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Monday 11 August 2008

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(Hansard)**

Lundi 11 août 2008

**Standing Committee on
the Legislative Assembly**

Review of provisional
standing orders

**Comité permanent de
l'Assemblée législative**

Révision du
Règlement provisoire

Chair: Bas Balkissoon
Clerk: Tonia Grannum

Président : Bas Balkissoon
Greffière : Tonia Grannum

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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**

Monday 11 August 2008

Lundi 11 août 2008

The committee met at 0902 in committee room 1.

**REVIEW OF PROVISIONAL
STANDING ORDERS**

The Chair (Mr. Bas Balkissoon): Can I ask everybody to take their seats? Good morning. We'll call to order the meeting of the Standing Committee on the Legislative Assembly on Monday, August 11 on the review of the provisional standing orders. We have a recommended agenda which is pretty simple, and I'm hoping that somebody will suggest how we can proceed on this whole report-writing process.

Does anybody have a recommendation on where you want to start?

Mrs. Carol Mitchell: Sure. I wondered if we could begin with the discussion about the standing orders, the review process and what it encompasses, so we would get that off the table. I just put that out for discussion. There were some questions that were raised at the end of the last meeting, so I bring that forward, just so that that takes it off the table.

Mr. Peter Kormos: I appreciate that comment from Mrs. Mitchell, but let's cut to the chase; let's understand why we're here. This isn't like the 2002 Legislative Assembly committee, the report of which has been provided to us, where there was an open-ended discussion of a number of issues, in particular the committee and private members' roles. The government introduced amendments to the standing orders that were referred to as "provisional." This was spin; this was designed to more than merely imply but to state outright that these were merely being tested—that this was a test. These amendments to the standing orders were developed with no consultation with the opposition. The so-called period of discussion between House leaders was less than feckless, and the government was hell-bent on doing what it wanted to do. Again, it's trite to observe that governments don't change standing orders unless it benefits the government.

Mr. Rae, now Liberal federal member of Parliament, did that back in the early 1990s. There was no doubt in my mind when he was doing that that that's what his purpose was, which is why I spoke against him and opposed those standing order changes. When the Conservatives were in power, the so-called Baird amendments similarly were designed to that effect, and these are too. I understand that; I'm not crying foul in terms of it not

being within the power of the government. But I'm suggesting that a government or politicians who purport or declare to want to make the process a more civil one or who want to generate a higher level of collegiality—people who are really interested in that would see this effort for what it actually is.

We also know that the so-called review was a little sweetener. It's not an unusual sweetener. As a matter of fact, I'm sure there was, here at the Legislature, a committee that's been sitting lately to review the Premier's health tax, his health premium tax. Remember that, Chair? That was a sweetener in that tax increase: that it would be reviewed as part of the legislation, necessarily by a standing committee. Except that the Premier indicated that it'd be a cold day in hell—those are my words, not his—before he'd ever revoke the health tax or amend it. So the initial observation by both Conservative and NDP members of that committee were that, "This is nonsense; this is silly."

I think we've reached the same stage of nonsense and silliness here. Ms. Witmer is House leader for the Conservatives, and she worked very hard, in her efforts with the government House leader and with me as the NDP House leader to attempt to develop some kind of consensus around the standing order changes. We understood the government's wish list. It wanted to accelerate the passage of legislation and it wanted to eliminate evening sittings. That's a natural, instinctive desire of any government.

The New Democrats have been very clear that, understanding that, our biggest concern about the standing order changes was the placement of question period in the morning, and, as we discovered, those big holes on Tuesdays and Wednesdays in the middle of the day.

The government has presented its recommendations for changes. Am I overly concerned about bell ringing to announce the beginning of question period whenever it starts? Of course not. It's no big deal, and I think it's something that all of us have observed. People who aren't in the chamber—because there are very few people in the chamber at 9 in the morning, through to 10:45 or so when question period starts—do they deserve to be alerted as to the beginning of question period?

What that does, I suppose, is: It highlights the significance of question period. The opposition has been arguing that question period is probably the single most important part of the day, at least as far as opposition members are concerned, because it means the opposition

has the opportunity to fulfill its responsibility to hold the government to account.

So there. Bell ringing before question period: no big trouble about that. It was something that could've been discussed in the hallway. Indeed, opposition House leaders sought from the government some sense of where they were going to. Let's clear this up: I recall, very clearly, at House leaders' meetings, Ms. Witmer and I saying to Mr. Bryant, "Let's cut to the chase. What's going on here? Is there going to be any discussion, movement or consideration of the timing of question period? Say so. If not, well then, for Pete's sake, Mr. Bryant, spend another week at the cottage." Not that he's doing the heavy lifting. Then again, he did send his B team.

0910

So here we are. Was the ringing of bells something that couldn't have been dealt with at House leaders' meetings? Of course not. That was something that Mr. Bryant and Ms. Witmer and I could have resolved in 30 seconds. I think I'm safe in suggesting that.

Introduction of guests: Look, it's six of one, half a dozen of the other. I've watched this go on for years. I've watched the so-called points of order. I was not displeased with giving the Speaker the responsibility to introduce guests, but then I observed members violating that protocol as well because they didn't have a chance to get a name in to the Speaker before that time slot. At the end of the day, I suppose perhaps there should be some consideration of eliminating introduction of guests but for guests who are in the Speaker's gallery. In other words, those would be dignitaries, people who are here sitting in the Speaker's gallery, people from outside the jurisdiction who are elected or in leadership. Again, at the end of the day, two Speaker's announcements of guests—please; a 30-second discussion at a House leaders' meeting—Ms. Witmer, am I wrong? If I'm wrong, say so. Jump up and down and point at me and interject, saying, "Kormos, you're wrong." Say that, Ms. Witmer, please—30 seconds at a House leaders' meeting.

I should make it clear that I have no quarrel with the discussion of co-sponsorship of bills, but I do have some concerns about this committee making a recommendation about permitting co-sponsorship of bills as compared to making a recommendation about a more focused study on co-sponsorship. That's, I suppose, modesty. Am I opposed to that? Of course not, but I think once again we've got to be very careful what we wish for.

Co-sponsorship of bills: What does it achieve? There are other ways of achieving the acknowledgement of joint support. One of them is by permitting but not demanding seconders to bills. In other words, a seconder is allowed but not required. That wouldn't interfere with the individual member's right to introduce a bill where maybe he or she didn't have the support of any other member of the assembly—because it would also create a record. You see, if a bill is co-sponsored, the minute that bill receives second reading, the co-sponsorship is irrelevant; it doesn't appear anywhere. There's no record of the face of the bill in Hansard or in any historical

record. There's a record of the speech making. Again, people stand up now and say, "I agree wholeheartedly with the proposition made by my Conservative colleague" or "by my Liberal colleague," and put themselves on record.

As I say, I'm not opposed to discussing or having some more focused interest in co-sponsorship. To what end? There's an element of fluffiness here: "Oh, let's all be friends. We can co-sponsor bills." If you support somebody else's legislation, say so. Stand up in front of the media, get yourself on the public record, if that's before it gets to be called—and again, we've all seen that done. We've seen opposition members endorse propositions by government members; we've seen government members endorse propositions by opposition members. Or do it during the time called for debate.

I'm not sure that co-sponsorship achieves the goal that its proponents really want it to achieve. As I say, it may, but there are options. One of the options is permitting a seconder or even two seconders to a motion for second reading; that way, there's a Hansard record of more than one person sponsoring the bill. What I'm trying to do is perhaps save us some time. If there's some agreement about that, about there being a call or a request for more thorough consideration of co-sponsorship or some process that permits more than one person to be identified as the driving force or as the host or patron, if you will, of a bill, let's do it.

When it comes to e-petitions, I gotta tell you, sir, there's where I have—and I want people to hear me out—a little bit more concern. I have no quarrel, once again, with this committee recommending a more focused study of e-petitions. There are a number of British parliamentary jurisdictions that use them, but the significant feature of them is that the control over the petition is relinquished by the sponsor of the petition to the respective assembly. There are any number of websites now that permit people who are familiar with webs to create e-petitions, and we've all had them e-mailed to us, saying, "Please put your name on this petition." Most of the jurisdictions, the vast majority, using the British parliamentary system, do not permit those types of petitions simply to be collected, printed off and then tabled in the House. But the legislation in those jurisdictions requires the respective assembly to host the petition for a fixed period of time.

Then you've got the prospect of silly petitions—really absurd, nonsense petitions or nuisance petitions—because if you create a law, you can't start vetting them. The vetting now is by the person who's called upon to present them because, as you know, you don't have to stand up in petitions to present a petition. I suggest to you, sir, that if you had a petition calling for Daffy Duck to become the official logo of the province of Ontario—think about it—you would be disinclined to stand up and read that petition into the record. You'd be more inclined to use the standing order provisions that allow you to simply table it, right? So your constituent has said, "I've got this petition that urges the government to adopt Daffy

Duck as the official symbol of Ontario.” You could say, “Yes, I fulfilled my duty as your MPP.” But you, Chair, would not stand up in the Legislature and read it, I can bet you dollars to doughnuts, because you’re far smarter than that. You’ve been around a long time and you’ve served in elected office for a long time.

I think the sense, by some people, is that e-petitions are going to mean those petitions that now circulate through the Internet world, where people just add their names. I have no quarrel with those; I’ve affixed my so-called signature to any number of them, and they’re of some value because it permits somebody to stand up in the House and say, “The e-petition campaign around issue A, B or C has attracted 10,000 or 20,000 signatures.”

One of the problems—the right to petition goes back to Magna Carta. It was the hard-earned right to petition the king, and it was an historical struggle. So that petition, the right to petition the king, is a Magna Carta-based right. I think, when we look at the standing orders now, they require it to be in its original form, not photocopied, with name, address and signature. I suspect that, historically, that was so that indeed if one wanted to, one could verify who those people are, so you couldn’t stack a petition with a bunch of phony names or deceased people or people who long ago left the province.

That’s why I say we’ve got to be very careful what we’re talking about. I, perhaps having somewhat conservative tendencies when it comes to the parliamentary traditions, understanding how important those roots are, have a preference for real, physically signed petitions. Amongst other things, it also means that people have to go out and work to do it, right? You’ve got to physically sign it. The Internet and the computer have made it all too easy to attach our names to any number of things, and then of course cookies mean that we receive some of the most peculiar e-mails. All of you have gotten them—haven’t they, Mr. Ramal? You’d swear your doctor was giving personal information about you out to the Internet world. You know the ones I’m talking about, don’t you?

Interjection.

Mr. Peter Kormos: Right.

Thankfully, the Legislative Information Services have been able to screen out most of those, but from time to time one sneaks through and I go, “This is amazing. How did they know?”

In any event, I have no quarrel with the proposition of saying, “Let’s take a closer look at electronic petitions.” There’s material out there, there are papers that have been written on the issue. There are other jurisdictions that are experimenting with it, so I think we should recommend studying it. Again, this could have been dealt with in a House leaders’ meeting in 30 seconds.

0920

Calendar: Again, this was raised in House leaders’ meetings by Ms. Witmer, as the Conservative House leader. She, as a matter of fact, initiated, as I recall, the discussion. I joined her in wanting to consider it to discuss it, and I have no qualms about suggesting that there

be discussion or consideration of the type of pattern of four on/one off, three on/one off, but again, to simply recommend four on/one off as concrete, I think is somewhat negligent because we’ve got a rough idea, and there’s some rough support for it, but it’s very general. So I have no qualms about joining with the other members of the committee in a proposition and its report, saying that there should be some speedy consideration of a House schedule. Then we’d also have to know what the year’s schedule would look like because then, of course, it’s going to mean sitting in February, which we usually don’t do—and that’s neither here nor there. I’m close enough to Toronto that getting to Queen’s Park in February or January or March in the winter storm months is irrelevant. I can get here one way or another. But we have to consider what the impact is on the overall calendar.

One of the things, when you talk about the calendar—a corollary of this is: How about proposing that we adhere to the standing order calendar? What a remarkable proposition. What a family-friendly proposition. People could actually plan their vacations, right? Again, I don’t have family, I don’t have friends, so it means nothing to me.

Mr. Lou Rinaldi: You have no real friends.

Mr. Peter Kormos: I have no real hobbies, so it’s irrelevant to me. You want to be here Christmas Day—I would, but as I say, the corollary of a four on/one off, three on/one off is to create a House calendar that identifies when the House sits and when it doesn’t sit, and it should either sit or not sit. That’s how you create some consistency. There you go.

The timing of private members’ business, in the total scheme of things—I think there are shortcomings about the Thursday afternoon, but in the total scheme of things, it’s not something that we’re prepared to knock heads over.

That was the good news. The proposal around deferred votes: I understand why the government wanted to attempt to address that. I’m not sure that the media were being as precise as they could have been when they expressed some concern about that because, in fact, what I suspect—because they were not as clear, be they excellent communicators when it comes to broadcasting or publishing—I’m not at all sure that they were concerned so much about the timing of deferred votes as they were about notice about deferred votes. For instance, their noses were out of joint when it came to the vote on the issue of the Lord’s Prayer. Again, it was nobody’s real fault because they only found out about it literally within moments before it was called for a vote. I’m not blaming anybody for that; that’s just the way it happened. I think that there was some suspicion on their part that the government was trying to sneak it through. I’m not sure that the government was trying to sneak it through. Every caucus knew about it. We were ready to go with it. We had agreed to a truncated debate—comment—on it, but the fact is, the press wasn’t notified, and that’s regrettable.

Let me talk about the deferred vote timing. We know that the most—for the opposition—critical part of the day is question period, and it's after question period that the media have access to ministers and/or critics and/or other members of the Legislature. The government is proposing, as I read it—and if I'm wrong, jump up and down and scream out, "Kormos is wrong." I can't hear any of you doing that yet. But to move deferred votes to immediately after question period would have bells ringing when the electronic media is trying to interview cabinet ministers and, I suppose, the occasional critic from the occasional opposition party, not that we're eager to participate in those things, but sometimes we get cornered by the media and we have the occasional comment forced out of us. But you're going to have (1) bells ringing and (2) people leaving the scrum area—that's the area right outside the chamber—running back into the chamber to vote, coming back out. And that's when you've already got your herd of presses trying to meet some sort of noon deadline if they possibly can, because you've got media members who do noon live commentaries. So I'm afraid, on your proposition about moving deferred votes there, I simply don't agree with you, because it interferes with that very important brief period of time when the issues of question period are expanded upon outside in the scrum area. There are other ways of dealing with that.

Quite frankly, and here we get to the timing of question period, if question period were later in the day than the morning hour that it is, you could join question period more properly with other governmental and parliamentary functions like ministers' statements.

Look, you've heard what we're prepared to join you on, by way of a recommendation. If you want to develop some sort of collegiality here, you might consider that. I've tried to be very fair—well, I have—in terms of acknowledging areas where there can be some common ground. But we asked the government House leader from the get-go whether the issue of timing of question period was going to be an issue discussed here and developed here: "Oh, it's an open-ended discussion." I understand, of course. "Poor, independent-minded members of the Legislature, none of whom have ambition, all of whom are prepared to tell the Premier's office to go pound salt because their careers are so well rooted in their constituencies that they have no need for the Premier's office," Kormos says sarcastically. The print version may well not contain the sarcastic tone.

I'm very disappointed that the government is being so rigid in terms of question period. All that confirms for me is that the government has an agenda in terms of its timing of question period.

As you know, Chair, the opposition can't submit a minority report—it cannot; the rules prohibit it. However, the opposition can submit a dissenting comment.

I would very much like to hear whether we can narrow some of these issues down, whether we can find some common ground, whether we can soften some of the recommendations to the extent that I've proposed so that we can clear those aside and perhaps have some com-

monality, and then either agree or disagree on the other issues, in which case we can dissent. But we're not going to have a broad-based discussion here. I know that that's not going to happen. There's not going to be that kind of exchange because the structure of this whole little process wasn't designed for that.

Mr. Khalil Ramal: Why not? That's democracy.

Mr. Peter Kormos: Mr. Ramal cites democracy—please. Don't trivialize this. That's the sort of silliness that offends people who have a strong belief in democracy.

There you go, Chair. As I say, let's get down to brass tacks here, because we know that this is a bit of a ruse, some pseudo-intellectual onanism for government backbenchers, if you will.

The Chair (Mr. Bas Balkissoon): Mrs. Witmer.

Mrs. Elizabeth Witmer: Thank you very much. Certainly, I would agree with many of the points that have been made by Mr. Kormos.

The entire process has certainly been a disappointment to me and to my leader, John Tory, and the members of the Progressive Conservative caucus. We started talking about standing order changes originally, and I think that we thought we would have some input into the changes. We asked questions about what the changes might be and at the end of the day, unfortunately, we were presented with fait accompli standing order changes. In fact, the government regrettably didn't even have the decency to share the first original draft with Mr. Kormos and myself. The press, actually, had access to it before we did, so we were left to react. To talk about this being a democratic process would be a little ridiculous and obviously not accurate or truthful.

0930

I think we came into this summer committee schedule of meetings believing the House leader, who said that we would have an opportunity to really take a look at the standing orders, that we could review the provisional standing orders, which to us more or less meant the standing orders under which we were operating in the spring—the revised ones, the provisional ones. The key issue of concern has always been the timing of question period. Most of the other issues can be addressed. When we had people come in and speak and make presentations—and there were very few people who did come in—I think even those who did come in, whether it was the media, the Clerk, AMAPCEO or what have you, also expressed some concerns about the timing of the day, as it currently occurs, and some of the problems that that presents.

It was our belief that there might have been a change to the timing of question period. We were certainly led to believe that that was going to be the case—that we could debate, we could discuss, we could hear from presenters. The reality is that the current time of question period, which is 10:45, is not friendly for MPPs, particularly those in opposition. It's very cabinet-friendly. So imagine our shock when we found in the recommendations coming from the government that not only had they not

moved question period to the afternoon at 1 o'clock, as we had suggested, and brought all of the routine proceedings together, which had been suggested by ourselves and others—because right now, it's a very chaotic day. Nobody quite knows what's going on, and there is little attention paid currently by MPPs, the media or anybody else to other parts of the day outside of question period. It was quite disappointing to see that the government is going to actually make it more difficult for us to do our research and prepare for question period and for the staff who have to do the work, whether it's in our offices or obviously the people who support us. That's very disappointing.

I know I've called the health tax hearings a sham. I will tell you, I was so disappointed to get the recommendations from Mrs. Mitchell, which obviously reflect the Premier's office, and not see that they were prepared to even consider moving question period to 1 o'clock in the afternoon, as had been suggested by people who made representation plus ourselves, nor were we going to be reuniting routine proceedings. In fact, in some respects, this is worse than what we had before. Certainly, we would have difficulty supporting these recommendations, because we end up now with the government trying to divert the attention of the media, or whoever in the public might be interested or ourselves, to issues that really aren't part of what we consider to be a review of the provisional standing orders.

They're now suggesting that we change the calendar to four weeks on and one week off. Originally, we said that we were prepared to discuss that type of a change, but there was nobody in here who sat at that table who said, "That's what should happen." Here, we have the government saying, "We support the suggestion of changing the calendar to four weeks on, one week off." I'm not sure who suggested that other than the government, as I say, trying to divert attention away from the key issue of concern, which is the timing of question period today, which is going to be moved, according to the government, from 10:45 to 10:30.

Obviously, this is an issue that we can't decide in here today. My colleagues have not had an opportunity to even consider it. If you take a look at the year ahead, people have made plans, so when you do make this change you need to make sure that people have an opportunity to prepare. Maybe we don't want four weeks on and one week off; maybe we want three weeks and one week. We just don't know, and our colleagues haven't been provided with the opportunity to even take a look at it. There's an issue that we're certainly willing to consider, but we believe that this is an issue that should be further addressed by the House leaders and a decision arrived at.

As far as deferred votes, which would now be proposed to come after question period, I think Mr. Kormos has made some good points regarding that. However, it's still kind of a chaotic day, because petitions would now move to the afternoon, and nobody is here in the afternoon. Sometimes it seems like no MPPs really care, and

cabinet ministers sure aren't here, so MPPs and the issues they bring forward will be getting less attention than ever before. Plus, it will mean that if we have deferred votes, the bells are ringing when people are being interviewed. Who knows what time the House might be adjourned? So it's a suggestion that I think you have to think about.

Again, the House leaders need to take a look at the impact of having that right after question period and the impact of further minimizing the role of the MPP by having petitions apart and away from question period into the afternoon when it appears that the level of interest amongst members is at its lowest. I thought that what we were trying to do is to somehow stimulate some interest as to what's going on here. So it would perhaps see a further erosion of the role of the MPP.

E-petitions: I think Peter has spoken well to that. We're certainly prepared to discuss that further, but not in here. I think there are too many questions that still need to be answered. We need to take a look at the pros and the cons. Again, we've had no opportunity to discuss that with our colleagues.

Private members' business: We still believe that if the role of an MPP is significant and if we want to make sure that MPPs have a significant role in this Legislature, the morning is the most appropriate time for private members' business. It's now relegated to the end of the day on Thursdays. I can tell you: Many people are gone, and certainly cabinet ministers are nowhere to be found. We've suggested moving it to either Wednesday morning or to Thursday morning. I think the schedule that we've presented would allow for that to happen. Whether you have three items of business or two, it's irrelevant. The reality is, if the bills are simply going to go into a big black hole and they're not going to be moving forward, and if the Liberals really want to make private members' bills more relevant, I think we need to take a look at what they do in Alberta, where you can refer private members' bills to a policy field committee and you can transfer them to government business. But to increase the number of private bills and have them sit in a black hole doesn't make much sense when people put in a lot of time and effort. I think the government needs to say either yea or nay and then we need to move forward. Again, I think that whole issue of private members' bills—and then we see that they've brought up this issue of co-sponsorship. I think Mr. Kormos has spoken to it. It really doesn't matter; if the bills are still going to go into no man's land at the end of the day, it certainly isn't going to improve what's going on here.

0940

So, again, I think that's a bit of a red herring and an attempt to divert our attention from the key issue of concern, which is the timing of question period and our request, and certainly the requests that we heard from other people, that it be later in the day. Our suggestion is 1 o'clock, and our suggestion is that routine proceedings be all together in the afternoon. You would have petitions; you'd have introduction of guests; you'd have ministerial statements, and votes. So there would be one

time of the day, beginning at 1 o'clock every day, when the public, the media, the people who work to support us, and members would know that this is when we're going to have question period; this is when we're going to have routine proceedings. Because, as I say, what's happening today is certainly quite chaotic and disorganized. Nobody quite knows when anything is happening because of the staggered times of question period and ministerial statements.

The introduction of guests can be quickly resolved. Personally, I like the Speaker introducing the guests. I think he did it in a non-partisan way. We are a professional body, and I think, unfortunately, sometimes when members were introducing guests, it became a little bit partisan. In fact, we'd be happy if only the distinguished visitors in the upper gallery were introduced. But we're not going to spend a lot of time on that particular issue; our issue is question period, so let's go to question period. As I say, if we're going to have introduction of guests, we would really support the Speaker doing it. I thought he did an excellent job. Everybody was introduced in the same way; nobody got any special treatment, and I think that is appropriate.

Question period: Here's the government suggesting, when we've heard from everybody that the time currently is presenting some sort of a problem, whether it's the media, members, staff who work here—and I have no idea why they've decided to bring it forward 15 minutes earlier to 10:30. I will tell you that we've always been led to believe by the government House leader that we definitely would never have it any earlier than 10:45, so I'm not sure why this has happened. We heard AMAPCEO speak about the burden of this early time as well, and the stress and pressure it puts on staff and resources.

The bells: That's pretty simple; nobody needs to debate that. Let's just make sure that people at least know when question period is happening, and we can move forward.

The recommendation that the House begin at 10:30 on Monday morning: The truth is, if you take a look at what happened between May 5 and June 18, when we had the new standing orders, we actually lost a total of 34 hours and 12 minutes because of early House adjournments. So it wouldn't be much of an effort to totally eliminate Monday morning sitting times altogether, which was something that we had recommended.

At the end of the day, I'm not sure that there's much that this committee can do. I think, in some ways, we've been brought together under some false pretenses. I thought I heard the House leader say, Mr. Kormos, that we'd have an opportunity to take a look at question period time, discuss it, and perhaps look for some changes to the daily schedule as it currently exists. Then we see the government bringing forward a couple of issues, which, as I said before, seem to be an attempt to divert our attention away from the key issue of concern, which is question period.

Suddenly, now we're being asked to agree whether it's four weeks on and one week off or joint co-sponsorship

of bills. As I say, we certainly couldn't come to a conclusion here today. We would have to discuss that with our colleagues, and I think most of what's here can be discussed by House leaders. I think some of the issues we could get off the table very quickly, and hopefully that the government would listen to some of our concerns.

I guess that's my disappointment as well. We did bring forward a schedule which enabled the government to do what they wanted to do, which was accelerate the passage of bills, sit more hours and eliminate night sittings, and we don't see any of our recommendations incorporated into the package of recommendations made by the government. At the end of the day I think we'd be left, if the government decides to go forward unilaterally with these nine recommendations, which we feel require further debate and discussion with our caucus, amongst the House leaders, in a position where we would have to present and write a dissenting report, because I don't think this committee has the authority or the mandate or has been given ample opportunity to discuss these issues with our colleagues, who are all going to be impacted. Thank you.

The Chair (Mr. Bas Balkissoon): Mrs. Mitchell.

Mrs. Carol Mitchell: I thank the members who have spoken for their comments. I guess what I'm looking for is what I believe there might be concurrence on, and I'll just jump in.

It appears to me that we have agreement that there should be a bell at the beginning of question period. I know that we still have discussion on when question period is, but that there should be a bell, which does make the transition easier for members by announcing question period.

With regard to Monday morning sittings, I believe that there is support for that; we agree to begin Monday at 10:30.

With regard to the calendar, four on and one off, obviously that would have to be worked into the calendar. Peter, I appreciate your comments on following the schedule so that all members know what that schedule would look like. But we certainly have heard numerous comments of support for the schedule being altered for four on and one off.

I think when we get into the next points, I'm not sure that there is as much concurrence, but I'm going to get to that and then we can see where the discussion goes from that.

The co-sponsoring of bills: We have spoken about that, why we feel it is important.

I'm just going to speak specifically to e-petitions as well. The recommendation that I believe should be considered is that the House consider looking at e-petitions. Peter's comments, I believe, are something that should be weighed much more when we look at e-petitions.

So that's private members' business, and that is that it remain on Thursday afternoon, and the co-sponsoring of bills. Then, specifically, introduction of guests: We are supporting a five-minute morning and a five-minute afternoon. I just wanted to speak about that for a

moment. I guess with regard to Peter's comments about the Speaker's gallery, that would still proceed onward and upward. One of the concerns from the members is that when it's limited to either the morning or the afternoon it doesn't give them the opportunity to introduce guests who might be arriving to listen to the debate when it's the two time slots. So they would like an opportunity to introduce their guests, and they felt that it was important to have the two time slots in recognition of the different time frames that people would come into.

0950

So we have spoken with regard to the other issues, and I really do appreciate all the discussion that we have had on all of the different issues.

Just as a point of clarification, from the members' points of view from this side—and I'm not going to refer to how you refer to us, Peter; we're all part of the team, and we believe that this is for our members as well—we understand that the schedule can be very difficult. A number of us are from out of town and also from in town. We feel that what has been recommended will make the flow that much easier, while being very respectful of accountability and accessibility to the media and having an understanding of what the staff needs as well, and certainly the recommendations are reflective of that.

So, just to recap, do we have concurrence on the bell for the start of question period; the elimination of the Monday morning debate time so that it would begin at 10:30; the calendar of four on/one off; co-sponsoring bills? E-petitions—that's for the House to consider.

The Chair (Mr. Bas Balkissoon): Mrs. Witmer.

Mrs. Elizabeth Witmer: No, we certainly could not support the four weeks on and one week off. As I say, we've had absolutely no opportunity to discuss this with our colleagues. The other thing we don't know, I guess based on what has happened with the standing order changes, the process—we don't know when the government is planning to start the four weeks on and one week off. Right now, people have made commitments, I dare say, even for the wintertime, so we just simply couldn't agree to that unless we had an opportunity to discuss with our colleagues whether they thought four weeks and one was good—and also, we don't know what your planned start date would be. Are you planning to start this in September? Are you planning to start this in February 2009? We don't know. I think that's the type of information that we would need. Unless we have that, we certainly couldn't agree. I think the House leaders need to discuss it a little bit further. We need more information.

As far as the bells before question period, we do support that, although we don't support your change to the question period time.

Monday: Again, if we go back to question period's starting time, we believe it should be 1 o'clock, so we certainly wouldn't agree with that.

We believe the co-sponsorship of bills, anything related to private members' bills, really needs separate study.

E-petitions needs some private study.

The introduction of guests: We're now going to devote 10 minutes to the introduction of guests. I guess that's okay, but when it's not the Speaker introducing the guests, some of the introductions, I would say to you, are partisan; they're not very professionally done. I think we need to consider allowing the Speaker to do it, if we're going to extend the time, so that everybody will be treated fairly, in a professional manner. So if we're going to do it twice, that's fine, but our preference would be for it to be the Speaker so that there would be some fairness.

The Chair (Mr. Bas Balkissoon): Mr. Miller.

Mr. Norm Miller: I missed a lot of the hearings leading up to today, but I did get a chance to read through all of the Hansards and all of the comments made. It seems to me that the proposals put forward by Mrs. Witmer in terms of a schedule and the other issues raised respond to the concerns that were brought up at the hearings.

In particular, with the House schedule, we have—I noted that the Clerk described the trial provisional session as being "clunky." I think all of us would agree that things are quite broken up and there are a lot of gaps in the times when the Legislature is sitting. What we proposed is a schedule whereby on Monday mornings, the House wouldn't sit, for the benefit of out-of-town MPPs, so that they can spend Sunday night with their families, then having question period at a set 1 p.m. time, always starting routine proceedings with question period and reuniting all routine proceedings at 1 o'clock. We proposed to have private members' business on Thursday morning starting at 9:30.

I think, generally, the proposals we put together are much neater, cleaner and respond to the wishes of the Clerk and of the media, who were looking for a set time for question period to start and, I think, if you read through the comments, preferred to have the afternoon versus the mornings because it didn't interfere with their noon-hour media time schedule.

From my perspective, it was put forward by Mrs. Witmer and our party, but it seems to me to be responding to a lot of the concerns that were raised at this committee. I just wonder why the government isn't picking up on some of these suggestions.

The Chair (Mr. Bas Balkissoon): Mr. Kormos?

Mr. Peter Kormos: Mrs. Mitchell wants to respond to that.

The Chair (Mr. Bas Balkissoon): Oh, sorry. Mrs. Mitchell?

Mrs. Carol Mitchell: I just want to clarify: We have picked up on some of the recommendations. Some of the recommendations came specifically with regard to the bell on Monday mornings. Those were recommendations—the four on, one off. If I go back to Mrs. Witmer's comments and Mr. Kormos' comments, those specifically were concerns that were raised in the past in going forward.

I want to speak to the four on, one off for just one moment. It wouldn't come into effect until February—

Mr. Norm Miller: Excuse me, if I may interrupt for a second: I don't believe we raised the four on, one off. It very well might be something that our members would be supportive of, but it's not something that we raised.

Mrs. Carol Mitchell: What I'm speaking to specifically was—Mrs. Witmer, did you not say that you spoke about it at House leaders', that it came forward at a House leaders' meeting? Was that not part of your comments just a few minutes ago?

Mrs. Elizabeth Witmer: We were having a discussion and saying, "Is this what you're proposing?" during House leaders'. But as you know, the first set of provisional orders didn't include that. No, we didn't say, "This is what we demand happen"; we were just saying, "Is this what you're thinking of doing? Is this what we're going to be discussing?" I guess, at the end of the day, this is not something we demanded. We wondered if they were going to do it, were going to take a look at it. We never got a response. If this is what the House leader wants and this is what the government wants, we should have been discussing it at House leaders' rather than having it dropped here, because our members don't know anything about this.

Mrs. Carol Mitchell: And to be clear, I did not insinuate that it was a recommendation coming. What I was referring to was part of the discussion and comments that were made as part of the discussion. But specifically with the review, the committee has been challenged to conduct a review of the standing orders, and that's where I began my comments.

I turn it back to Peter. These are the areas that I feel we can go forward in and we do have some agreement on, if we could deal with those. I know that there are a number of outstanding issues, if we could have some concurrence on going forward from some of the specifics.

The Chair (Mr. Bas Balkissoon): Mr. Kormos.

1000

Mr. Peter Kormos: Let's not kid ourselves into thinking it's some sort exhaustive effort on the part of this committee. We heard from one afternoon of people, then from the Speaker the next morning—if I'm wrong, please say so—a total of perhaps four hours. We didn't receive any scholarly papers, if you will—or review them—that were in any way exhaustive.

Let me refer people to what this committee, the Legislative Assembly committee, back in 2001-02, adopted as its guiding principles:

"(1) Members of the committee should strive to reach a consensus;

"(2) The reports should remain true to the Westminster model of Parliament, and to the role of parties in that model;

"(3) The committee should approach its work by recognizing that certain features of the Legislative Assembly—for example, the structure of the parliamentary day, the structure of question period, the ability of all private members to participate in question period, and the use of time in the course of a parliamentary

day—are working well, and by reflecting on what features from other jurisdictions might enhance the role of private members at the Legislative Assembly."

To be fair, in reference to that last comment about the role of private members—that was one of the focuses, the foci, of that committee.

At this point, I want to know how we're going to do this. Is this going to be a consensus model? Because it's one thing for this committee to report back to the House, saying, "This is what the committee agreed upon and recommends," and then, it can go on to say the committee was unable to reach agreement on the following issues, like the timing of question period, like any other number of things that are raised by the respective caucuses in the committee. That type of recommendation would have potency that other forms wouldn't have. If that's what we're going to do, I am prepared to work at arriving at a consensus and I can, as I already indicated, commit the New Democrats to support a question period bell.

I'm loath to endorse the commencement of Monday at 10:30 because that entails an endorsement of the beginning of question period at 10:30.

I am prepared, on behalf of my caucus, to suggest that there should be some study and the preparation of an annual calendar, with the contemplation of more frequent weekly breaks, whether it's three on, four on—who knows? It's a matter of determining what the totality of the calendar will look like and how it'll accommodate the seasons. I'm prepared to say that this committee recommends that there be an investigation and consideration of the impact of adopting the three on, four on, one off, or something similar to that.

I'm prepared to commit the NDP to saying that this committee should do a more exhaustive study of e-petitions and what form, if any, they should take.

I'm prepared to say that this committee recommends that there be two opportunities in the legislative day, one in the morning and one in the afternoon, for the Speaker to introduce guests. It's a double-edged sword. I suggest to you that the opposition members can be far more partisan in the introduction of guests than government members could ever be. "Mr. Speaker, please allow me to introduce John and Jane Doe, who are the chair and vice-chair respectively of the committee to expose the lies and dishonesty of the McGuinty government." That's the very sort of thing—we've seen it happen, haven't we? We've slipped in a political agenda when members were still introducing guests, and not, from time to time, when members cheat and introduce guests. I concur 100% with Mrs. Witmer. I indicated my real preference would be just for the Speaker to introduce guests in the Speaker's gallery, but a morning and afternoon introduction of guests, fine.

So that's where we have agreement. It seems to me that if we're going to proceed on that basis, then we have to be proceeding on that basis. If you just want to proceed on a majority vote, a majority rule or some sort of half and half, neither fish nor fowl, say so. That may be

it; I don't know. It doesn't appear that there's been any need or interest by the government members in caucusing around these proposals.

This is my suspicion, that the government knew it had to have a Legislative Assembly committee review the interim standing orders because their own motion required that. Again, that was spin to try to make it look like there was going to be a sincere, honest, open review. So the government members are here, warming these seats, fulfilling that function. They're being allowed—as I say, that pseudo-intellectual onanism—to entertain little projects like co-sponsorship and so on, but they're being told that, at the end of the day, they're not to permit or concede any change in the timing of question period. Okay, that's what benchwarmers do in a government.

But let's decide now, and if they want to caucus, if Mr. Rinaldi is going to have any input into this or if Mr. Ramal is going to have any input, maybe a 15-minute recess so that these people can caucus and decide how they're going to approach this. Unless they're simply reading from the script and Mrs. Mitchell is whipping them; Mrs. Mitchell has accepted the leash. She knows her limits. She knows how far down the driveway she's allowed to run. That tug on that choke collar is a particularly persuasive thing when you're a government backbencher who's ambitious.

So maybe a 15-minute recess would be appropriate—I don't know how people feel about that—so the government can decide. Are they going to approach this on consensus? Because we can do that. We can arrive at consensus, and then we'll report what we've agreed upon and acknowledge that there were certain areas where there was no agreement. That seems to me an intellectually honest way to do it; isn't it, Chair? Is that an intellectually honest way to do it? I would accept your counsel in that regard.

The Chair (Mr. Bas Balkissoon): It's a real challenge. Mrs. Van Bommel?

Mrs. Maria Van Bommel: Further to Mr. Kormos's comments and earlier suggestions about things such as study of the private members' process, and Mrs. Witmer also brought this up, I have no concerns about the idea of doing further study on how we can do the pros and cons of co-sponsorship and maybe how we can change the whole process so that we see successes for private members' public business.

Also, on the e-petitions, as a grandmother with young children who are so comfortable with a computer that to them it's second nature to participate in things such as e-petitions, I think maybe we do need to look at some of the pros and cons of approaching that. I think that further study as a recommendation from this committee is valid.

Mr. Kormos talked about—and Mrs. Witmer did the same—some of the biases that could be implanted in introductions of guests. I think, as much as I feel that I like to introduce my own guests from my riding, there is certainly that possibility, as Mr. Kormos has said, that you could ascribe certain things to your guests. Quite frankly, I'd feel I was more using my guests then to bring

forward a political opinion rather than actually introducing them as honoured guests to the House. I guess it's a personal thing for myself. I don't really feel comfortable in using that type of environment as a way to bring forward my own political biases, but I think we can compromise on those issues.

1010

Mrs. Elizabeth Witmer: I have a couple of questions, I guess, for the government. Mr. Miller has reviewed our proposal one more time with the government, which I think is very solid. We submitted that to the government members. It allows the government to accelerate the passage of bills, sit longer hours and eliminate night sittings. Basically it meant, as has been said, we would sit Monday afternoon and we would sit Tuesday, Wednesday and Thursday.

I wonder if the government is at all prepared to consider a recommendation that question period would be moved to 1 o'clock every day—Monday, Tuesday, Wednesday, Thursday—in order to allow for more question period preparation for both the opposition parties and the staff, whether it's our staff or whether it's the civil service staff, and also to satisfy what I believe we heard, and that was the need for a consistent, set start time for question period to be followed by the orderly conduct of business in the Legislature and a reuniting of routine proceedings, rather than having sections of routine proceedings at about four different times on four different days.

Connected to that, if they would be prepared, based on the fact that we didn't use 34 hours and 12 minutes of debate time between May 5 and June 18, to eliminate Monday morning altogether in order to allow MPPs to spend Sunday evenings with their families or at events. I think we all know that—you know what? For us, it's actually the only day that we have dinner together. We're gone Friday night, we're gone Saturday night—at events—and if you're somebody coming from Ottawa or northern Ontario, it's pretty tough to get here on Monday morning. I just wonder if the government is prepared to go back and take a further look at that, or have you been told that this is it?

Mrs. Carol Mitchell: I guess I'm speaking. Thank you. I want to go back on how we go forward. Specifically, Mr. Kormos made comments about, is it concurrence or is it the committee—certainly an assumption that we would treat this as any other committee and would use the same processes. So I guess what I would ask of the Chair is how he would recommend we go forward. We have a number of issues that we can agree on with regard to Mrs. Witmer's comments; we have a number that we disagree on. So I would ask how you see the process going forward.

Mr. Peter Kormos: Point of order, Mr Chair: With respect, that's not your function.

Mrs. Carol Mitchell: Okay. Thank you. Then, I would put the recommendation forward that specifically the bells—I'm going to go back to the bell situation. That was what we had concurrence on.

Mr. Peter Kormos: Chair, if I may, I move that we have a 15-minute recess.

The Chair (Mr. Bas Balkissoon): Mr. Kormos has moved a 15-minute recess.

Mr. Peter Kormos: That goes to a vote.

The Chair (Mr. Bas Balkissoon): It's now 10:15. All in favour of a recess?

Mr. Peter Kormos: Recorded vote, please. Chair, a 20-minute recess pursuant to the standing orders.

The Chair (Mr. Bas Balkissoon): That changes the motion to a 20-minute recess.

Mr. Peter Kormos: No, it's not a motion.

The Chair (Mr. Bas Balkissoon): A 20-minute recess.

Mr. Peter Kormos: Thank you kindly.

The Chair (Mr. Bas Balkissoon): We'll be back here at 10:35.

The committee recessed from 1015 to 1035.

The Chair (Mr. Bas Balkissoon): We'll reconvene the meeting.

I have a motion by Mr. Kormos. Mr. Kormos moves that there be a 15-minute recess. It's a recorded vote.

Interjections.

The Chair (Mr. Bas Balkissoon): No, he had moved a motion that I had not taken the vote on.

The motion, again: Mr. Kormos moves that there be a 15-minute recess.

Ayes

Kormos.

Nays

Mitchell, Ramal, Rinaldi, Van Bommel.

The Chair (Mr. Bas Balkissoon): The motion is defeated. Mr. Kormos.

Mr. Peter Kormos: I move that this committee report only on matters on which there is a consensus.

The Chair (Mr. Bas Balkissoon): Any discussion? Mr. Kormos.

Mr. Peter Kormos: I think it's incredibly important that if there is to be a truly bona fide consideration of the so-called provisional standing orders, as was declared so many times during the course of the contentious debate around those provisional standing orders, promised by the Premier and by Mr. Bryant, and in view of the willingness stated clearly this morning by the opposition parties—Mrs. Witmer, Mr. Miller, and myself—to work to build consensus and our eagerness to report on matters on which there is consensus, and in view of the same guideline, albeit a guideline adopted by the Legislative Assembly committee of 2001-02, chaired by one Margaret Marland, of whom I am a great fan, that there be consensus building, I believe this is a proper guideline for this committee to adopt and it would make its report that much more potent and robust.

The Chair (Mr. Bas Balkissoon): Mrs. Mitchell.

Mrs. Carol Mitchell: Just a very few short comments: Certainly, we appreciate the comments that have been made by the opposition, and we concur that the committee system is so important to the overall ability of members to speak out and to have a further opportunity to hear from presenters as well, to receive different viewpoints, and we certainly have done that, and we believe that the committee system's strength is demonstrated by that. But at this time, we would move forward in normal circumstances, as in other committees, and certainly, wherever we can work together and amendments come forward or adjustments be made, we have been willing to listen and adapt, but we would support moving forward with the normal committee system.

1040

Mrs. Elizabeth Witmer: Before we would move forward, I did ask some questions of Mrs. Mitchell and I didn't get any answers. I just wonder if you would respond as to whether or not the government was prepared to further consider our proposal for the consistent set time for question period, and then the reunification of routine proceedings and elimination of Monday morning.

You didn't respond to my questions. If the answer is no and the government's set on what's here, then I just would like an acknowledgement of that fact. I just wanted to know if there was further willingness on the part of the government to take a look at those issues for the revised schedule.

Mrs. Carol Mitchell: Specifically to Mrs. Witmer's comments, we have reviewed extensively the recommendations that were put forward by yourself and your members, who I'm sure provided contributions to that. We have come forward with our recommendations based upon all information that we received through the committee system as well as information that we received from Mrs. Witmer.

Mrs. Elizabeth Witmer: I just want to reiterate that I think it's important for the record that we acknowledge how limited the presenters actually were. We did not hear from the public; we heard from Professor Nelson Wiseman from the University of Toronto, we heard from the Clerk, accompanied by Hansard and broadcast services staff, and we heard from the Speaker and from the media. There actually were very few representations to the committee.

The Chair (Mr. Bas Balkissoon): Mr. Kormos?

Mr. Peter Kormos: I'll respond briefly to Mrs. Mitchell, who wants to speak glowingly of the process that this committee has endured for the last two meeting days. It was on the last meeting day, when Mrs. Witmer requested some information from research, that there was an effort by a Liberal committee member to block it under the guise of it being irrelevant, she apparently not understanding that it's not up to her to determine what type of information a committee member, be they government or opposition, can call for. This is hogwash, Mrs. Mitchell; it is indeed.

Look, if you're going to set a tone, you're setting a tone. It's a tone that may well carry on into the legislative

chamber when the House resumes, when Parliament resumes—and it won't be September 22, either. Don't worry about that, Chair. Your services will not be needed until well into the month of October; you can count on that. This government has been more noteworthy in its failure to abide by the calendar than its willingness to do so.

I am afraid that this process is turning into the process that I feared, but me being the forever and inevitable optimist, I had hoped for the best. I am an optimist; I had really, really hoped for the best. I came here this morning with an overture at the very commencement of this proceeding, trying to indicate that we were interested in joining with the government in a series of recommendations in a report to the Legislature, and you do that by working on building consensus, by ceding a little bit and getting a little bit. There's nothing wrong with that process. Nobody abandons principles when we engage in that process. It's a process of building collegiality and laying a foundation for civility, but it appears that there's no interest from the government in doing that. It doesn't surprise me but, again, my heart is broken because, at the age of 55, I remain optimistic and still reach for that elusive brass ring. I hope I live long enough to achieve that goal of seeing that from a government here at Queen's Park.

The Chair (Mr. Bas Balkissoon): Mr. Miller.

Mr. Norm Miller: Yes, speaking to Mr. Kormos's motion to do with this report being based on consensus only, certainly precedent has been set with the committee that met in 2002, I think, chaired by Margaret Marland. It made a number of recommendations, particularly to do with private members' bills. It came up with eight substantive recommendations. So I would support Mr. Kormos's motion that this committee report on what there is consensus—what we agree on.

The Chair (Mr. Bas Balkissoon): Mr. Kormos.

Mr. Peter Kormos: Before this goes to a vote, let's understand that when you operate on the premise and the guideline and goal of consensus, it doesn't mean there has to be consensus on every issue. What that means, then, is that you simply identify certain issues around which there was no agreement. Using a consensus model doesn't mean that you have to somehow hammer out agreement on every item on the list. You do, on as many items as you can, and then you acknowledge failure to reach consensus on the balance.

You see, the government seems to be prepared to use its majority power to force the opposition into preparing dissenting reports. I say that a civil and collegial process would be one in which a committee said, "These are the things about which we can reach consensus and, regrettably, these are the things about which we can't. Therefore, we make these recommendations and decline to make recommendations on the others because there was a failure of consensus."

You've got a government here that's trying to lure opposition into what would appear to be consensus on the cherry-picked items but then flee from consensus on the items that it wants to simply force through.

I submit that it's time to put this matter to a vote, Chair.

The Chair (Mr. Bas Balkissoon): I have a motion by Mr. Kormos. He moves that this committee report only on matters on which there is consensus.

Mr. Peter Kormos: Recorded vote.

The Chair (Mr. Bas Balkissoon): A recorded vote.

Mr. Peter Kormos: Eight-minute recess pursuant to the standing orders, please.

The Chair (Mr. Bas Balkissoon): A recess for eight minutes. It's now 10:48, so we'll be back at 10:56.

The committee recessed from 1048 to 1056.

The Chair (Mr. Bas Balkissoon): We'll reconvene the meeting on the motion. Mr. Kormos moves that this committee report only on matters on which there is a consensus. It's a recorded vote.

Ayes

Kormos, Miller, Witmer.

Nays

Mitchell, Ramal, Rinaldi, Van Bommel.

The Chair (Mr. Bas Balkissoon): Motion does not carry. Mrs. Mitchell?

Mrs. Carol Mitchell: I would put forward a motion that a five-minute bell start the beginning of question period.

Mr. Peter Kormos: On a point of order, Chair: It seems to me that—and again, you'll rule on this point of order—report writing is precisely that. There are views expressed, and then the staff writes the report. Sorry to surprise the public, but people don't sit at their word processors and do this work themselves; we have very capable staff. Then the vote is on the report itself. Are we going to have a vote on each and every proposition—I suppose that's up to the mover as well. So I ask you, sir, whether it's in order for this to be done vote by vote, as compared to merely directing the staff.

The Chair (Mr. Bas Balkissoon): Mr. Kormos, the best I can explain is that it's really the will of this committee how you want to write the report. If you'll recall, Mrs. Mitchell tried to get me to suggest a method. I did not and you did not—

Mr. Peter Kormos: I did; I moved a motion.

The Chair (Mr. Bas Balkissoon): We've had a lot of discussion with the submission of the parties, the government and the opposition. I guess it is really now up to the committee how they want to move forward. I suppose we could take it, as Mrs. Mitchell has—motion by motion. We will still have to vote on a report prepared on what those recommendations are as the final report.

Mr. Peter Kormos: Thank you. I have no quarrel with that. I just want to be clear: Mrs. Mitchell's motion, then, is in order?

The Chair (Mr. Bas Balkissoon): Absolutely.

Mr. Peter Kormos: Thank you.

Mrs. Elizabeth Witmer: Do you want to read the motion one more time?

Mr. Peter Kormos: Chair, if I may, could we have written copies of these motions? I believe that the practice is, in terms of substantive motions—and these are substantive motions—that written copies be prepared for committee members, in the proper form, of course.

The Chair (Mr. Bas Balkissoon): Can we take a five-minute recess so that we can have the motion presented properly? It is now, according to my clock, right on 11. So we'll come back at 11:05.

The committee recessed from 1100 to 1105.

The Chair (Mr. Bas Balkissoon): We'll reconvene the meeting. I have a motion. Mrs. Mitchell moves that the start of question period begin with a five-minute bell.

Mrs. Carol Mitchell: This motion is put forward with the intent that this five minutes does not come out of the allocated question period time, so I wanted to make sure of the language. I just wanted to raise that as a concern.

Mr. Peter Kormos: If I may, Chair, perhaps Mrs. Mitchell would consider a friendly amendment that question period be preceded by a five-minute bell. That then preserves the one-hour question period. I know what she's trying to do, and quite frankly I'm going to support this motion.

The Chair (Mr. Bas Balkissoon): So change "start of" to "preceded by."

Mr. Peter Kormos: It's up to Mrs. Mitchell.

Mrs. Carol Mitchell: Yes, and I certainly would support that amendment. I did raise this, as our intent was not to take any time away from question period, but only to recognize the importance of question period by a five-minute bell, as reflected by the member's concerns.

The Chair (Mr. Bas Balkissoon): I now have a revised motion with a friendly amendment. Mrs. Mitchell moves that question period be preceded by a five-minute bell.

Mrs. Carol Mitchell: Thank you.

The Chair (Mr. Bas Balkissoon): So we'll take the amendment, which is striking out "the start of" and replacing "begin with" with "preceded by." All in favour? Against? That carries.

The motion, as amended, is that Mrs. Mitchell moves that question period be preceded by a five-minute bell. All in favour? Against? That motion carries.

Mr. Peter Kormos: Are you on a roll, Mrs. Mitchell?

Mrs. Carol Mitchell: I'm hoping.

Mr. Peter Kormos: Not yet.

Mrs. Carol Mitchell: I have another. I would put forward this motion: that the legislative calendar, beginning in February, be adjusted to reflect four weeks on and one week off.

The Clerk of the Committee (Ms. Tonia Grannum): Can you repeat that?

The Chair (Mr. Bas Balkissoon): Can you read it again?

Mrs. Carol Mitchell: That the legislative calendar be adjusted to reflect, beginning in February, four weeks on and one week off.

Mr. Peter Kormos: Chair, if I may, are copies coming of these respective amendments?

Mrs. Carol Mitchell: I'm just trying to move things forward.

Mr. Lou Rinaldi: Is there a recess right now, Mr Chair?

The Chair (Mr. Bas Balkissoon): Just a second. I'm waiting for the written motion so I can read it.

Mr. Peter Kormos: Chair, can I suggest that these motions, because they're substantive rather than procedural, be written, as is the norm? Are we going to do these piecemeal, one at a time? I don't know.

Mr. Khalil Ramal: No.

Mrs. Carol Mitchell: No, we're hoping to do it better.

Mr. Peter Kormos: Thank you.

The Chair (Mr. Bas Balkissoon): Are you going to be moving a lot more that we need to copy them all at once?

Mrs. Carol Mitchell: I'm hoping that I have, very shortly, copies for everyone.

The Chair (Mr. Bas Balkissoon): But you have other substantive motions?

Mrs. Carol Mitchell: They will be coming, yes.

The Chair (Mr. Bas Balkissoon): Are we going to go through the same routine, or can we do it all together?

Mr. Peter Kormos: Chair, Ms. Mitchell is suggesting that she has hard-working, underpaid staff working hard trying to produce these for us to bring them in here so they can be distributed one at a time.

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Mrs. Carol Mitchell: Yes. After the discussion this morning, I felt that we needed to bring them forward point by point. Where we can group we will, and we look to the committee to see how those motions will be dealt with. But, yes, we're bringing forward written copies.

Mr. Khalil Ramal: Mr. Chair, I don't mind if Ms. Mitchell brings in a bunch of motions together and then we can—

Mr. Peter Kormos: I'm sure you don't mind. So what? What's that got to do with parliamentary procedure—that you don't mind? Good God, Mr. Ramal.

Mr. Khalil Ramal: She asked and I responded. I responded—

Mr. Peter Kormos: And Ms. Mitchell is comforted.

The Chair (Mr. Bas Balkissoon): Order. Ms. Witmer?

Mrs. Elizabeth Witmer: Right. I would not, on behalf of our caucus, be able to support that particular motion because, as I said during the discussion earlier today, we've not had an opportunity to discuss this with our caucus. Furthermore, although Ms. Mitchell has now identified the start time as February, I believe it would require some changes to the standing orders—the calendar—and we would obviously want to see what the revised calendar would look like for all of 2009 before we would be in any position to support that motion. So I believe that that particular recommendation should go to House leaders.

Mr. Peter Kormos: Chair, if I may? Look, we talked about this earlier, and it's one thing to say, "Let's consider the impact of a four/one, three/one on-off pattern," but to do that without looking at the whole calendar year and the impact on the calendar year is premature and risky. Here we go. We could have, had we worked on a consensus model, I think all agreed on entertaining this prospect in a more general and investigative context. But the nature of the motion is such that, by the very nature that it's a motion, it means there's no effort on the part of the government to reach a consensus. New Democrats will not be supporting the proposition in the context of this committee at this point, although, as I've already told you, we're sympathetic to a consideration of a four on/one off, three on/one off but we have to build it into the whole calendar.

Mrs. Carol Mitchell: Specifically, the questions raised in the morning were the time frames, and it speaks to that. Now, we do know that it will adjust the overall schedule, but as has certainly been raised by a number of members from our caucus, there's a great deal of support for moving towards more of a federal model, which would give the ability to members to have much more time in their constituencies. As well, it also starts to address the concerns of some of the questions raised by the staff and the ability to adjust their workload. That also assists in that respect as well. So I just bring forward those comments.

Mr. Peter Kormos: Aha. Now we know the government's real agenda: to adopt the federal model. We'll soon see another bill before the Legislature increasing Liberal backbench MPP salaries to the level of their federal counterparts. That, I find obscene.

The Chair (Mr. Bas Balkissoon): I have a motion. Ms. Mitchell moves that the legislative calendar, beginning in February, be adjusted to reflect four weeks on and one week off. All in favour? Against? That motion carries.

Mrs. Carol Mitchell: I move that deferred votes be scheduled immediately following question period and that petitions be scheduled for routine proceedings.

Mr. Peter Kormos: Look, this is a very reckless proposition. To occupy the time after question period with deferred votes will seriously impact on the post-question period scrum, the various media interviews that take place with both cabinet ministers and opposition members. It will interfere with the electronic recording, both video and audio, in terms of bells ringing and people darting in and out to attend to the votes. And after all of the concern that I heard on the brief hours from so many people about lunch periods and the need to have—if you look around this committee room, you'll note that most of us could do without some lunch periods, rather than ensure that we get to them.

Mr. Lou Rinaldi: True. I agree with you on that.

Mr. Peter Kormos: I expected more of your colleagues to join in with me on that, but they're shrinking violets—if only they were shrinking. For those who are concerned about lunches—and as I said, we should be

less concerned—this will eat into that very important part of media coverage, post-question period, and the New Democrats find this a reckless proposition.

Mr. Norm Miller: I would just like to get on the record that I think that the proposal put forward by the PC caucus, which was to start question period at 1 o'clock every day and to have deferred votes as part of a new, reunified routine proceedings, makes a lot more sense than the suggestion put forward by the government to move deferred votes to after a morning question period. That, I think, was reflected in what this committee heard from media representatives, in particular, those who came before the committee.

Mr. Khalil Ramal: We heard the media when they came and presented to the committee and they showed some kind of comfort with the frame time, whether in the morning or afternoon, but they said that they needed enough time to question ministers after question period. I think the committee listened to them and gave them the time they requested in order to be open to the media and to answer the media.

Mrs. Elizabeth Witmer: I guess, with all due respect, I would disagree. To actually put deferred votes after question period decreases the access that the media would have, not just to cabinet ministers, the Premier and members, because members would be forced to go back into the House for votes, so it makes them less available than they currently are today. I'm surprised that the government would have suggested this.

Mr. Peter Kormos: I should have been more complete when I talked about who it impacts. It impacts on access to cabinet ministers, access to opposition members and, of course, government backbenchers, because they preen and prepare with a rather unexhausted optimism, wanting to be interviewed by the Toronto media.

What if Shafiq Qadri wants an opportunity to talk about his world-renowned medical practice? Rather, he'd be forced back into the House for a recorded vote. He would lose the opportunity to add to his already thousands—as one reads his website—of media appearances. I would be loath to deprive your colleague, Shafiq Qadri, of that opportunity to add to his resumé yet one more international media clip.

Mrs. Carol Mitchell: I just have the motion that I'm putting forward, and I'm just changing a word here, just for point clarification.

I move that deferred votes be scheduled immediately following question period and that petitions be scheduled during routine proceedings. I just want to clarify that.

Mr. Peter Kormos: That's how I understood the original motion. I don't see any need for an amendment. If you want to, we'll support your amendment. If you really want to.

Mrs. Carol Mitchell: I was taking it under advisement. The intent was to clarify and that that be a part of routine proceedings. That's why I bring forward the word "during."

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Just in reference to the deferred votes immediately following question period, it gives members the ability to

better schedule their time, as well. When we talk about having the time directly linked to question period, it also gives members the ability to come out in greater numbers because of the time frame.

Also, with regard to accessibility of ministers, it is our understanding that the ministers will still have ample time, as it's not every day that we have deferred votes. This adjustment that we are making is reflective of the concerns that were raised by the media, specifically about deferred votes. So I just—

Mr. Norm Miller: I'd like to make an amendment to the motion.

I move that deferred votes be scheduled immediately following the 1 p.m. question period and that petitions be scheduled during routine proceedings.

The Chair (Mr. Bas Balkissoon): I have a motion and an amendment. I'll read the motion and then the amendment.

Mrs. Mitchell moves that deferred votes be scheduled immediately following question period and that petitions be scheduled during routine proceedings.

I have an amendment by Mr. Miller that the motion read "that deferred votes be scheduled immediately following the 1 p.m. question period and that petitions be scheduled during routine proceedings." So I'll take the amendment to insert the words "the 1 p.m." before "question period" in the main motion.

Mr. Kormos.

Mr. Peter Kormos: I understand what my dear colleague is trying to do, and I support him in his intention, but I will be calling for a recorded vote on this amendment and indeed abstaining, because although I endorse a 1 o'clock or 1:15 or 12:55 question period, the argument is that it is flawed to have deferred votes immediately after question period. The press gallery is leaving the chamber and setting up 15 minutes into question period, 10 minutes before the conclusion. The press gallery will, here in the instance of deferred votes, be deprived of access to members leaving the chamber after question period, dealing with question period issues, as well as the deferred vote, in any event. Do you understand what I'm saying? The media want to be in there. My colleague Mr. Miller has made his point. I would exhort him to perhaps consider withdrawing his motion, only because of my discomfort; he may feel perfectly comfortable with it. I respect his intentions in this regard.

The Chair (Mr. Bas Balkissoon): I'll call the vote on the amendment by Mr. Miller.

Mr. Peter Kormos: Recorded vote.

The Chair (Mr. Bas Balkissoon): It's a recorded vote, and it's to insert the words "the 1 p.m." just before "question period" in the main motion.

Ayes

Miller, Witmer.

Nays

Mitchell, Ramal, Rinaldi, Van Bommel.

The Chair (Mr. Bas Balkissoon): The motion does not carry.

I'll call the vote on the motion, as moved by Mrs. Mitchell, that deferred votes be scheduled immediately following question period and that petitions be scheduled during routine proceedings. Recorded vote.

Ayes

Mitchell, Ramal, Rinaldi, Van Bommel.

Nays

Kormos, Miller, Witmer.

The Chair (Mr. Bas Balkissoon): The motion carries. Mrs. Witmer.

Mrs. Elizabeth Witmer: Actually, that particular change probably works best for cabinet ministers, who now can go and make announcements and travel throughout the province at 12 o'clock because they're free for the rest of the day.

Mr. Peter Kormos: Mrs. Witmer, it's even more dramatic than that: This will provide the perfect access to that cowards' alley from the government members' lounge down to the east end of the building, the cowards' alley when cabinet ministers want to avoid the media so they scurry with their tails dragging behind them down cowards' alley to the refuge of the east end of the chamber and avoid any exposure to the press.

The Chair (Mr. Bas Balkissoon): Mrs. Mitchell?

Mrs. Carol Mitchell: I move that the House commence sitting each Monday morning at 10:30 a.m., followed by 9:00 a.m. on Tuesday, Wednesday and Thursday morning.

Additionally, the House should consider reviewing the use of e-petitions.

The Chair (Mr. Bas Balkissoon): Any discussion?

Mr. Peter Kormos: The House can sit any time it wants, and New Democrats and I will be here, and we have been. I have no quarrel with the House starting at 10:30; I have no quarrel with reviewing the use of e-petitions and looking at the ramifications.

You know the issue. I'm pleased that the motion reads as it is because it's one that I can support. I think a better compromise would have been 10 o'clock, because, really, you're allowing a little bit of time for people to get in on Monday mornings and we're going to have debate on Monday mornings. Let's start at 10.

I move an amendment that "10:30" be changed so that it reads "10 a.m." If we're going to work, let's get to work.

Mrs. Carol Mitchell: Just a short comment: This was a concern that we heard from out-of-town members, that it was difficult to come so early in the morning on Monday. Also, we heard it from a technology point of view, that it was difficult to ensure that the House would be up and running without the ability to have that time frame.

Certainly we heard the concerns on the e-petitions. It's something that we feel does reflect today's technology. We should move forward with it, but we've heard the concerns that it needs further review, and we are prepared to support that.

Mrs. Elizabeth Witmer: If I recall, the technology people seemed to indicate that if there were problems, they probably would need the Monday morning to make the changes that were necessary.

I take a look at the schedule that the Progressive Conservative caucus put forward, and there has been no attempt on the part of the government to even accept one of our recommendations. Here is one—based on the fact that because the House kept adjourning early, either in the morning or the afternoon, they didn't need almost 34 hours—where they could have moved to a start time on Monday of either 12 o'clock or 1 o'clock. Certainly we could have started later. I'm very disappointed that they really didn't listen to the technology people, and they certainly haven't listened to any one of the recommendations that we made.

It's disappointing. I sit here and I think to myself, "Why did we go through this charade?" The government pretended the changes were going to reflect some sort of consensus and change to the question period time, and at the end of the day, we're talking about issues, such as e-petitions, which have come out of the blue and I don't think are going to have a significant impact on what happens here. In fact, I think that had better be given some serious consideration because it allows people to be anonymous, and I'm not sure that really is in the best interests of democracy. I'm just very disappointed. We're going to vote against this. Again, the government could have compromised and accepted our 1 o'clock start time on Monday.

1130

The Chair (Mr. Bas Balkissoon): Mr. Kormos.

Mr. Peter Kormos: Thank you, Chair. Help me. I've made an amendment to change this to 10 a.m. Let's look at what this government's schedule has done. It's created Thursday afternoon, three hours, as a day where the government will only have bare-bones attendance; right? It's pushed private members' public business into there to the point where government private members' bills will risk being defeated should the opposition wish to do that.

Jeez! Workdays? I don't know. Down where I come from, working women and men start their workdays at 6:30 and 7 a.m., and raise families. Whose interest is this in? It's obvious that this is designed to ensure that there's still a question period at 10:30.

This is the dilemma that the government caucus members found themselves in: They would have dearly loved to have eliminated Monday mornings because this is problematic. I'm here Monday mornings; I live in Welland, 135 kilometres away. It's as problematic for government members as it is for opposition members, deciding whether to come in Sunday evening and leave your riding at 5 or 6 o'clock.

Last night I was at the Feast of the Assumption down at St. Mary's Church in Welland. We had to wait for the rain to end, and then we did the parade with the Madonna around—

Mr. Lou Rinaldi: Processions.

Mr. Peter Kormos: You can call them what you want to where you come from, Mr. Rinaldi. We paraded that Madonna through the streets of Welland, let me tell you, on the shoulders of hard-working parishioners of St. Mary's Church. As it was, I came into Toronto late last night—I'd rather not—but for some folks who are a little further away, it would mean missing the Feast of the Assumption. Who would want that? It's one of the bulwarks of Catholic Christian faith.

The government really wanted to eliminate Monday morning, but then they went, "Oops, that means we'd have to put question period at 12:55 or 1. Oh nuts!" they said. I'm sure the language in the Premier's office could've been even more eloquent. "I guess we can't do it after all. We'll cut this little bit of slack." This just illustrates how silly this whole exercise is.

But you know what? Government committee members have to understand that, all of the best-made plans of mice and men often going astray, none of this has got anything to do with the one-hour time frame that the government intends to use to make the provisional orders permanent. None of these are going to be introduced because if they do, of course, there goes the one-hour time allocation, doesn't it? As I say, once again—a little bit of pseudo-intellectual onanism—an opportunity for government members, nothing more, nothing less.

The Chair (Mr. Bas Balkissoon): I have a motion moved by Mrs. Mitchell, amended by Mr. Kormos. The motion reads: "I move that House commence sitting each Monday morning at 10:30 a.m. followed by 9 a.m. on Tuesday, Wednesday and Thursday morning.

"Additionally, the House should consider reviewing the use of e-petitions."

The amendment by Mr. Kormos is to delete "10:30" and insert "10 a.m." All in favour of the amendment? Against? That motion carries. Sorry, it's defeated.

The motion reads: "I move that House commence sitting each Monday morning at 10:30 a.m. followed by 9 a.m. on Tuesday, Wednesday and Thursday morning.

"Additionally, the House should consider reviewing the use of e-petitions."

All in favour? Against? The motion carries.

Any more motions? Discussion? Mrs. Mitchell.

Mrs. Carol Mitchell: I move that introduction of guests occur twice per day—once in the morning and once in the afternoon with a duration of five minutes each time, and the introduction of the guests be done by the members.

The Chair (Mr. Bas Balkissoon): Mr. Miller.

Mr. Norm Miller: I think the reason we went to having the Speaker introduce guests in the last session was because things were just getting too carried away, with every single person attending the Legislature being introduced by the members. It makes more efficient use

of the time and makes it so there's no partisan nature to the introductions whatsoever. So I support maintaining having the Speaker do the introductions of guests.

The Chair (Mr. Bas Balkissoon): Mr. Kormos.

Mr. Peter Kormos: Mr. Miller, you're being much too harsh. You know full well that for many government backbenchers, the only opportunity they have to stand and speak in that chamber is when they're introducing Aunt Myrtle and Uncle Bob from whichever part of Ontario they happen to be coming. This is a self-aggrandizing exercise. It allows folks from back home to perceive their member as being a somebody, that they can actually stand up and introduce in the House, when that's all they've done in the chamber that week or that month. Do you dispute that, Mr. Miller? Because if I'm wrong, you say so; you refute that right here and now. You're being far too harsh on government members. This is it for them: They've got a collection of Hansards that consists of introductions of Aunt Myrtle and Uncle Bob, and far be it from me to begrudge them that. I just think it's far more professional when the Speaker does it.

Also, be careful, my friends, because if you have a five-minute limit on it and you don't have the Speaker doing it, there will be opportunities to hold those five minutes hostage, won't there? Some of you may not get your guests introduced at all, because the five minutes will be up and cantankerous opposition members who have lost all interest in being collegial or civil will be saying, "On a point of order, Speaker, the five minutes are up," and the Speaker will say, "Sorry, Mrs. Mitchell. I don't know who your guest is today"—it could be the reeve, it could be the mayor, it could be the pastor from your local church—"but you're not going to be allowed to introduce him or her." It's fraught with flaws, but this is what happens when people don't reflect on things.

The Chair (Mr. Bas Balkissoon): Mrs. Mitchell.

Mrs. Carol Mitchell: I do thank the members for their comments, but certainly I have heard from a number of members who want the ability to stand up and introduce their guests. They understand that their guests are a very important part of the process. Specifically, if someone makes the very long trip from my area to come into Toronto, you want to have the allocation of time given to introduce them so that they feel they are a part of the process as well and in recognition of their attendance. So anything that we can do to engage the people of Ontario in the process at the Legislature I feel is important and part of the role of the members.

Mr. Peter Kormos: Let's engage the public of Ontario: Let's have question period at 1 o'clock so that the public of Ontario can watch it on their televisions after they've finished doing their daily chores around the house and so that the public of Ontario can travel to Toronto from places like Ottawa. We worry, "Oh, members can't get here before 10:30 on Monday." What about that busload of school kids from Yakabuski's riding, up in Renfrew? They can't get here by 10:30 either. So if Mrs. Mitchell wants to make this place more public-friendly, let's have question period at 1 o'clock.

But I don't begrudge Mrs. Mitchell standing up and introducing folks; I've already indicated that. I don't begrudge her that at all. I understand—Aunt Myrtle and Uncle Bob.

1140

The Chair (Mr. Bas Balkissoon): Mr. Ramal.

Mr. Khalil Ramal: I guess many members spoke about this point, because most of the time the Speaker stands up and introduces people without their being present in the House, and also he sometimes introduces them after their departure. That's why I want to make this one here attach the name with the presence of the people. That's very important.

The Chair (Mr. Bas Balkissoon): I'll call a vote.

Mr. Peter Kormos: Recorded vote.

The Chair (Mr. Bas Balkissoon): I have a motion by Mrs. Mitchell: "I move that introduction of guests occur twice per day—once in the morning and once in the afternoon with a duration of five minutes each time, and the introduction of the guests be done by the members."

A recorded vote.

Ayes

Mitchell, Ramal, Rinaldi, Van Bommel.

Nays

Kormos, Miller, Witmer.

The Chair (Mr. Bas Balkissoon): That motion carries. Ms. Mitchell?

Mrs. Carol Mitchell: I move that private members' business be conducted on Thursday afternoon with three private members' bills or resolutions debated each day. Further, that bills can be sponsored by more than one member and by members of different parties.

Just to add comment to this, Mr. Chair, this is something reviewed by the previous committee. It was something that was talked about. Anything that we can do to promote working together in the House, we feel, is very important. Also, we recognize that there is more work to do on private members' bills and how they move forward. We do recognize that there is much more work to do, but we feel that this is a very important first step.

The Chair (Mr. Bas Balkissoon): Comments? Ms. Witmer?

Mrs. Elizabeth Witmer: With all due respect, this is rather amusing: everybody working together. I'm not sure to what end. We've sat here now for three days, and there doesn't seem to be any willingness to accept any of the recommended changes to the standing orders that have been proposed by the two opposition parties.

I think the big issue with private members' business, whether you have two private members' bills introduced or whether you have three or four or five—at the end of the day, it's what happens with private members' bills. As I say, right now, they usually go into a big black hole.

I think there should be an obligation on the part of the Legislature to review what happens, and we need to take a look at models in other provinces. For example, in Alberta, bills go through committee and then they automatically go to a vote in the House, and that allows for some closure. I think this whole thing about co-sponsorship is meaningless. It's what happens with the bills that is significant. The process we have at the present time is totally inadequate and doesn't reflect that these bills are really all that important. I think we should be looking at other models so that we can bring closure to private members' bills—pass them or reject them.

The Chair (Mr. Bas Balkissoon): Mr. Kormos.

Mr. Peter Kormos: The mover of this motion either misreads or misstates what, in fact, the 2001-02 Marland Legislative Assembly committee concluded, because although they recommended co-sponsorship, they also stated that “the committee is of the view that further thought will have to be given to the precise features and consequences of co-sponsorship.”

I've already indicated that the face of the bill never appears in Hansard; the author of the bill, the patron, the sponsor of the bill never appears in Hansard. There are options. One is to permit up to two seconders. That will appear in Hansard:

“Speaker, I move second reading of this bill.”

Then, consecutively:

“Speaker: Yes, the member for ABC.”

“I second the motion for second reading of this bill.”

Then you've got a Hansard. It's an option, and I'm not recommending that necessarily, but then you have a Hansard.

Look, at the end of the day, do I care? Probably not, although I'm worried about the possible implications and also the implications about sharing the time slots by movers, as you know, of bills in private members' public business, because it implies that—first of all, she doesn't have a restriction. The committee, when it first considered it, talked about three. It implies that 20 people could co-sponsor a bill and then share the limited time slot, which is sort of *reductio ad absurdum* at that point; ain't it, Chair?

Look. Let's understand what private members' public business is, for the largest part. There are some good, substantive bills put forward. John O'Toole's bill on cellphone use, which was dismissed and, dare I say it, pooh-poohed by the Premier when it came forward, has now become a government initiative. There's some substantive stuff.

You use private members' for any number of things. You use it to introduce fluff bills. You know, those saccharine bills, the cotton-candy bills; declaring July 3 Don't Worry, Be Happy Day. And of course, the ethnic days. We've got calendars that overlap now, celebrating any number of ethnic communities. My poor Carpatho-Russian community is still being denied their Carpatho-Russian Day in Ontario.

Then you've got bills that are designed and guaranteed to pass. Of course, this is all about ego bills, where you

introduce a motherhood resolution or bill like, “Be it resolved that this Legislature condemns poverty.” Well, of course everybody condemns poverty. Those are the one-hit wonders in the local press; right? Of course, you don't intend for them to get third reading.

Let's understand that a private member's bill is only a private member's bill until it's resolved and discharged. As a matter of fact, it ceases to become a private member's bill once you're finished your private members' public business hour, even if it does pass. It's no longer a private member's bill, then. The government controls its passage. As a matter of fact, the Speaker of this assembly has ruled that private members' bills are government bills once they're discharged from committee and sent back to the House, because only the government can call them for third reading.

So Mrs. Witmer is quite right. A far more interesting consideration would be the status of private members' bills, their survival rate—I'm not even talking about their success rate. Private members' bills have the lifespan of baby seals on a good seal-hunting day. The government clubs them to death on a regular basis, or simply projectiles them into legislative orbit. Stephen Hawking knows more about private members' bills, because of his intimacy with black holes, than most private members ever do.

Look. Do I care? At the end of the day, big deal. Who am I to begrudge a couple of government backbenchers their day in the local press? If they want to stand up and co-sponsor, good for them. I think there are better ways of doing it and I think the consideration of seconders is a better way. We're not worried about the American style that's being imported here, but at the end of the day, big deal, because it means so little.

The interest, as expressed by the 2001-02 Marland-chaired Legislative Assembly committee, was to foster co-operation among members. The government could have fostered some co-operation among members by having adopted a consensus model for the determinations today. We indicated from the get-go—we did, Chair. Both opposition caucuses here indicated from the get-go that there were any number of things—in fact, the majority of the government's wish list—around which we could reach a consensus. The government had no interest in doing that. Foster co-operation? Bull feathers. The government wants to use the language and cotton-candy the approach and, regrettably, abuse its backbenchers in the process.

I'm not overly offended by this. I just think it's silly, but it's no more or no less silly than a whole lot of stuff that goes on around here, is it? Found any silly stuff since you've been elected here, Chair? Don't smile, sir. It displays a response. But I appreciate it.

The Chair (Mr. Bas Balkissoon): Mr. Miller?

Mr. Norm Miller: Yes, just on this point. There's so much more that can be done on private members' business, particularly in terms of moving bills to committee, to get public hearings, to getting more of them that actually come to a vote. Other jurisdictions do have

closure processes that bring about more closure and more opportunity to vote on bills. I really see this motion as fluff, basically.

1150

Even if you look back at the report that was done on enhancing the role of members—that was done in 2002—they have eight recommendations, a number of which, it seemed to me, could stand more investigation, including number 4:

“The committee recommends that bills should be referred to committees in a consistent fashion in order to allow private members to develop expertise in a committee’s field of expertise.”

And number 7:

“Notwithstanding the current practice, the committee recommends that a private member’s public bill that is supported by at least 75% of the membership of the House ... should be entitled to be fast-tracked for early consideration of, and voting on, all post-second reading stages of the legislative process.”

I just think that there’s so much more that we can do on private members, and that if we were going to make a recommendation, at the very least, it should be that we study further possibilities to deal more completely with private members’ bills.

Mr. Peter Kormos: I think that what Mr. Miller was saying was that belly button lint has more substance than this particular motion, but—

Mrs. Elizabeth Witmer: Call the question.

The Chair (Mr. Bas Balkissoon): Mrs. Witmer has called the question. I have one motion by Mrs. Mitchell, who moved that private members’ business be conducted on Thursday afternoon, with three private members’ bills or resolutions debated each day. Further, that bills can be sponsored by more than one member and by members of different parties.

All in favour? Against? That motion carries.

The Chair (Mr. Bas Balkissoon): Ms. Mitchell?

Mrs. Carol Mitchell: I move that question period be scheduled at 10:30 a.m. on Monday, Tuesday, Wednesday and Thursday, and routine proceedings at 1 p.m. on Monday and Thursday and 3 p.m. on Tuesday and Wednesday.

Mr. Peter Kormos: It is my view that question period is the property, to a great extent, of the opposition. It’s the opposition’s time. Orders of the day is the government’s time. That’s when the government calls the business. Government decides what bills are going to be debated and, especially in a majority government, which bills are simply going to pass.

The opposition has ownership of question period. It was only relatively recently that in the course of compromise, private members had access to question period for private members from the government benches.

The government has been unmoving on the issue of timing. They were not consultative from the get-go. We could have resolved this. I spoke with the government House leader, saying, “Look, what’s the government’s agenda with this silly little Legislative Assembly com-

mittee? You know, for us, the opposition, we’re prepared to live with all your other stuff. We know what you intend by it and what your goal is, but we really, strongly believe”—and then the government’s response is, “Well, it’s an arbitrary time. Why 10:30? Why 10:45?” Well, okay, but if it’s arbitrary, why not 1:00? Amongst other things, it would resolve those huge, wacky gaps in the middle of Tuesdays and Wednesdays. I believe that it would make question period more accessible to the general public. I believe this. I personally do. Many of us agree with me; some don’t.

I value question period. I find it an incredibly important—perhaps the single most important part of our process. It’s a thing that Americans envy. You know that, don’t you? Americans envy it. US-style republican systems envy question period. When we have guests from totalitarian China and they watch question period—we see them up there, on the junkets from China, from totalitarian countries—they’re just about ready to swallow their bubble gum when they see the opposition going after the government.

Interjection.

Mr. Peter Kormos: Come on, Mr. Ramal. They’ve never seen anything like it, because where they come from, you go to jail or worse if you criticize governments, never mind in some sort of official theatre or venue like the Parliament or the Congress or the Senate. It’s an incredibly important thing.

I’ve often believed that nobody should be able to serve in government until they’ve served in opposition. I really do, because it helps people in government understand the very, very important role opposition plays. Opposition’s most pointed role is during question period. Good opposition makes for better government; I really believe that, too. The worst governments occur when you’ve got sloppy, disinterested or restrained oppositions.

I reject this. I regret that the government members on this committee did not see their way clear to proceed here by way of consensus where we could have made joint submissions on any number of issues.

The government insists that it doesn’t have an agenda, doesn’t it? You’ve heard the Premier say that, Chair. You’ve heard the government House leader. There’s no agenda on the part of the government in moving question period into the morning. Well, then, why move it? Because it hasn’t made for a cleaner sitting day. We all know that. There is an agenda here.

I reject this. As I say, this is symbolic of the phoniness of this whole process here in this Legislative Assembly committee. Thank you, Chair.

Mrs. Elizabeth Witmer: Call the question.

The Chair (Mr. Bas Balkissoon): Mrs. Witmer has called the question.

Mr. Peter Kormos: A recorded vote, please, if indeed the Chair should deem it timely to call the question.

The Chair (Mr. Bas Balkissoon): I have one motion by Ms. Mitchell. Ms. Mitchell moves that question period be scheduled at 10:30 a.m. on Monday, Tuesday, Wednesday and Thursday, and that routine proceedings be at

1 p.m. on Monday and Thursday and 3 p.m. on Tuesday and Wednesday.

A recorded vote.

Ayes

Mitchell, Ramal, Rinaldi, Van Bommel.

Nays

Kormos, Miller, Witmer.

The Chair (Mr. Bas Balkissoon): The motion carries. Ms. Mitchell.

Mrs. Carol Mitchell: I have no more motions to bring forward.

The Chair (Mr. Bas Balkissoon): No more motions? Ms. Witmer.

Mrs. Elizabeth Witmer: Mr. Chair, I want to advise the committee that the Progressive Conservative caucus will be submitting a dissenting opinion that we would like to add to the report. We are very, very disappointed at the recommendations that have been brought forward by the government. Many of these changes are totally out of the blue; there hasn't been an opportunity for discussion amongst the House leaders or with our caucuses. I think it certainly indicates that the government is trying to focus attention away from the key issue of concern, which is the timing of question period. It's disappointing. So we would like to submit our dissenting opinion in September and add it to the report.

The Chair (Mr. Bas Balkissoon): Mr. Rinaldi, did you—

Mr. Lou Rinaldi: No.

The Chair (Mr. Bas Balkissoon): Okay. I just heard you call my name. Mr. Kormos.

Mr. Peter Kormos: I, on behalf of the NDP, pursuant to standing order 130, in particular paragraph (c), wish to put notice that we dissent on a number of the recommendations that were imposed on this committee by the majority vote of the Liberal members.

However, it remains that staff now is confronted with a series of motions. Staff, in preparing its report, may decide to simply say, "The committee passed the following recommendations," and list them and treat it as barebones as that, as succinctly as that. It's conceivable that staff may choose a more narrative style of report writing. The process, again, is reasonably flexible in these committees. I submit that the opposition is entitled to see a draft report before it is required to submit dissenting reports or even make that choice. So I'm putting you on notice, as Mrs. Witmer did, that there will be dissent, but for us to write that dissent without seeing the draft would be putting the cart before the horse. I further submit that we have to have a subcommittee meeting where staff might be present so that we can help in determining the time frame that staff needs to prepare that draft report. That's the process that I submit is appropriate. Once we

see that draft report, then formal notice of our intention to file dissent should be registered.

Look, it's highly unlikely, but it's entirely conceivable, that the researchers would prepare a report that there's no need for this member to dissent from. Notwithstanding what's passed here, it may end up being government members who say, "Whoa, we don't accept this report." So that's what I'm suggesting to you. I say that now is not the time for the Chair to set a time frame for the submission of dissenting reports.

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The Chair (Mr. Bas Balkissoon): I guess the question remains, then: Does the committee want to give the procedural clerk in research direction on writing that committee report, and do you want to set a procedure or a date for your dissenting report, and does the committee want to have that subcommittee meeting and a follow-up meeting for the complete review of the draft report from the procedural clerk?

Mr. Peter Kormos: I think the committee has done what it's done, and there we are. The inference to be drawn is that the government members intended for this series of motions to be the direction to the research. I don't agree, but that's the majority decision here. Now it's for us to receive a draft report, and I say, until we've seen a draft report, it's premature for the opposition to be called upon to submit to a deadline for submitting dissenting reports.

Mrs. Carol Mitchell: I concur. We can agree, as a subcommittee, on what those days are, going forward, once we have a date. But I would concur with both of your comments—not that I concur that you should write the report; I concur about the time frames.

The Chair (Mr. Bas Balkissoon): So am I hearing that everyone agrees that we should just have a subcommittee meeting to determine some dates, after you see the draft report?

Mrs. Carol Mitchell: Yes.

The Chair (Mr. Bas Balkissoon): When can we expect the draft report?

Mr. Peter Sibenik: Probably in about two weeks, if that's okay with the committee.

Mrs. Elizabeth Witmer: And that would be August 25.

The Chair (Mr. Bas Balkissoon): It would be August 25.

Mr. Peter Sibenik: I do have some further questions, however, for the committee, based on these recommendations.

The third motion dealing with deferred votes being scheduled following question period and that petitions be scheduled during routine proceedings: Does the committee have any specific instruction as to when during routine proceedings the petitions should be held—or just leave it as is?

Mr. Peter Kormos: With respect, the author of the motion had the opportunity to do that and declined to, and I submit, appropriately, because these are about recommendations. It's clear from the motion, on its face, that the mover did not wish to specify a particular time.

That's my response to the question on the part of the research officer.

The Chair (Mr. Bas Balkissoon): Mrs. Mitchell, do you have a comment?

Mrs. Carol Mitchell: Just that the intent for petitions would be that it would be at the end, but clearly it did not say that in the motion; it said that it would be a part of routine proceedings. So I guess we would look at normal practice.

Mr. Peter Kormos: We've got to live with what we've got.

Mrs. Carol Mitchell: I concur, but I'm just saying normal practice based on where it was in the past. But—

Mr. Peter Kormos: Well, normal practice—I agree with Mrs. Mitchell that the report of the researcher should reflect normal practice in the Legislature, which of course would include question period at 1 o'clock.

Mrs. Carol Mitchell: Which would also include specifically the motion where it says it be part of routine proceedings; it did not specify a time. And then I'm just saying based on past practice.

Mr. Peter Sibenik: Thank you. I have another question dealing with the introduction of guests twice a day, once in the morning and once in the afternoon. What happens to the existing procedure in the standing orders dealing with the introduction of guests, the Speaker doing that? What happens to that, if anything?

Mr. Peter Kormos: It's clear the committee has been silent on that matter.

Mrs. Carol Mitchell: The intent—

Mr. Peter Kormos: I know it was voted on.

Mrs. Carol Mitchell: And specifically that's what was voted on. The intent was to give an opportunity for members to introduce guests twice in a day, that being in the morning and in the afternoon, and a time allocation of five minutes be given to each of those. That's what the motion specifically said, and that the members be given that opportunity.

Mr. Peter Kormos: Mrs. Mitchell is quite right. The committee was silent as to whether or not that displaces the Speaker's introduction of visitors.

The Chair (Mr. Bas Balkissoon): I guess it's a combination of both.

Mrs. Carol Mitchell: What the motion specifically said was that the members be given the opportunity for five minutes in the morning and five minutes in the afternoon within the allocated time, and that's specifically what it spoke to. The process that came forward in the past few months that we were here was that it was clearly written from a member, it would go forward to the Speaker, and he would also introduce—he or she would also introduce; he right now—people who were sitting in his gallery as well. But the motion specifically said an allocation of time, five and five, and that it be members.

Mr. Peter Sibenik: Thank you.

Mr. Peter Kormos: Once again, I want to reiterate: I've been report writing in committees for a couple of years now, and there are any number of ways to do it. The more collaborative way is to go through a series of exchanges with the research staff here, and the research

staff gleans from that general perspectives. The government chose to do this by a series of motions letting the majority rule. The government chose that process; we offered up a consensus process, a process of discussion and hopefully some give and take. The government specifically declined to accept that; in fact, went further and voted against that.

I submit, then, that the researcher lives with the wording of the motion and quite frankly nothing more, nothing less. The researcher cannot draw inferences that are not available to him. I submit that as our position on this matter, and I regret it.

The Chair (Mr. Bas Balkissoon): Okay. So the draft report will be prepared for the 25th. The subcommittee meeting—would you like to agree on a date?

Mr. Peter Kormos: I don't have an agenda here.

Mrs. Elizabeth Witmer: We can do a teleconference.

Mrs. Carol Mitchell: Yes, we can do a teleconference.

The Chair (Mr. Bas Balkissoon): Do you want to pick a date? Two days later? Three days later?

Mr. Peter Kormos: Chair, you and the clerk can arrange that once the draft report is available and distributed.

The Chair (Mr. Bas Balkissoon): Okay. So it will be left up to the Chair?

Mrs. Elizabeth Witmer: The 27th would be good.

The Chair (Mr. Bas Balkissoon): I have a suggestion of the 27th. By teleconference?

Mrs. Carol Mitchell: Yes, the 27th is good.

Mr. Peter Kormos: The 27th of August?

Mrs. Carol Mitchell: Yes. It's a Wednesday.

Mr. Peter Kormos: I'm not going to be in Toronto that day. I'll hope I'm in cellphone—

The Chair (Mr. Bas Balkissoon): The suggestion was by teleconference. Ten o'clock?

Mrs. Carol Mitchell: Sure.

The Chair (Mr. Bas Balkissoon): Okay. Subcommittee meeting, teleconference, 10 a.m., August 27.

Anything else? Mr. Rinaldi?

Mr. Lou Rinaldi: Mr. Chair, for clarification, after the subcommittee meeting, do we still have to vote to submit the report to the House?

The Chair (Mr. Bas Balkissoon): No. The subcommittee meeting, I'm assuming, would be to get the draft report and to agree on a committee meeting date to see the final report.

Mr. Lou Rinaldi: Okay.

The Chair (Mr. Bas Balkissoon): And it would allow the opposition members' comments about a dissenting report opinion, whether they chose to do that or not.

Mr. Peter Kormos: Mr. Chair, that's not done in subcommittee. That's done in open—

The Chair (Mr. Bas Balkissoon): No, it gives you the time, because you wanted to see the draft report first.

Mr. Lou Rinaldi: Then this committee will convene again?

The Chair (Mr. Bas Balkissoon): This committee will convene again on the report and the subcommittee will decide on a date on August 27. That's what—

Mr. Lou Rinaldi: Thank you.

Mr. Khalil Ramal: A teleconference.

The Chair (Mr. Bas Balkissoon): The subcommittee will meet by teleconference, but set a date for a com-

mittee meeting some time in the future before the House comes back. All agreed? Anything else? Meeting adjourned.

The committee adjourned at 1211.

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