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**Wednesday 10 December 2014**

**Journal  
des débats  
(Hansard)**

**Mercredi 10 décembre 2014**

**Standing Committee on  
the Legislative Assembly**

Subcommittee report

**Comité permanent de  
l'Assemblée législative**

Rapport du sous-comité

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Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
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Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE  
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 10 December 2014

Mercredi 10 décembre 2014

*The committee met at 1304 in committee room 1.*

**SUBCOMMITTEE REPORT**

**The Chair (Mr. Toby Barrett):** Welcome, everyone, to the regular meeting of the Standing Committee on the Legislative Assembly.

Our order of business: First, Bill 27, An Act to require a provincial framework and action plan concerning vector-borne and zoonotic diseases.

*Interjection.*

**The Chair (Mr. Toby Barrett):** Yes, this is my private member's bill. So, with the permission of the committee, I'd like to step down as Chair.

**Mr. Bas Balkissoon:** No problem. Agreed.

**The Chair (Mr. Toby Barrett):** I would like to ask Ms. Scott—hand the gavel over.

**The Acting Chair (Ms. Laurie Scott):** Okay, so everyone has a copy of the subcommittee report? We're continuing debate on the subcommittee report. I believe Toby—

**Mr. Toby Barrett:** I know we did stand down the presentations that the subcommittee had asked for today. I think my only suggestion, as we look at the subcommittee report—that has obviously changed the subcommittee report. That section would be deleted. I guess I would request that we have the experts come in in the new year. We do have one day of hearings scheduled.

**The Acting Chair (Ms. Laurie Scott):** Toby, you're asking for an amendment from the December 10 date that's in here to another day?

**Mr. Toby Barrett:** Yes, I would ask for a second day, not of hearings but for the previously agreed expert testimony.

**The Acting Chair (Ms. Laurie Scott):** Do you have a date in mind, Mr. Barrett?

**Mr. Toby Barrett:** Yes, we should have a date. I do know that the regularly scheduled hearings were Wednesday, February 18, 2015. That's the week before we return. Would it be most convenient to have them back to back, with some of us coming into the city?

**Mr. Chris Ballard:** If I might, Madam Chair—

**The Acting Chair (Ms. Laurie Scott):** Just a sec. We're getting dates first.

**The Clerk of the Committee (Mr. Trevor Day):** Mr. Barrett, right now what we're looking at is, the commit-

tee's next regularly scheduled meeting is Wednesday, February 18. Would you like them invited on that date or the week following? Under the subcommittee report, the Ministry of Health and Long-Term Care would be invited on that day.

**Mr. Toby Barrett:** Oh, I'm sorry; I misread. We talked about public hearings February 13. Is that correct?

**The Acting Chair (Ms. Laurie Scott):** No.

**The Clerk of the Committee (Mr. Trevor Day):** There was—

**Mr. Toby Barrett:** No, I'm sorry; I misread.

**The Clerk of the Committee (Mr. Trevor Day):** The request to the House leaders is one day, so that date is yet to be determined.

**Mr. Toby Barrett:** Oh, we didn't pick a date.

**The Clerk of the Committee (Mr. Trevor Day):** No.

**Mr. Toby Barrett:** Oh, so it's open. Further to that, we know the finance committee will be holding hearings.

**The Clerk of the Committee (Mr. Trevor Day):** That's correct. I guess my question—

**Mr. Toby Barrett:** I don't know about other hearings. I don't think we want to conflict with any other committee.

**The Clerk of the Committee (Mr. Trevor Day):** With number 1, did you want to change the date from Wednesday, December 10, which is today, to another date, a date to be determined? I'm just looking for guidance on your amendment.

**Mr. Toby Barrett:** Yes, I request that we move the expert testimony of Wednesday, December 10, to a day—

**The Clerk of the Committee (Mr. Trevor Day):** During the adjournment?

**Mr. Toby Barrett:** —in February.

**The Clerk of the Committee (Mr. Trevor Day):** Okay. So when the House returns, or before the House returns?

**Mr. Toby Barrett:** Before the House returns.

**The Clerk of the Committee (Mr. Trevor Day):** So that would be a date during the winter adjournment. Is that correct?

**Mr. Toby Barrett:** That's what I'm proposing, just simply because we were thinking of one day of public hearings before the House returned, as I recall.

**The Clerk of the Committee (Mr. Trevor Day):** That's correct. So would this be an additional day?

**Mr. Toby Barrett:** Yes.

**The Clerk of the Committee (Mr. Trevor Day):** Okay, so we'd need to change this in two spots. One would be instead of "at the committee's regular scheduled meeting on Wednesday, December 10"—that would be struck out and replaced with "at a date during the winter adjournment."

**Mr. Bas Balkissoon:** Do we need the House leaders' agreement to meet during the break?

**The Clerk of the Committee (Mr. Trevor Day):** Yes.

**The Acting Chair (Ms. Laurie Scott):** Yes.

**Mr. Bas Balkissoon:** We haven't got much time to do that.

**The Acting Chair (Ms. Laurie Scott):** Well, we've got a day and a half.

**The Clerk of the Committee (Mr. Trevor Day):** That would be the first part of the amendment, to strike out "at the committee's regular scheduled meeting on Wednesday, December 10, 2014" and replace it with "at a date during the winter adjournment."

The second part would be "the request to the House leaders" and this would be point 2. The "1" would be struck out and it would be replaced with the number 2. Does that capture your amendment?

**Mr. Toby Barrett:** I think so.

**Mr. Bas Balkissoon:** Chair, can I ask a question?

**The Acting Chair (Ms. Laurie Scott):** Okay, just a sec. Are we done with the amendment, before we can have discussion? Is that okay? Toby, are you good? Two days, as described by the Clerk?

**Mr. Toby Barrett:** Yes, that's what I wish to move, for discussion.

**The Acting Chair (Ms. Laurie Scott):** During the winter adjournment, dates to be determined: That's the amendment being put forward again.

**Mr. Bas Balkissoon:** I understand Mr. Barrett's request—

**The Acting Chair (Ms. Laurie Scott):** Mr. Balkissoon, yes.

**Mr. Bas Balkissoon:**—for the committee to deal with his private member's bill, but I'm just wondering how—it looks as though we're trying to get a rush schedule, and I really don't have a feel as to why and what is the big reasoning behind it.

The other thing is, I know there is other legislation referred to this committee. Rather than modify this subcommittee report, which to me is problematic because we're trying to fix dates for certain people to be here, and there are some other parts of this subcommittee report that bother me, I'm wondering if it's not more appropriate, since we have, I believe, three or four bills referred to this committee, that we refer this back to the subcommittee, consider all three bills, what is necessary for this committee to do its work, and come back with a comprehensive schedule to deal with all the legislation that's referred here, based on how they were referred, and being fair to all members who have had their bills referred here. Because I believe there are a lot more private members' bills referred here.

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I throw that out in the willingness to work with my colleagues on the other side, but also in being fair to all the other people.

**The Acting Chair (Ms. Laurie Scott):** There was a subcommittee. I'm in the chair now, but I was on that, and Ms. Wong, and that's where this came from.

**Mr. Bas Balkissoon:** Well, I wouldn't mind hearing from Mr. Barrett, because I think it's fair to all the bills that are here. If we have a comprehensive schedule of all the bills that are referred to us, we're not going to keep getting people bringing stuff and interrupting our schedule of getting business done. I want to see business done and done fairly based on how it was referred here. We have a full schedule, because we know we're coming back from February to June.

**Mr. Toby Barrett:** So you want to set a schedule for all three pieces of legislation.

**Mr. Bas Balkissoon:** Absolutely. I think that's the best thing to do, and let the Clerk work during the break to get all the logistics to help us out to get what we want. The first meeting we come back in February, the subcommittee meets and sets out a schedule, it comes to the committee, and we adopt it, because we all have a common understanding.

**Mr. Toby Barrett:** This would be a rolling schedule? I know we did set a schedule here, and then another piece of legislation was referred to this committee, so—

**Mr. Bas Balkissoon:** I think there's more than one.

**Mr. Toby Barrett:** Well, there was one referred to before—

**Mr. Bas Balkissoon:** Prior to.

**Mr. Toby Barrett:**—prior. But after we had this meeting, a piece of legislation was referred to this committee—

**Mr. Bas Balkissoon:** Let's deal with all of them.

*Interjections.*

**Mr. Toby Barrett:** No, I'm just saying, do we keep it open? I don't know when we have the subcommittee meeting, but, in the new year, if another piece of legislation gets added, we automatically add that in, too?

**Mr. Bas Balkissoon:** Yes, and what we do is, like I'm saying, set a complete schedule of the committee to deal with all three, so we know what our business is for the first couple of months of the new year.

**The Acting Chair (Ms. Laurie Scott):** Just for the committee's information, there is Bill 12, Protecting Employees' Tips Act, 2014; Bill 27, the Provincial Framework and Action Plan concerning Vector-Borne and Zoonotic Diseases Act, which we're discussing; and Bill 42, the Municipal Amendment Act (Election of Chair of York Region). Those are the three bills that are referred to this committee.

**Mr. Bas Balkissoon:** So rather than play with this by itself, let the subcommittee give us a comprehensive report back. That's my suggestion.

**Mr. Toby Barrett:** When would the next subcommittee meeting be?

**Mr. Bas Balkissoon:** It would be the call of the Chair or the first meeting we have in February.

**The Acting Chair (Ms. Laurie Scott):** I already tried once this week to have a subcommittee meeting.

**Mr. Toby Barrett:** So the tip-out bill—would that be clause-by-clause? We've already had hearings. Or do we have to have hearings?

**Mr. Bas Balkissoon:** Whatever is left to be done, schedule it.

**Mr. Toby Barrett:** I was just hoping we could work out some of it while we're meeting, rather than waiting until—

**Mr. Bas Balkissoon:** The tip-out bill, because we've heard it before, will go pretty quick.

**The Acting Chair (Ms. Laurie Scott):** We're dealing with Mr. Barrett's amendment. Is there any more discussion on the amendment? He has asked for two dates during the winter adjournment, to be determined.

Mr. Ballard.

**Mr. Chris Ballard:** I would just reiterate what Bas has said: that we have a rolling schedule—and I'm not sure how this has been done here before—where we get the three bills lined up, ready to go, and then as new bills come in, they can be added; they can be fourth, fifth, sixth. So we keep a rolling schedule of what's happening.

I said last week, and I'll say it again, that there was unanimous support when this came to the House. Personally, I don't have any problems with these three officials being called. I'd be interested in what they have to say, because I think—especially Lyme disease; this is a big concern to all of us. But I just want to make sure that we're treating all the private members' bills that come in in an equitable way and we've got a schedule so we know how we can roll these out.

**Mr. Bas Balkissoon:** Chair?

**The Acting Chair (Ms. Laurie Scott):** Mr. Balkissoon.

**Mr. Bas Balkissoon:** The other reason I would say it's important to me to refer this back to the subcommittee: Clause 3 in the subcommittee report—in all the years I've been here, I think it's a little bit awkward, because to call a minister before a committee, the minister who will be eventually dealing with the legislation or whatever the House decides at the very front end, and we have the opportunity to question him and put him in an awkward position—I've never seen that done before. I think if we have an issue on a topic, we listen to the public who has a concern about that topic; we listen to experts in the field—and I don't have a problem with the experts in the field—and stakeholders out there.

But I think the subcommittee might want to rethink the minister being here. The minister is the Minister of Health and Long-Term Care. He is not an expert. He's just there to do the ministry's duties for cabinet; whatever. I know ministers come before estimates; they come before public accounts. But I just don't see it as being right.

**The Acting Chair (Ms. Laurie Scott):** I'm just going by the Clerk that it has been done before, that the minister has been brought in before for technical briefing.

**Mr. Bas Balkissoon:** Yes, but it all depends on what the bill is. This is a private member's bill, and we're seeking public input to give a request of the government to do something. I think to bring the minister in at the front end—to me, it doesn't seem right.

**The Acting Chair (Ms. Laurie Scott):** Just a sec. Mr. Barrett would like to comment.

**Mr. Toby Barrett:** Certainly this was discussed in the subcommittee. It was not to bring him in at the front end. He was to come in on the third day—that would be Wednesday, February 18—and to be invited. But as we discussed, as I recall, as a courtesy at his discretion—in contrast, we are all very fortunate that we have Eric Hoskins as our Minister of Health. He's not only the Minister of Health. He's elected. He's a physician, as we know. He is also trained in public health and tropical diseases. He is eminently qualified.

**Mr. Bas Balkissoon:** I don't disagree with you, but I'd like to clarify why I feel that way.

**Mr. Toby Barrett:** Sure.

**Mr. Bas Balkissoon:** He has ministerial duties and he has his professional skills. I think if you try to bring that in and blend it at the front end of a bill, it puts everything in a bit of an awkward position, to my mind.

*Interjection.*

**The Acting Chair (Ms. Laurie Scott):** Just as the Clerk is training me here, you have to speak to the amendment, so I'd just ask that everybody speak to the amendment instead of getting too engaged in the full subcommittee report.

**Mr. Toby Barrett:** So we thought: It's his discretion as a courtesy. Many of us have talked to him about this. He has worked in the tropics and has a personal interest. But yes, he's an elected guy, just like us, as you're saying.

**Mr. Bas Balkissoon:** But the thing is, if you say it's a courtesy, when the bill gets advertised by the committee and the committee puts it out there that it's willing to listen to deputants, the minister always has that privilege.

**The Acting Chair (Ms. Laurie Scott):** Okay, guys. Can I use this? You have to speak to the amendment, which is the dates that have been brought forward by Mr. Barrett.

**Mr. Bas Balkissoon:** I thought I was trying to encourage you not to move the amendment.

**The Acting Chair (Ms. Laurie Scott):** I know. You were having a great discussion. I was letting it go there for a bit, but you really have to speak to just the amendment at this time.

**Mr. Bas Balkissoon:** Then I'll be voting against this amendment.

**The Acting Chair (Ms. Laurie Scott):** Further debate on the amendment? Mr. Barrett.

**Mr. Toby Barrett:** The only other reason the committee decided on having public hearings on Lyme and Ebola and these other diseases during the winter

adjournment—this committee is unique. It only sits from 1 till 2, and it was felt—

**The Acting Chair (Ms. Laurie Scott):** From 1 to 3.

**Mr. Toby Barrett:** Or 1 to 3.

**The Acting Chair (Ms. Laurie Scott):** Two hours.

**Mr. Toby Barrett:** Have we ever made it to 3?

**The Acting Chair (Ms. Laurie Scott):** Not this far.

**Mr. Toby Barrett:** It was felt that it wouldn't be enough time, again, in the interest of citizen participation, to advertise and to only allow two hours for hearings. That was the other reason that was in there.

**The Acting Chair (Ms. Laurie Scott):** Okay. Ms. Wong?

**Ms. Soo Wong:** Thank you, Madam Chair. I think I'm hearing lots of discussion about the subcommittee report before us. Given that there is still contention about the date, how many witnesses and how many days for hearings, maybe we need to go back and refer the entire item to the subcommittee and make them be responsible.

I know tomorrow is the last day. I'm going to leave it to the Clerk to give us some advisement here because I certainly will be busy with holiday stuff. In the history of the House, has the subcommittee met when the House is not sitting?

**The Clerk of the Committee (Mr. Trevor Day):** Yes.

**Ms. Soo Wong:** Okay. I don't know if anybody will move a motion that this whole item be referred to the subcommittee—additional stuff.

**The Acting Chair (Ms. Laurie Scott):** Do we have to deal with the amendment first?

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**The Clerk of the Committee (Mr. Trevor Day):** We've got two questions on the floor right now.

**The Acting Chair (Ms. Laurie Scott):** So that was an acceptable question? Okay. Amendments for Mr. Barrett and for—

**The Clerk of the Committee (Mr. Trevor Day):** No. The subcommittee report is the first question. The amendment is the second question. There's no more room for another question right now, so we have to deal with them in reverse order.

**Mr. Bas Balkissoon:** So we're voting on the amendment?

**The Clerk of the Committee (Mr. Trevor Day):** If the committee is ready.

**Mr. Bas Balkissoon:** Okay.

**Mr. Toby Barrett:** Could I ask the Clerk to read my amendment? I don't have any written down here.

**The Acting Chair (Ms. Laurie Scott):** We're ready to vote on the amendment that's going to be read by the Clerk here. Take it away, Mr. Clerk.

**The Clerk of the Committee (Mr. Trevor Day):** Okay. Mr. Barrett has moved that, on item 1, "at the committee's regular scheduled meeting on Wednesday, December 10, 2014" be struck out and replaced with "on a date during the winter adjournment"; and

On item 2, that the number "1" be struck out and replaced with the number "2."

**Mr. Toby Barrett:** I'm sorry; I've got to check numbers 1 and 2. It's basically saying the same thing, eh?

**The Acting Chair (Ms. Laurie Scott):** Right, so on number 1, it's taking out December 10, because it's gone—we don't have these people here—and putting "a date during the winter adjournment," so that's one day.

**The Clerk of the Committee (Mr. Trevor Day):** And with number 2, removing the one-day request and turning it into a two-day request.

**Mr. Toby Barrett:** Yes.

**The Acting Chair (Ms. Laurie Scott):** Okay. Shall the amendment made by Mr. Barrett carry? All those in favour?

Toby, are you going to vote in favour of your amendment?

**Mr. Toby Barrett:** Oh, yes. Sorry. I was looking over there.

**The Acting Chair (Ms. Laurie Scott):** All those opposed? The amendment fails.

Now, going back to the main subcommittee report, which you've already had a lot of discussion on—

**Mr. Bas Balkissoon:** Chair?

**The Acting Chair (Ms. Laurie Scott):** Yes, Mr. Balkissoon.

**Mr. Bas Balkissoon:** I would love to move a motion that this subcommittee report be referred back to the subcommittee, with clear instructions to look at all legislation that has been referred to this committee, and to come back with a plan of action and a comprehensive schedule to deal with all of the legislation, starting with the first day of committee meetings in February and onwards.

**The Acting Chair (Ms. Laurie Scott):** I think that there's just a technical—

**The Clerk of the Committee (Mr. Trevor Day):** I don't know if you can actually amend this to do that. I think what you need to do is—

**Mr. Bas Balkissoon:** Well, you're the Clerk. Help me out. That's what I want to move.

**The Clerk of the Committee (Mr. Trevor Day):** I don't know. The scope of the subcommittee report is currently dealing with one bill. I guess you could add to it or strike quite a bit of it out, but—

**Mr. Bas Balkissoon:** Okay, then I'll move to strike this out, and the second clause is that the subcommittee meet to discuss all legislation that has been referred to this committee and report back to committee with a comprehensive schedule to deal with all three pieces of legislation.

*Interjections.*

**The Acting Chair (Ms. Laurie Scott):** Mr. Balkissoon, you cannot make the changes that you have suggested to remove it totally. You can only ask for unanimous consent to withdraw the subcommittee's report.

**Mr. Bas Balkissoon:** Okay. But if I do that could I then move—

*Interjections.*

**Mr. Bas Balkissoon:** Okay. Madam Chair—

**The Acting Chair (Ms. Laurie Scott):** Wait. Wait. Just one second.

**Mr. Bas Balkissoon:** Can I explain something to the Chair and the Clerk?

**The Acting Chair (Ms. Laurie Scott):** Okay.

**Mr. Bas Balkissoon:** We're here to do business. I know we might have a standing order on how to follow policy, but if I ask for unanimous consent, it will fail, so then we'll have to vote against this. I mean, it's semantics here that we're going through, but if that's what you want, then I'll vote against the subcommittee report.

*Interjections.*

**The Acting Chair (Ms. Laurie Scott):** We have to have unanimous consent in order to remove—

**The Clerk of the Committee (Mr. Trevor Day):** Withdraw.

**The Acting Chair (Ms. Laurie Scott):** —withdraw the subcommittee's—

**Mr. Bas Balkissoon:** Okay. I'll make a request.

**The Acting Chair (Ms. Laurie Scott):** For unanimous consent?

**Mr. Bas Balkissoon:** Unanimous consent to remove the subcommittee report that's in front of us—

**The Acting Chair (Ms. Laurie Scott):** To withdraw.

**Mr. Bas Balkissoon:** —with the intention to move my other motion, and I hope I get it.

**The Acting Chair (Ms. Laurie Scott):** Withdraw. Okay. Is there unanimous consent in the room? You're going to withdraw the subcommittee?

**The Clerk of the Committee (Mr. Trevor Day):** It's agreed. This is now off the table.

**Mr. Bas Balkissoon:** Okay. Thank you, Madam Chair. I didn't want to do that because some of them were not co-operating. I'll move my other motion.

**The Acting Chair (Ms. Laurie Scott):** Just hold on. We'll get caught up here.

**The Clerk of the Committee (Mr. Trevor Day):** What do you want your motion to say?

**The Acting Chair (Ms. Laurie Scott):** So now it's totally gone—

**Mr. Bas Balkissoon:** That the subcommittee call a meeting.

**The Clerk of the Committee (Mr. Trevor Day):** That the subcommittee meet to consider the committee's business?

**Mr. Bas Balkissoon:** To consider the three bills that have been referred to the committee and report back to the committee with a comprehensive schedule for all three pieces of legislation.

**The Clerk of the Committee (Mr. Trevor Day):** We don't actually need a motion for that; we can just call the meeting. But that's fine.

**The Acting Chair (Ms. Laurie Scott):** We don't need a motion?

**Mr. Bas Balkissoon:** If you want to add to it that the subcommittee meet at the call of the Chair.

**The Acting Chair (Ms. Laurie Scott):** That's fine. Agreed by everyone that the subcommittee meet at the call of the Chair? That is not me, it's him. Does everybody agree? Agreed.

This committee is adjourned. Thank you.

*The committee adjourned at 1327.*

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