unmute themselves once invited to do so by the audio folks.

If we have to hold a vote during the meeting, it will be through a roll call process—sorry, I take that back. If we have folks that are on audio, then we conduct the vote through a roll call process, and the Clerk will reach out to each voting member individually and ask for an “aye” for a vote in favour or a “nay” for a vote against or “abstain” if they would like to abstain. We're asking that members actually say “abstain” so that we can know for sure that the reason they haven't answered is not because of technical difficulties. Unless someone specifically asks for a recorded vote after I've asked whether members are ready to vote, the breakdown of the vote will not show up in Hansard.

I hope that answers Ms. Park's inquiry. Is that acceptable, Ms. Park?

Ms. Lindsey Park: I think that's helpful for those who are on the committee call today.

My further request is that for any future notices for any committee of the Legislature that go out, that be included, because people don't necessarily know they're going to have to dial in when their Zoom is not working. So I think it's important for members of all parties to have that access.

If you don't mind, I notice there's an email for technical services included in the notice, but there's no direct phone number. If a direct phone number could be included in all future notices for technical services as well, that would be my request.

The Chair (Mr. Roman Baber): I'm not sure if your request pertains specifically to this committee or whether it might make sense to raise this issue as a whole. I think the Clerk has made a note of your comment. I see no reason not to accommodate your request. As for process in the House, I would suggest raising that through the House leader's office.

I recognize MPP Triantafilopoulos on, I guess, a point of personal privilege.

Ms. Effie J. Triantafilopoulos: Thank you, Chair, and thank you to the justice committee colleagues. I apologize for the disruption of this morning's committee meeting due to my technical difficulties. I'm happy to say that I changed technology and my location this afternoon and was able to join the meeting without a problem. I'd also like to thank the procedural services branch for your assistance.

Just on a point of clarification, this morning, Chair, I had tried to access the Zoom meeting since 8:50 a.m. and then made several attempts to call in and was eventually successful.

Respectfully, I have to take exception to MPP Singh's characterization of the reason for my not joining the meeting on time. Perhaps his comments were inadvertent

and made in the heat of the moment, but no member should make an assumption about another member's absence or lateness.

For the record, in the two-plus years that I've had the privilege to serve as MPP, I have never been late for any of the committees of which I am a member. Thank you very much for this opportunity to set the record straight.

The Chair (Mr. Roman Baber): Ms. Triantafilopoulos, I appreciate your submissions, and I also appreciate your characterization of the events. The rules speak to the fact that you are not allowed to call attention to another member's absence. I'm not sure whether the rules speak to a member being late. Nonetheless, I do believe that your comment may fall within the general suggestion of decorum—or at least your characterization thereof.

I don't believe that you're seeking a ruling. I also don't believe that MPP Singh has anything to say in response.

I also understand that you have now made a new evidentiary suggestion with respect to what transpired this morning. As such, I feel compelled briefly to outline the rationale behind this morning's ruling, and that is the earlier ruling.

I note that the Chair has inquired with procedural services and the Clerk, and we were told that there were no technical difficulties. The Chair was made to understand that there was no evidence of anyone waiting in the waiting room.

The objection by Ms. Park was made only subsequent to the conclusion of the vote, after the vote had been called. Voting took place, and the matter was decided by the committee.

Finally, we understood from yourself that you may have been lacking the ID and/or the password to join the meeting. However, the most recent set of evidence, which is your suggestion, with respect to passwords or ID, has been communicated to us subsequent to my ruling that I will not hold another revote.

I don't propose to relitigate the evidence, because I believe that, on the facts, the ruling was correct, nor is there a process for a Chair to review their own ruling. However, I appreciate that you feel as if you have not received fairness from the committee this morning. I genuinely believe that you may feel that, and I will not question my friends on the government side who may suggest that they feel that the process was less perfect, perhaps, than desired. If so, it is open to any member of the committee to appeal my ruling to the Speaker of the House, without prejudice by any of my comments or findings.

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MPP Park?

Ms. Lindsey Park: I think you'll find the members are all ready to move on to our further business and conclude the business of the meeting.

The Chair (Mr. Roman Baber): Is there a further motion pending?

I believe we're now back to Mr. Bouma's motion; the amendment to Mr. Bouma's motion has been defeated. Madame Collard?

M^{me} Lucille Collard: I do have a motion, to amend the motion that's before us, for consideration.

The Chair (Mr. Roman Baber): Would you like to read it into the record?

M^{me} Lucille Collard: Yes, of course, and you'll have it on screen as well.

I move that the deadline for filing amendments to the bill be moved to 5 p.m. on Wednesday, November 4, 2020;

That the committee meet for clause-by-clause consideration of Bill 168 on Monday, November 9, at 9 a.m. to 12 p.m. and at 1 p.m. to 6 p.m.; and

To strike the following paragraph from the initial motion:

"That, if the study is oversubscribed, each member of the subcommittee or their designate provide the Clerk of the Committee with a prioritized list of presenters to be scheduled, chosen from the list of all interested presenters, by 10 a.m. on Tuesday, October 27, 2020; and"

I can provide rationale for that.

The Chair (Mr. Roman Baber): Debate?

M^{me} Lucille Collard: The reason for moving these amendments to the motion is because I know that there's no time between the time limit for members to receive the submission and the time to file amendments. There's no time; it's the same date and time. I'm just wondering how we're supposed to provide amendments that consider all submissions in fairness and with respect for all those who request to be heard by this committee on this important issue. Some time is necessary for members to fully consider all submissions in order to propose thoughtful amendments.

In addition, legislative drafters are not available to assist on the weekend, yet, the deadline to file submissions is on Friday, with amendments due on Monday. With clause-by-clause taking place the day after the deadline for filing amendments, how is the public supposed to be confident that the committee will consider these amendments seriously without any time at all to read them?

The removal of the paragraph regarding the selection of presenters, I think, is inconsistent with the rationale for voting down the motion this morning for additional time for public hearings. As has been recorded, MPP Bouma repeated a number of times that we could add days for public hearings to meet the requests of a number of presenters, so that paragraph seems to contradict this clearly.

I'm submitting these changes, and I submit that they are necessary to ensure realistic timelines for a proper study of the bill.

The Chair (Mr. Roman Baber): Further debate on Madame Collard's motion? Mr. Singh.

Mr. Gurratan Singh: I do want to reaffirm one point, being that MPP Bouma very clearly stated this morning that he's open to that suggestion that if we were oversubscribed that he'd be open to scheduling more days. There is an inherent contradiction with what he said and this motion that he moved forward.

I believe that maybe he just—I won't speak to the intention, but I think it's a very easy correction, is all I'll say. Striking out that aspect of the motion would make

sense to make it consistent with his comments and make sure that as many people as possible can participate, and if we are oversubscribed we have the ability to add on days. As the motion is currently written, it does not allow for that ability.

The Chair (Mr. Roman Baber): Further debate? Mr. Bouma, are you trying to raise your hand? No? Okay.

Seeing no further debate, I will now put the question with respect to Madame Collard's proposed amendment. Are members ready to vote? It will be a show of hands because we do not have anyone on audio. All those in favour of Madame Collard's amendment? All those opposed? I declare the proposed amendment lost.

Mr. Gurratan Singh: I also have a further amendment for the committee's consideration.

The Chair (Mr. Roman Baber): There is a further amendment proposed by Mr. Singh. Would you like to read it into the record?

Mr. Gurratan Singh: I move that the motion be amended, as follows:

Delete all of paragraph 5; and

In the sixth paragraph delete everything after "oversubscribed" and insert the words "additional days will be added to accommodate all requests to appear received by the deadline, with all impacted deadlines adjusted in accordance with the number of days added for hearings; and"

The purpose of this amendment is as per MPP Bouma's comments this morning. He stated he would be open to rescheduling further days to ensure that everyone's input can be heard with respect to this bill that has a lot of interest. We've all received thousands of emails about this bill, and it's important that we prepare for a situation in which there's a lot of interest and people should have the time to be able to talk about this bill and give their input.

As per his comments, the current motion he has right now won't allow for that, because the current motion clearly states: "That, if the study is oversubscribed, each member of the subcommittee or their designate provide the Clerk of the Committee with a prioritized list of presenters..." That is inconsistent, so to make it consistent or to allow for further days, as per his testimony today, we do need to make an amendment to this motion otherwise this motion will be in contradiction with his comments earlier today. This will allow for that and allow us to schedule the additional days as per his recommendations.

The Chair (Mr. Roman Baber): Further debate on Mr. Singh's motion? MPP Taylor.

Miss Monique Taylor: Just further to this, this morning, part of the discussion was the fact that we had asked for extra days for the last bill that was here before this committee and did not have an oversubscription, but I would say pertaining to this bill, in particular, when this bill was before us during second reading, my office received over 3,000 emails on both sides of this bill. That is the reason why I think that this should definitely be opened further to the public. This does not provide as many days as the family law bill provided. It gave us many days of deputations, which yes, no, we didn't need, but it was still open to the public.

With this bill particularly, already, into my office, emails are starting to pour in with positions on how people want us to move forward with this. That's why I plead with the committee to allow public consultation and for people all across Ontario to have their ability to come before us and have their say. Over 3,000 emails under Bill 2 and already starting now as we're starting the committee process. That's why I ask the committee to consider supporting this amendment.

The Chair (Mr. Roman Baber): Further debate?

Mr. John Vanthof: I would just like to add that this morning in our discussion, when our first amendment was voted down, it was made very clear by members of the government, including Mr. Bouma, that we should consider further deputations after we had had the list, and the way the motion currently reads, that won't be possible.

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That's why we're putting forward this motion now: to make that possible, so if there are more people who want to be witnesses or want to make submissions to this bill, that it will indeed be possible to allow them the time to do so. In the spirit of this morning, the argument against the original motion of increasing the days was, we could always make that decision after. The way the motion now stands, that's not possible. This amendment would make that indeed possible, and that's why it is very important for the witnesses, too, that this motion be agreed upon.

The Chair (Mr. Roman Baber): Further debate?

M^{me} Lucille Collard: I just wanted to briefly speak in support of the comments of MPP Taylor, because I didn't realize the extent of the interest that might be brought on this bill, but I have to admit that my phone has been ringing off the hook since this morning, since, I guess, people have heard that the committee is reviewing this bill.

I'll admit that I don't have an in-depth knowledge of the issue, and I look forward to finding out, but there's definitely a big interest, so I think that the proposition to modify the motion as suggested is very reasonable in the circumstances.

The Chair (Mr. Roman Baber): Further debate?

Seeing none, I will now put the question.

Oh, Mr. Vanthof?

Mr. John Vanthof: Yes, could I ask for a recorded vote, please?

The Chair (Mr. Roman Baber): Yes.

Mr. John Vanthof: Thank you.

The Chair (Mr. Roman Baber): Are members ready to vote on MPP Singh's proposed amendment?

Ayes

Collard, Gurratan Singh, Taylor, Vanthof.

Nays

Barrett, Bouma, Kusendova, Park, Tangri, Triantafilopoulos.

The Chair (Mr. Roman Baber): I declare the motion lost.

Further amendments? Ms. Park.

Ms. Lindsey Park: I have a motion that should be able to be pulled up on the screen here. It was submitted earlier. Perhaps I'll wait for it to be pulled up on the screen for everyone to see.

The Chair (Mr. Roman Baber): Thank you, Ms. Park. We're just working on it.

The screen, Ms. Park.

Ms. Lindsey Park: I'll proceed with moving the motion. I move that the motion be amended by striking out "Wednesday, October 28, 2020, from 9 a.m. until 9:30 a.m.", and substituting "Wednesday, October 28, 2020, from 9 a.m. until 10 a.m." and by striking out the following:

"the sponsors shall have 15 minutes to make an opening statement, followed by 15 minutes for question and answer, divided into one round of five minutes for the government members, one round of five minutes for the official opposition members, and one round of five minutes for the independent member;"

And substituting the following:

"the sponsors shall have 15 minutes to make an opening statement, followed by 45 minutes for question and answer, divided into three rounds of six minutes for the government members, three rounds of six minutes for the official opposition members, and two rounds of 4.5 minutes for the independent member;"

And striking out "That legislative research provide the committee members with a summary of oral presentations and written submissions by 5 p.m. on Monday, November 2, 2020;"

And substituting the following:

"That legislative research provide the committee members with a summary of oral presentations and written submissions by 9 a.m. on Monday, November 2, 2020;"

The Chair (Mr. Roman Baber): Debate? Any debate on the government side? Ms. Park.

Ms. Lindsey Park: I think the first portion of this amendment, you'll see, we are having the sponsors appear for longer, which was one of the first comments raised by the official opposition this morning, asking for that. So we have taken that into consideration and included that in this proposed amendment.

We're also happy to give members more time with the summary of presentations, so you'll see we've moved that time. And, of course, as we've said before, we'll make any amendments necessary to ensure everyone who wants to be heard is heard on this bill.

The Chair (Mr. Roman Baber): MPP Singh?

Mr. Gurratan Singh: Just for clarity, reading this amendment, how does it allow for anyone who wants to present on the bill to have their opinion heard?

The Chair (Mr. Roman Baber): MPP Park?

Ms. Lindsey Park: As all the committee members will know, the very first vote of the day was to have this meeting today in open session. We've said, on the record, in open session, a number of times, that we will make such adjustments as necessary. If there is an oversubscription,

that's on the record. That's clear to all. It doesn't have to be in the body of the motion for that to take place.

The Chair (Mr. Roman Baber): MPP Singh?

Mr. Gurratan Singh: And how does the government reconcile that with the fact that the motion as it is currently still written does not allow for any leeway to provide further days? It does the opposite, actually. It restricts it and says that if there is an oversubscription, there will be a selection of presenters, a prioritized list of presenters, as opposed to more time.

The Chair (Mr. Roman Baber): MPP Park?

Ms. Lindsey Park: Chair, perhaps you want to reiterate the clarity you provided earlier today on the ability of the Chair to make adjustments?

The Chair (Mr. Roman Baber): I do not believe that that would be appropriate on my part. I'm not prepared to rule on a hypothetical of what I'm able to do or not able to do. I am, however—the committee will be guided by the process that it adopts, and so will be the Chair.

Further debate?

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Mr. Gurratan Singh: I'm just seeking further clarification on that point from the government. How does the government reconcile the comments that they made today on record saying that they'll allow for further individuals to participate in committee and provide time to do so—how does the government reconcile that with the fact that the motion, as written right now, contradicts that point and the motion, as written, clearly states that if we are oversubscribed, a prioritized list of presenters will be chosen, not further days or time provided for folks to give their input?

The Chair (Mr. Roman Baber): Ms. Park?

Ms. Lindsey Park: I'm happy to make final comments on this to help explain the motion to the opposition. To keep with the schedule and to provide guidance to the Chair on how to select who the witnesses will be for the first meeting, there is a clause in there to guide the Chair. That doesn't restrict anything. It just gives guidance to how the first meeting will be scheduled.

The Chair (Mr. Roman Baber): Further debate?

M^{me} Lucille Collard: Sorry, I'm doing math here, trying to figure out how we're fitting in more people with this proposal, because the way I see it, we now have a total of 12 hours for public hearings. But then we've increased the time of presentation, so that instead of 15 minutes, now it's 15 minutes and 45, so one hour for every sponsor. That means we could have like a total of 12 sponsors. Anyway, maybe my calculation is not exact, but it certainly feels like there's less time for less people to appear. If somebody would care to clarify this for me, how we're making more time for more people to appear.

The Chair (Mr. Roman Baber): Further debate?

Mr. John Vanthof: I would ask the government to clarify. From my committee experience, which is perhaps not extensive, this motion lays out the structure of the hearings, as written, sum total—not the first day of hearings. So the people who want to make depositions apply and then the rules of the motion, however it is finally approved, set out how it's going to be done. So if there's

an oversubscription, then it's not that another day is created. How do you reconcile that with saying that more days will be created when that is absolutely not what the motion says?

The Chair (Mr. Roman Baber): Further debate?

Ms. Lindsey Park: Chair, from my perspective, the motion is clear and our comments have been clear. I'm ready to vote.

The Chair (Mr. Roman Baber): Further debate?

Miss Monique Taylor: This amendment does not satisfy the words of MPP Bouma this morning, as well as the words from MPP Park that this was satisfying the need of further deputations to come before the committee. So we're all trying to piece this together with not a lot of clarity. But to us, it doesn't seem to make sense and to actually allow that.

So the process to bring our amendment forward again, because maybe the members that were thinking that this clarified the issue—is there a process where we could? Is it the unanimous consent process to allow our amendment to come back on the floor for a revote again? That way, it could clarify the issues for the government members that they thought were being clarified within the amendment that they have put forward.

The Chair (Mr. Roman Baber): MPP Taylor, if you sought to bring back your proposed amendment, then that would require unanimous consent.

Miss Monique Taylor: Correct, which would allow the government to actually move forward with the spirit that they had stated, which I believe—from the way that they brought even this amendment forward, they thought that this amendment was fulfilling the request of allowing more time. I'm not sure whether they weren't clear themselves of what this meant, and I say that respectfully, because I know there are a lot of numbers and times moving around here.

I'm just asking if that would be possible, for the unanimous consent. Then that would give them the option to actually move into the spirit of what they've been saying and allow our amendment to pass.

The Chair (Mr. Roman Baber): MPP Taylor is seeking—one minute.

Upon consultation with the Clerk and further reflection, there is an amendment currently on the floor by Ms. Park. Therefore, it is not open for MPP Taylor to seek unanimous consent to bring back the original amendment. However, I understand from the table that MPP Taylor can bring an amendment to the amendment currently on the floor.

Miss Monique Taylor: Okay, so I can bring an amendment to the amendment?

The Chair (Mr. Roman Baber): Yes, you may.

Miss Monique Taylor: I move that the amendment be amended as follows:

Delete all of paragraph 5; and

In the sixth paragraph, delete everything after “oversubscribed,” and insert the words “additional days will be added to accommodate all requests to appear

received by the deadline, with all impacted deadlines adjusted in accordance with the number of days added for hearings; and”.

Interjection.

Miss Monique Taylor: I now see I'm out of order, so I'll withdraw. Sorry about that.

Interjections.

The Chair (Mr. Roman Baber): Ms. Taylor is seeking clarification from the Clerk.

MPP Taylor has withdrawn her amendment to Ms. Park's amendment. We will therefore proceed to debate Ms. Park's amendment.

1340

Further debate on Ms. Park's amendment? Seeing none, we will now proceed to vote on Ms. Park's amendment. Are members ready to vote on Ms. Park's amendment? All those in favour? All those opposed? I declare the amendment carried.

Miss Taylor.

Miss Monique Taylor: I would like to ask for unanimous consent for the committee to reconsider the amendment that the NDP had put forward previously.

The Chair (Mr. Roman Baber): There were three NDP amendments today. Could you please read it into the record?

Miss Monique Taylor: Sure. Thank you.

I move that the motion be amended as follows:

Delete all of paragraph 5; and

In the sixth paragraph, delete everything after “oversubscribed,” and insert the words “additional days will be added to accommodate all requests to appear received by the deadline, with all impacted deadlines adjusted in accordance with the number of days added for hearings; and”.

The Chair (Mr. Roman Baber): MPP Taylor is seeking unanimous consent of the committee to reconsider an amendment moved earlier this afternoon starting with the words “delete all of paragraph 5” and ending with “and”. Agreed? I hear a no.

We will now proceed to debate MPP Bouma's motion, as amended by Ms. Park's motion. Further debate?

Mr. Gurratan Singh: Just to put on the record one last time, the main issue we find with this motion put forward by MPP Bouma: It contradicts his earlier points with respect for having more folks being able to add their opinion. It clearly articulates and states that if there's over-subscription, there will be a prioritized list provided, not more time for individuals to provide their testimony. Because of that, it goes against what was communicated this morning. We feel that more days for hearings allow for more individuals to give their input. It is something that a lot of people are interested in, and we should be able to do that. As a committee, we should be able to provide that kind of opportunity for folks to give their input.

The Chair (Mr. Roman Baber): Mr. Bouma.

Mr. Will Bouma: In actuality, what we heard this morning was that the committee can change at its first meeting next week what is actually going to proceed, so

we can add more days if necessary, if we are overprescribed. So there is no need to change anything in the motion as it stands right now. Thank you.

The Chair (Mr. Roman Baber): I'd like to speak to my response earlier to Ms. Park and her question as to what would be the process. Until there is a different reconsideration by the committee, the committee will be bound by the motion we will adopt today. However, should there be a desire on the part of the committee to change the order by which the committee is governed, then that could be made by motion to the committee at the opening of the committee or it could be made by sub-committee report, which would be adopted at the opening of any committee meeting.

Ms. Park, I hope that that satisfies your inquiry.

Ms. Lindsey Park: Thanks, Chair.

The Chair (Mr. Roman Baber): MPP Taylor.

Miss Monique Taylor: Once again, I just want it to be on the record how disappointing this is, that we were not able to have the government move on their very tight motion of how this committee will move forward, to the thousands of people who have contacted our offices regarding second reading of the bill and who are already starting to pour into our offices, wanting to come to committee to be able to present their position and how they feel about this bill. I just think it's disappointing that the government has strangled the committee process and has stopped the people of Ontario who had interest in this bill, because it is very heartfelt for many individuals in our province. I think it's unfortunate that the government doesn't see fit to allow anybody who wants to speak to this bill to come forward before us.

The Chair (Mr. Roman Baber): Mr. Singh.

Mr. Gurratan Singh: I'd like to add that we will be voting no to this motion precisely for the reason that it does not provide enough time for folks to contribute, to provide their testimony to this bill. We know that there's a lot of interest on this matter and we think that this committee should be providing more time, not less time for folks to give their input.

There are a lot of folks who want to share their thoughts on this bill. Because of that, we'll be voting no to this motion, explicitly because it does not provide enough time, and also because there is an internal contradiction here. We have testimony from the government, which is saying that they want to provide more time for folks, and then we have a motion right here which clearly states that if there's an over-subscription, they're going to have a prioritized list of presenters.

For those reasons, we'll be voting no to this motion. We think folks should have an abundance of time to discuss this matter that is clearly something that is of interest in this province, given the amount of emails everyone has received and the amount of time and energy people have put towards wanting to have their opinions shared. More voices are necessary, not less, and for that explicit reason, we will be voting no.

The Chair (Mr. Roman Baber): Further debate?
Seeing no further debate, I will now call for a vote—

Mr. Gurratan Singh: A recorded vote, please.

The Chair (Mr. Roman Baber): —with a recorded vote being sought, on Mr. Bouma’s motion, as amended by Ms. Park’s motion. Are members ready to vote?

Ayes

Barrett, Bouma, Kusendova, Park, Tangri,
Triantafilopoulos.

Nays

Collard, Gurratan Singh, Taylor, Vanthof.

The Chair (Mr. Roman Baber): I declare the motion carried.

Any further business? Seeing no further business, I thank the members for their participation. The committee will now adjourn until the hearing on Wednesday, October 28 at 9 a.m.

The committee adjourned at 1349.

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