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**Official Report
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Wednesday 9 June 2004

**Journal
des débats
(Hansard)**

Mercredi 9 juin 2004

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: Elizabeth Witmer
Clerk: Anne Stokes

Présidente : Elizabeth Witmer
Greffière : Anne Stokes

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GOVERNMENT AGENCIES**

**COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX**

Wednesday 9 June 2004

Mercredi 9 juin 2004

The committee met at 1004 in room 151.

INTENDED APPOINTMENTS

The Chair (Mrs Elizabeth Witmer): We're going to call this meeting to order. The first issue on our agenda is the extension of deadlines. Pursuant to standing order 106(e)(11), unanimous consent is required by the committee to extend the 30-day deadline for consideration for the following intended appointees:

W.E. James Attwood, intended appointee to the Town of Midland Police Services Board; Helena Guenther, intended appointee to the Elgin Community Care Access Centre board of directors; Elizabeth Ann Post, intended appointee to the Oxford Community Care Access Centre board of directors; David L. Knight, intended appointee to the Ontario Securities Commission; Dawn Bennett, intended appointee to the Ontario Heritage Foundation; Lorraine Desjardins, intended appointee to the Thames Valley District Health Council; Anne Mundy, intended appointee to the Algonquin Forest Authority; and Sean Strickland, intended appointee to the Social Benefits Tribunal.

Do we have unanimous consent to extend these deadlines from June 20 to July 20, 2004?

Mr Gilles Bisson (Timmins-James Bay): I have two questions. I take it you've distributed that in writing to members of the committee? Because I don't have a copy of that, and I'm just wondering why.

Clerk of the Committee (Ms Anne Stokes): What we have distributed instead is this chart, and if you look on pages 3 and 4, you'll find the date of the certificate and the names—

Mr Bisson: Oh, so you started from May 14.

Clerk of the Committee: These are all of the selections that have been made since the start of the committee.

Mr Bisson: And this motion just allows, by giving unanimous consent, for them to be called for the committee, right?

Clerk of the Committee: Yes.

Mr Bisson: OK. Thanks.

The Chair: Do we have unanimous consent? Yes. OK.

Then it would be our plan, as well, if it can be agreed to, that we would sit on July 20 to meet, and at that point

in time there well may be additional appointees for consideration. Do we have consent?

Mr Bisson: Sorry, I was reading.

The Chair: I'm suggesting that since we're extending the deadline to July 20, this committee would sit on July 20 to deal with any intended appointees, not just these that may still not have received an appointment and have been scheduled, but any other appointees we may be considering. So we would sit on July 20.

Mr Bisson: July 20?

The Chair: Yes. We're going to have to sit. We can't accommodate all of the appointees in the next two weeks.

Mr Bisson: I would prefer we leave that up to the whips to work out, because there may be some scheduling issues. Let's say that we've duly noted that we want to meet, but we'll leave it up to the whips to work out the actual dates. There's a recommendation, but we'll bring that back to the whips.

The Chair: You mean the subcommittee?

Mr Bisson: There's a recommendation to sit on July 20, and what I'm saying is just leave it with the party whips to determine which date will work better for people, because I want to make sure; there may be conflicts with the Liberals or us or with the PCs. I'm the person on the committee, but I very well may not be available that date, for which I have to get a sub.

The Chair: I do anticipate that probably not everyone will be available on July 20. I guess I was simply making that as a suggestion in order that we would tentatively schedule that and people could plan for it. But I think certainly we need to make sure it meets—

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): Just two questions. First of all, where did the July 20 date come from?

The Chair: The July 20 date? Well, we're doing the extension, and I guess part of what we want to make sure we do is that we include all of the other appointees that we're going to be identifying.

Mr Tascona: That's fine. Is there a possibility of doing a full day before the House breaks?

The Chair: There are only four people right now that we are not able to accommodate, so it wouldn't even require a full day.

I've just heard from the clerk that we need an order of the House to sit, so that wouldn't be doable.

Mr Tascona: Well, it would be doable if we make a request to do that. You're saying there are only four?

The Chair: There are only four right now that we can't accommodate in the next two weeks. However, there are going to be other appointments, and if parties identify other people, then we're going to have more than four.

Ms Laurie Scott (Haliburton-Victoria-Brock): So we are going to need to sit sometime anyway.

The Chair: Well, we have four people that we can't accommodate next week or the week thereafter.

Mr Bisson: I can be helpful, because at House leaders we've had some discussions very briefly about committee meetings in the summer. We're trying to work it out so that it's in a particular block of time so that people can plan. I don't want this committee being out of sync with what the plans will be for other committees that will be sitting this summer. I don't disagree that we should meet this summer. I'm just saying let's leave it up to the party whips to determine what the best dates are based on the recommendations of the committees. That would be the best way to deal with this.

The Chair: Well, if it's the wish of the committee that we don't set a date right now, that's fine. That decision can be made by the subcommittee of the three parties. I'm just putting you on notice that right now there are four appointees whom we will need to hear, whom we haven't been able to schedule before the House—

Mr Tascona: The standing orders require 30 minutes for an appointee.

Clerk of the Committee: If I may—

The Chair: Yes, go ahead, Anne.

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Clerk of the Committee: The standing orders don't specify the 30 minutes. That has been a committee practice that had been determined a number of years ago, and it seems to have worked to the satisfaction of the committee, but the standing orders just provide that the committee will determine when and for how long a person is to be interviewed.

The Chair: I guess that's one of the other decisions that the subcommittee could take a look at—whether they would want to try to accommodate all of these people within the next two weeks and make a change to the time.

I've also just learned from the clerk that in order to accommodate these individuals, not only could we change the length of time they appear before the committee, but we actually could start our meetings at 8 or 9 o'clock in the morning, because we are authorized to sit in the morning. If, in the course of the next two weeks, we wanted to consider doing that, that would certainly be another alternative.

If the subcommittee would like to meet at some point in the near future and make a decision as to how we deal with these intended appointees, that would be appropriate.

We'll move on now. Before we begin with our first interview, I would like to extend, on behalf of the Ontario members of provincial Parliament and the Premier, our warm welcome to the delegates who are here from

Kenya. I understand that you are members of the public accounts committee. Welcome, and we hope you enjoy your stay.

Mr Bisson: We were just wondering if it was a reciprocal invitation. Kenya is a beautiful country.

ROBERT SHIRLEY

Review of intended appointment, selected by third party: Robert Shirley, intended appointee as member, Town of Mono Police Services Board.

The Chair: We'll now begin. Our first interview is Robert Shirley, intended appointee as member, Town of Mono Police Services Board. I would invite Mr Shirley to come forward at this time.

As you may be aware, Mr Shirley, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, you are going to have questions from all members of the committee. At our last appointment review, we started with the New Democratic Party, and so today we will begin with the Liberal Party. Each party will have 10 minutes for questions. We'll go in rotation. As is also the practice of this committee, any time that you would take, Mr Shirley, in your statement, will be deducted from the time allotted to the government party. Welcome. We are pleased to see you this morning. You can begin.

Mr Robert Shirley: Good morning, Madam Chair and members of the standing committee on government agencies. You know I have applied for the public appointment for the Mono township police services, which I have been on and which I have really enjoyed being on, and which I look forward to being on again, if that's your wish.

You have in front of you the resumé that I had sent in, and there are a couple of additions to that. I am now vice-chair of Credit Valley Conservation. I am also chair of what we call the Island Lake management committee. When you are going up through Orangeville, on the right hand side there is a big lake, and I chair that big management committee.

Mr Bisson: How's the fishing?

Mr Shirley: To be honest about it, it wasn't any good until the sun came out. Now it's going really well. We had a really slow spring.

I have been involved with local politics. I started back in approximately 1976. I was a councillor in Mono, then I was deputy reeve, then I ended up as the warden of Dufferin county. I retired from that approximately nine years ago. I have been on the Credit Valley board for the last 23 years, and for the last four years I've been appointed by East Garafraxa, Mono and Amaranth townships put together.

I'm trying to give you some of the background of my experience on many other boards and everything like that. I really enjoy doing volunteer work in those lines.

I was licensed under the Ministry of the Environment, and I still am, for many years. I actually retired partially from the business I was in a year and a half ago, about

two thirds; for the other third, the people won't seem to let me retire, so I'm still carrying that on. That is water issues and that type of work.

I've been appointed twice. I think it was just over three years I was appointed and it ended last October. I applied and I was waiting on that to come through, and that's the reason I'm here today.

Thank you for inviting me down. I certainly appreciate coming before you, and I'll answer any questions you may have.

The Chair: Thank you very much, Mr Shirley. We will begin with the government party.

Mr Ernie Parsons (Prince Edward-Hastings): It's traditional for the other parties to ask this question, so we're going to beat them, and there is no wrong answer: any political affiliation?

Mr Shirley: To be honest about it, I've been with all three parties over the years.

Mr Parsons: Currently?

Mr Shirley: Currently I am with the Conservative Party.

The Chair: Any further questions from the government party? OK, thank you, Mr Parsons.

I now ask the Conservative Party.

Mr Tascona: You've been on the police services board before. Are you familiar with the civilian oversight process for the police?

Mr Shirley: What's that?

Mr Tascona: The civilian oversight process for the police in terms of reviewing complaints filed against the police.

Mr Shirley: Not a lot, because we haven't had to get into that so far, and we rely on the sergeant to deal with that part to start with.

Mr Tascona: You're familiar with the process of where—

Mr Shirley: To a point; just to a point, though. We haven't had a problem to get involved with that to any extent.

Mr Tascona: The government is looking to change that. Do you have any thoughts on that?

Mr Shirley: That actually came up to our board for review, which is coming up at our next meeting, and we're supposed to be doing research on that, so at this point I couldn't answer you any further on it.

Mr Tascona: But were you satisfied with the process before?

Mr Shirley: Yes. It seemed to be working well. The sergeant had handled any problem that came up, so it never came to us to help him on that. It was fine with us.

Mr Tascona: With respect to the police services board, what issues do you think are important for your area in terms of how your board could operate?

Mr Shirley: We had some problems, we call them serious problems, up in our area to start with as soon as I got on. The board had been operating for about a year without an appointment. It may not sound very important to some of the bigger boards, but we had a terrible time with false alarm calls, where our officers were really tied

up. We had up to maybe 30 calls a month with false alarms, and they were all false alarms. We've really tried to dig in and deal with that. We have dealt with that and recommended a bylaw to the township, which was passed. Everything is going reasonably well on that; we've dropped them well over 50%.

The other issue we are trying to deal with is 911. Our first three digits up there are 941, and the four is directly below the one. So far we haven't really been able to handle that. We're still in discussions with them on that.

Mr Tascona: What do you think about drug testing for police officers? Any thoughts on that?

Mr Shirley: I have no problem with that for anybody, police officer or whoever.

Mr Tascona: You would support mandatory drug testing of police officers?

Mr Shirley: I would have no problem, myself, with that. That's my opinion.

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Mr Tascona: What about photo radar? Are you in support of photo radar?

Mr Shirley: Photo?

Mr Tascona: Yes.

Mr Shirley: They have radar in the car, so why not have photo radar?

Ms Scott: I just have one question. It's a three-member board?

Mr Shirley: Three-member board.

Ms Scott: You've been on the board before, to 2003.

Mr Shirley: Yes.

Ms Scott: Do you feel a three-member board is sufficient or would you like to see it at five?

Mr Shirley: It's fine.

Ms Scott: A three-member board's been fine?

Mr Shirley: Absolutely fine. We discussed that at our last meeting and we're quite satisfied with what we've got.

Ms Scott: You were on the board until 2003; is that right?

Mr Shirley: Yes.

Ms Scott: And then, I'm sorry, I didn't hear if you said it earlier: Was there a reason you stepped down?

Mr Shirley: The term of my appointment came up in October. I had reapplied and I hadn't heard anything until just recently.

Ms Scott: That's fine. Thank you for coming today and appearing.

The Chair: The New Democratic Party.

Mr Bisson: Welcome to our committee. We're so happy to have you.

Mr Shirley: Glad to be here.

Mr Bisson: Very good. Was it a municipal appointment previously?

Mr Shirley: No.

Mr Bisson: So you had a provincial appointment before.

Mr Shirley: Yes, I've been appointed twice by the province.

Mr Bisson: By the province. The other two appointees are municipal appointees, right?

Mr Shirley: Yes.

Mr Bisson: OK.

Just to follow up on one of the questions my colleague asked you, and that is the question of civilian oversight, explain to me a little bit a couple of things. When this sergeant gets a complaint from citizens in regard to whatever it might be, does he report all of those complaints to the board?

Mr Shirley: Yes. As far as I know, he does. I'm pretty sure he does.

Mr Bisson: I don't think you get a lot of them.

Mr Shirley: No, we don't.

Mr Bisson: You'd get how many in a year, roughly?

Mr Shirley: Two.

Mr Bisson: Two or three. Have there been cases where the sergeant reports that somebody has made a complaint and there is still a sense by the complainant that it's not been dealt with? Do you get that sense at all?

Mr Shirley: No, we haven't had that problem.

Mr Bisson: How many officers in your force?

Mr Shirley: Approximately 25 to 30.

Mr Bisson: They police a population how large?

Mr Shirley: We're around 75, but that—

Mr Bisson: Is that 75,000?

Mr Shirley: We have one designated for Mono township.

Mr Bisson: That's 75,000?

Mr Shirley: It's 7,500.

Mr Bisson: I was going to say that's not a lot of police for 75,000.

Mr Shirley: It's 7,500 for Mono, but they look after Dufferin county.

Mr Bisson: That's what I'm saying. Overall, how many people do they protect, ballpark?

Mr Shirley: Oh boy, 35 maybe. It might not even be that—25.

Mr Bisson: Just to come back to the oversight issue a bit, there is a thought in the province, and it may not be so much the case with the police service you're involved with, but people get a sense, especially in larger cities, that complaints sometimes fall on deaf ears. That is the reason the government is looking at the possibility of a police oversight commission. As far as the concept is concerned, are you opposed to that? Are you in support of that?

Mr Shirley: I don't have a problem. If there are people out there who really have a strong feeling that their problem hasn't been dealt with, they should have something in writing. Somebody should talk to them or something to make sure it has been. We just haven't got into that one.

Mr Bisson: But you don't have a problem with the concept.

Mr Shirley: I don't have a problem with that.

Mr Bisson: More times than not, I think you're right: the sergeant of the day normally deals with most complaints fairly adequately.

Mr Shirley: No problem.

Mr Bisson: I think you're right on that.

One of the things I'm interested in, and I think you probably are as well because you've served on this board for a long time, is that being a police officer can be a pretty tough job at times. One of the things, in talking to police officers around the province, is how do we motivate them to continue doing the good job they want them to do? Has there been any work on your police services board to look at how we reward police officers who try hard, how we encourage and support them? Do you guys have any initiatives that are of interest?

Mr Shirley: We don't have an initiative, I would say, but we do praise the officers that do a good job; there's no question about that. We have even invited the one who represents Mono into our office—he's not on the board or anything—and talked and discussed with him the problems we have. He's doing an excellent job. We tell him that.

Mr Bisson: But is there anything you've seen in your work that would be a good initiative that other police boards could look at? I know an issue in some of the boards, some of the police services, not all, is that sometimes they get a sense that it's a bit of a grind. You're the guy who gets called out to the family domestic complaint etc and sometimes it's not a very—how would we say?—rewarding job when you've got a string of those. Have you heard of anything that is of interest to you that we can be looking at?

Mr Shirley: I really haven't, not on that subject. That may be a thought that I wouldn't mind bringing up to our association, whenever that does come up, because there are a lot of officers who go to that. That's a good thought.

Mr Bisson: I'd appreciate it. If you do come up with something, if you could let us know, that would be good.

The other thing is, what's the composition of your force? It's 35 officers. How many men, how many women, etc? Does it fairly reflect the community, in your sense?

Mr Shirley: I cannot tell you the breakdown between men and women. I don't have that.

Mr Bisson: But when you look at the community itself, when you look at the community that it polices, is it your sense that your police force represents that community by way of making sure that we have people from different backgrounds, different genders, etc?

Mr Shirley: Oh, OK. We have discussed the different gender type of thing. I think we're well represented on that. We have people who can actually go out to different types of organizations, and they've done a good job for us.

Mr Bisson: In the area that you're responsible for, what's the composition of the overall population? Is there a big Asian community?

Mr Shirley: Retired. Is that what you're saying?

Mr Bisson: No. As far as ethnicity, is it mostly white, Anglo-Saxon Protestant? Is it a mix of people from different backgrounds? I'm not too familiar with your area.

Mr Shirley: We used to be mostly white Anglo-Saxons, but we're not—I would say we're really changing. We're in a changing mode now up there.

Mr Bisson: So what are the other large groups of new citizens? I guess my question is, when you think about that, are your police services trying to figure out how to reach out to those communities so that we can be sure we understand each other? Often, policing issues, as far as confrontation or problems, may be because communities don't understand each other. So my first question is, do you feel that your police services are doing work in order to try to reach out to those new Canadians, those new communities, in order to better understand each other so there are good relationships between the police and the various communities? Are there any initiatives in that way?

Mr Shirley: I wouldn't say we have any initiatives, because we just really haven't gotten into that yet.

Mr Bisson: So there's not a lot of issue in it?

Mr Shirley: No.

The Chair: Thank you very much, Mr Bisson.

That concludes the interview, Mr Shirley. We thank you very much for coming today. You may step down now.

Mr Shirley: Thank you very much.

MONICA DONAHUE

Review of intended appointment, selected by third party: Monica Donahue, intended appointee as member, North York Community Care Access Centre board of directors.

The Chair: Our second interview this morning is with Monica Donahue, the intended appointee as member, North York Community Care Access Centre board of directors. I would invite Ms Donahue to come forward.

As you probably heard, should you choose to make an initial statement, you certainly have an opportunity. Following that there will be questions from members of the committee. Each party will be allocated 10 minutes for questions. We go in rotation. Any time that you take in your statement will be deducted from the time allotted to the government. We welcome you, Ms Donahue. If you have a statement, you may certainly make that now.

Ms Monica Donahue: First, I'd certainly like to thank you for the opportunity to meet with you today and to talk about this potential appointment with the North York Community Care Access Centre. I must say it's an interesting time for one to be involved in the health care system in Ontario, so I find it a most intriguing opportunity.

My prime career experience is in human resources. I expect you have my resumé, so you're aware that that's been the focus of my work career. I've worked in a number of specialties in the field—compensation, recruitment, learning and development, employee relations. Most recently, I'm a senior generalist, or a human resources business partner, equivalent to a human resources director. In that capacity I interact on an executive level

in the organization on a pretty regular basis, so I'm involved both at the working level and with the strategic planning process in the organization.

I also worked briefly in the health care system in the United States and had the opportunity to work as a compensation consultant for a health maintenance organization there. That's not to suggest that I believe we should be using the American model, but it was an interesting view into the American health care system.

My education includes an undergraduate degree in physiology and pharmacology, and I also completed a master's in business administration at the University of Toronto.

My interest in the position really lies mainly in two areas. First, it's an opportunity for me to give back to the community in which I live—I live, actually, bordering on North York—but it's also an area for me to grow personally. By that I mean, the board was specifically looking to round out the skills set that they have—it's quite a small board, three people—and they were looking specifically for some human resources skills on the board. I bring some depth in that area.

1030

Also, it's an opportunity for me to be more familiar with the direction of health care in the province and to provide some representative perspective from the community on the support that community care, particularly, can add. As well, having an aging parent—and I suspect there's a number of people in the room who are in the same situation—and other relatives who live at home, I certainly understand the value of community care in enhancing the quality of life for people but also in managing the cost of health care.

So there's obviously some significant change happening in the health care system. From my understanding, that means increasing accountability, some integration, perhaps the consolidation of services and more creative use of limited resources. When you look at this from the perspective of overall leadership and strategic planning, that means a lot of change. It will require solid leadership from the ministry, the leaders of the boards of the organizations and the management teams.

I believe that's one of the reasons why the board has asked me to join them, because I come from an organization that, over the last few years, has actually gone through significant acquisition, consolidation and operational efficiency. So I've been both a participant and one of the leaders in significant change.

I had the opportunity on the weekend to hear Deputy Minister Hassen speak to a group of health care professionals at a dialogue on health care. It was interesting to hear his priorities. I'm sure everyone is pretty familiar with those: a focus on getting people care faster; the development of family health teams and local health networks; a focus on chronic-illness management; and improving alternative long-term care.

The overall message that I got from the deputy minister was that continuity of care was critical. Again, in my view, that's going to require active leadership, both

from the ministry and from the leaders of the organizations. Where I think I can help is to add thought leadership at the board level regarding some of these challenges and opportunities relating specifically to integration.

In North York, the community care board seems to have a very good relationship with North York General Hospital and I think has already taken some positive steps in the direction of focusing on the client and improving the continuity of care. I'd certainly be interested in helping them. Again, it's a small board, and I think they certainly need more manpower in a number of areas to help move that forward. So, if the committee sees fit to endorse my appointment, I'd be happy to take an active role on the board.

The Chair: Thank you very much, Ms Donahue. We will begin with the Conservative Party.

Mr Tascona: Thank you, Madam Chair.

Thank you for coming to the committee today. I noticed your background. I didn't really see any background in health care. So what would possess you to want to get involved in this? I know you have human resource skills.

Ms Donahue: Again, I was in a position where I was looking for an opportunity to do some volunteer work and give back to the community. I saw the ad that the community care access centre had posted. They were specifically looking for people who had human resources skills. I believe they were also looking for finance as well, because they had approached another individual with a finance background. That's mainly the skill that I bring.

As I said, I had brief experience working in the health care system in the United States, but I'm not sure that's the main skill that they're looking for. Having a general management graduate degree and working at a general management level, I think I've got a pretty good grasp of the strategic planning process. Hopefully, I can add some support in that direction too.

Mr Tascona: How did you find out about the position?

Ms Donahue: They actually advertised in the community paper.

Mr Tascona: Are you a member of any political party?

Ms Donahue: No.

Mr Tascona: No. So they advertised in the community paper. Where was your application sent?

Ms Donahue: Where was it sent?

Mr Tascona: Yes, where was it supposed to go?

Ms Donahue: They had a communications person on board at the centre at that time who was managing the flow of applications. I went for an interview with the board chair and one of the board members.

Mr Tascona: OK. Have you spoken to anyone in the government about the appointment?

Ms Donahue: No.

Mr Tascona: No. What do you think about the placement services that they provide at the community care

access centres? In North York, at the long-term-care facilities, do they have any day programs for seniors? For example, for a senior who has dementia, do they have a day program to try to work with them, as opposed to being in their house, where they're cut off? Are you familiar with any programs in North York?

Ms Donahue: Actually I know personally and not through the access centre. I know that some of the community centres in North York have day programs. I think the Fairlawn community centre actually has a program. But I wouldn't say I'm very familiar with placement programs through the community care centre.

Mr Tascona: You're not that familiar with them. What do you think about day programs for seniors as opposed to home care service where an individual may not necessarily benefit from home care?

Ms Donahue: There obviously needs to be an assessment of the person's individual needs, if there's both a cost and a care opportunity, that would be better for the person's quality of life. Again, speaking from my own experience with an aging mother, I know that one of the challenges she has is social interaction. If she's able to interact, my experience has been that that seems to be more fruitful in terms of their quality of life. So a centre where that facility is available or day services and contact with both caregivers and other people in similar situations.

Mr Tascona: Do you see yourself having a role to maybe encourage more day programs in long-term-care facilities?

Ms Donahue: I think it would be something that certainly should be taken into consideration in terms of continuity of care, if that's an element that is affordable and can reach an adequate portion of the population.

Ms Scott: Thank you for appearing here today and being willing to give back to your community. We notice that the board in North York is smaller than most of the other CCAC boards. Do you know many members and do you think the size of the board is a challenge, given, if you know them, their backgrounds?

Ms Donahue: Sorry? Do I know if the members think it's—

Ms Scott: Do you know many of the members and their backgrounds, and do you think the size of the board is a bit of a challenge, just being so small?

Ms Donahue: Yes, certainly it's a challenge.

Ms Scott: OK.

Ms Donahue: There's work to do. Some of the current challenges that the board has could be—they're looking for an executive director at the moment. There didn't appear to be a succession plan there. Finding an executive director can be very time-consuming in itself. There's some work to be done, and in progress, in improving the timing and support around financial reporting, the quality committee. So there are a number of committees that they're looking to form, and of course with three people that's difficult.

Ms Scott: Would you like to see the size increase? Do you plan on maybe looking to the future to increase the

size or applying for the government to increase the size of the board?

Ms Donahue: It's a \$64-million organization and the demographics—we have about 600,000 people in North York. I think an organization supporting that size of a population would merit more than three people on the board, yes.

Ms Scott: The government has been saying that they want to look at multi-year funding arrangements. Do you see yourself being kind of a spearhead or promoting that within the community care access centre to bring forward to the government for multi-year funding?

Ms Donahue: As I understand the structure, I think that would be primarily the role of the OACCAC, taking advice from the respective boards. Again, looking at my business perspective, we do our strategic planning on a three- to five-year basis. That would obviate the need for funding plans to a certain extent on a three- to five-year basis. There are some unpredictabilities—it's a people business, but when you look at demographics, I think there is a certain amount of planning you could do, and it would certainly be helpful.

From my conversations with folks at the access centre, certainly funding takes a lot of time around planning. It uses up a lot of time just trying to predict what the funding is going to be and managing around that. So a longer horizon always helps with planning.

Ms Scott: Good luck with that. Thank you very much for appearing here today.

The Chair: We'll now ask the questions to come from the New Democratic Party.

Mr Michael Prue (Beaches-East York): Thank you for having the bravery to try to come to one of these boards. The reason I put it that way is, this is a highly political board. It never was, but in the last year or two it has been changed from a community focus to a pretty small group of elite people. Do you propose, if you are appointed, to leave it like that or try to democratize it again, or where do you see the CCAC going?

Ms Donahue: Again, it's a people business. It's a community-based business. I think some of the direction from the ministry has been, again, to focus on the community. I would credit the board, elite as they may be—I don't know. I can't speak to that, but—

Mr Prue: All two of them, yes.

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Ms Donahue: Fair enough. I would credit them for having gone to the community and chosen—I don't consider myself particularly elite—and having been open in their selection process for appointees. I think that's probably a step in the right direction, if that's seen as a challenge.

Mr Prue: Do you know whether either of the other two members—because I'm not familiar with who they are—who are on the board are community people, or were they appointed by the previous government?

Ms Donahue: The chair obviously would have been appointed by the government. I'm not sure about the previous appointment process. That may have been

before the current legislation that requires appointment by the government. My understanding is I have the dubious honour of being the first person who has been interviewed. I guess that would answer the question.

Mr Prue: You talked about the appointment. The previous government, through orders in council through the Lieutenant Governor, was able to appoint the executive directors of individual boards, including the North York board. How do you see that panning out? Do you think that is an appropriate mechanism, or will you be, as a board member, trying to find your own executive director, pick the best person you think for the board? Or do you think that should be left with and vested with the cabinet?

Ms Donahue: Again, let me talk from my personal business experience. I am hired as a manager to understand the business plan and the objectives of the organization, and part of that is to set accountabilities for the people who work for me and to manage those accountabilities. There is never a clear line, and typically that may be in consultation with the person who hired me. But I've been put in place and delegated a certain amount of responsibility, so hiring is one of them. Any process can work. I think when you're hiring at an executive level the important thing is to establish what the capabilities and what the accountabilities of that position are and conduct a search process based on focusing on those capabilities. If there's some conference with those who have appointed the person to whom that person reports, that would be fine, but I would hope it would not slow down the process such that one would be at risk of losing a candidate or frustrating the process.

Mr Prue: The board currently represents or deals with some 600,000 residents of the former city of North York. There is some discussion—and I'm from East York—of folding the East York board in with the North York board. Do you have any position on that? That would make it now dealing with 725,000 people.

Ms Donahue: Yes, there has been some discussion about that, and I'm actually not sure what the status is at this stage of the game.

Again, in my experience I've gone through a number of changes in the organization in which I work—acquisitions, consolidations. If there's a reasonable gain to be had in terms of service levels, perhaps cost savings and effectiveness, then I think it's worth considering. My understanding is that part of the direction of this government is to have a certain amount of integration and consolidation. I'm not familiar with the operations of the East York centre, but I think that consolidation could certainly be something that would work, with some positive impacts on the community.

Mr Prue: In terms of money, perhaps that argument is always made, but I have to tell you, we in East York are very wary of amalgamations of any kind. They have been a total disaster across this province.

I'm wondering how, in terms of that, you see citizen participation being maintained when a community is subsumed, as this one might be.

Ms Donahue: It's a people business. I think my interaction with the staff at the North York centre, and I assume it's a model for those at other centres, suggests to me that their aim is to do the right thing for the patients and the clients. Any change is always going to encounter resistance. If one puts away personal agendas, I think one can look at a compromise that can be workable and encourage people to participate. Their participation means they have a say in the outcomes.

Mr Prue: Thank you.

The Chair: Thank you very much, Mr Prue.

The Liberal Party, any questions? No.

OK. Thank you, Ms Donahue. That concludes the interview. We thank you very much for coming today.

WILLIAM PROSPERI

Review of intended appointment, selected by official opposition party: William J. Prospero, intended appointee as member, Legal Aid Ontario board of directors.

The Chair: Our third interview this morning is with William Prospero, the intended appointee as a member of the board of Legal Aid Ontario. I would invite him to come forward at this time. Good morning.

As you know, you do have an opportunity, if you wish, to make an opening statement. After that, there will be questions from members of the committee. Each party will have 10 minutes allocated for questions and then we'll go in rotation. Any time that you take in your statement will be deducted from the time allotted to the government.

Welcome, Mr Prospero. Did you wish to make an opening statement?

Mr William Prospero: Yes, I do have an opening statement.

Good morning, Madam Chairperson and members of the committee. I thank you for allowing me the opportunity to appear before you with respect to my proposed appointment to the Legal Aid Ontario board of directors.

Prior to becoming involved in the construction business some 30 years ago and following graduation from university, I was employed as a social worker with the Sudbury and district children's aid society, followed, for a time, as a probation officer with the Ontario probation services. In both of these capacities, I had occasion to be involved with the legal aid system, and from there developed an interest.

As circumstance would have it, however, I became involved in the family construction business started by my grandfather in 1905. As anyone who has operated a business will tell you, it is an all-consuming activity and, coupled with raising a family, little quality time was left to apply myself to other activities. During my years in the construction industry, I have become familiar with and involved in labour relations, contract negotiations, the Workplace Safety and Insurance Board, occupational health and safety, and the Employment Standards Act, amongst others.

I also feel that I have developed analytical, practical decision-making and people skills over the years. I have

learned to be disciplined and am able to work to meet deadlines, while still paying attention to details. Although I have no legal training, I am open to new ideas and most willing to put forth the effort to learn and to meet all challenges.

Presently, the fourth generation of our family is becoming involved in the business, which affords me the time to pursue other interests. Helping low-income and less fortunate people has always been of interest. This proposed appointment offers me the opportunity to be of assistance. Thank you.

The Chair: Thank you very much. We're going to begin with the NDP.

Mr Prue: First questions—whoever goes first usually asks these: How did you find out about this application? Did any particular person inform you?

Mr Prospero: Yes. I have an attorney friend who knew of my interest. He saw an ad in a law journal, and he suggested to me that I might be interested in it.

Mr Prue: That attorney friend, his or her name is?

Mr Prospero: Jim Hinds.

Mr Prue: All right. No one I'm familiar with, but that's OK. Often these positions are held out to members of political parties. Are you a member of any political party?

Mr Prospero: No.

Mr Prue: Have you ever been?

Mr Prospero: No, not provincially.

Mr Prue: OK. You said you had no legal training. I put that down as a bit of a plus. I have a healthy disrespect for lawyers, no offence to my friend Lorenzo Berardinetti here. But having no legal training, how do you think you are going to fit into such a legal framework? Almost everything done here is with lawyers, with complex laws, judges, regulations and rules. I'm just curious why you would think that this was a fit for you.

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Mr Prospero: Well, I've always had this interest in legal aid, as I said in my presentation. I think there are other aspects of legal aid that involve things other than law; there's the business aspect of it, there's creating a rapport between lawyers and clients, maintaining a common sense approach to things, where lawyers may not—no disrespect to lawyers.

Mr Prue: The people who primarily use legal aid are poor, a lot of single-parent families, particularly women. They are in need of lawyers and cannot afford to pay for them. How would you, in this new position, help those people to obtain lawyers, recognizing that there seem to be dwindling amounts of funds available for such defence?

Mr Prospero: Well, I think right now there is a process in existence. Maybe—I'm not sure because I don't know the process—it needs some fine-tuning. Maybe there are some negotiations that have to be made and discussed to try and get more funding, however they get it, to look at different avenues to help with these areas of funding.

Mr Prue: There is also the very tricky problem—some people think it's a good thing, some don't; I'd just like your view on it—of people coming to Canada, refugee claimants, new immigrants, using a lot of money from legal aid. What's your position? Is this a good thing, a bad thing?

Mr Prosperi: I think each case would have to be discussed on its merit. I'm sure there are some that are not meritorious, but I'm sure that probably most of them are. I believe that people should have the advantage of our system if they choose to make a home here.

Mr Prue: This is a position that will require some degree of time on your part. Are you presently retired?

Mr Prosperi: No, I'm not retired yet. Like I say, I'm the third generation of our company. My nephews are becoming involved. My brother's two sons are becoming involved, which allows me more time to do other things, and this is one of the things I'd like to do.

Mr Prue: The construction industry works—I know they work year-round, but the busy season is probably about seven or eight months of the year, with the others being slightly less.

Mr Prosperi: We work year-round.

Mr Prue: I know they do. I see the construction in Toronto. It goes pretty well year-round, save and except, it does appear that a number of construction workers do not always work quite as much, particularly in January and February, maybe December. What I'm asking is, do you have a busy season, and would that in any way impact upon your ability to work year-round?

Mr Prosperi: Our season is pretty steady, 12 months of the year. The way we're structured now, any responsibilities that come up, I can give them to my nephews and they can look after them. I could be there as a consultant if necessary. I don't have to be on-site or in the office. I could be away at any time of the year—a day or two days or a week, or whatever.

Mr Prue: OK. Thank you very much.

The Chair: Are there any questions from the Liberal Party? No. Then I'll go to the Conservative Party and Mr Tascona.

Mr Tascona: I just looked at a couple of companies here on your resumé. I'm just trying to find out which company you're president of. Is it W.R.—how do you say that?

Mr Prosperi: Prosperi.

Mr Tascona: So is it W.R. Prosperi?

Mr Prosperi: W.R. is another company that my brother and I formed. It's like a holding company for a little bit of real estate that we have. The actual company is called Prosperi Plastering Co Ltd, which was started by my grandfather in 1905. There's very little plastering left, because it's basically a dead art; it's mostly drywall, and this is what we do.

Mr Tascona: Do either of these companies donate to the Liberal Party?

Mr Prosperi: Yes, sir.

Mr Tascona: They do? The provincial Liberal Party?

Mr Prosperi: Yes, sir.

Mr Tascona: I just want to ask you a question, because I know they want non-lawyers on this board, and I think for obvious reasons, which may differ from my friend Mr Prue's analysis. But there was a change in the coverage, and I think the coverage is kind of significant in terms of the change. It's criminal, family law, and immigration and refugee services, and then civil and administrative law is generally delivered through community clinics. What we're seeing is a tremendous increase in applications to the Ontario Rental Housing Tribunal.

You've got a labour background somewhat in terms of your company, especially in the construction industry. What are your thoughts on that? Is it too limited in terms of the coverage being restricted to criminal, family law, and immigration and refugee services and then putting the civil and administrative burden on the clinics? Not all areas have a clinic. We don't even have a clinic in Barrie, although I think they have one up in Orillia, which tends to service the rental housing area in our area for the work before the tribunal. Do you have any thoughts on that? Because Sudbury is a fairly highly unionized area involved in some major industries, which would tend to not necessarily be restricted to criminal, family, and immigration and refugee services. Do you have any thoughts on the coverage, whether it should be expanded or how it should be better delivered? I don't know. Have you got any comments?

Mr Prosperi: I don't have any comments, because I really haven't looked at it that closely. I just kind of read the information I was given. I would think that it might be something to discuss at a board meeting if there was a need for it—

Mr Tascona: I think it's something you may want to look at, because the coverage is restricted to three main areas, and then the civil and administrative is being thrown to clinic services as a model. I'm just wondering whether they may take a different look at that, perhaps, now with the change—

Mr Prosperi: That may be an option that's viable.

Mr Tascona: I'll just leave that thought with you.

Mr Prosperi: Sure.

The Chair: Ms Scott?

Ms Scott: No, no further questions.

The Chair: OK. That concludes the interview, Mr Prosperi. We do appreciate your coming here today and we thank you very much. You may now step down.

MARILYN MUSHINSKI

Review of intended appointment, selected by government and third party: Marilyn Mushinski, intended appointee as member, Social Benefits Tribunal.

The Chair: Our fourth and final interview this morning is with Marilyn Mushinski, the intended appointee as a member, Social Benefits Tribunal. I would invite Ms Mushinski to come forward.

Ms Marilyn Mushinski: Good morning.

The Chair: Good morning. As you know, you do have an opportunity to make an initial statement. Follow-

ing that, there will be questions from all members of the committee. Each party will have 10 minutes for questions. We'll go in rotation, and any time that you take in your statement will be deducted from the time allotted to the government party. Welcome, Ms Mushinski.

Ms Mushinski: Thank you very much, Madam Chair. Nice to see you this morning.

First of all, I want to thank the committee for this opportunity to address you this morning. I consider it a particular privilege to appear before such a distinguished panel and to be considered for the Social Benefits Tribunal.

My reasons for applying for this position are simple: I understand that the tribunal considers appeals to decisions made by the Ministry of Community, Family and Children's Services. I also understand that you need to have representatives who are fair and objective, who can work independently, conduct extensive research and are experienced in writing decisions. I believe I have the qualifications that meet these requirements.

I've served my community for over 20 years at the political level, first as an alderman and councillor and then as an MPP. In fact, for six years I served on council with one of the members of this committee, Mr Berardinetti. It's nice to see him here this morning.

As a councillor, I presided over numerous committees and also sat on Metro council. I represented the riding of Scarborough Centre from 1995 to 2003, having served as Minister of Citizenship, Culture and Recreation, parliamentary assistant to the Premier, responsible for voluntarism, and also parliamentary assistant to the Minister of Training, Colleges and Universities.

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Prior to being elected, I was an active volunteer in the community. I founded my own ratepayers' association, and I was a founding member of the Scarborough Women's Centre and the Scarborough Historical Museums board. I was also a member of the Scarborough General Hospital board of governors for nine years, and in my spare time I taught English as a second language.

I am a graduate of York University, with a degree in economics. I possess a strong work ethic and have an even stronger desire to continue to serve my community. I would be greatly honoured to be appointed to the Social Benefits Tribunal and will be happy to answer your questions. Thank you.

The Chair: Thank you very much, Ms Mushinski. I would ask the Liberal Party if they have any questions.

Mr Parsons: Just a question for the record: Are you a member of any organized political party?

Ms Mushinski: Yes, I am, but I want to assure you, Mr Parsons, that will in no way affect my objectivity if I serve on this tribunal. I appreciate that I would have to resign any membership to a political party.

Mr Parsons: No further questions.

The Chair: The PC party?

Mr Tascona: I want to thank you, Marilyn. It's good to see you again.

Ms Mushinski: You too, Joe. Thanks.

Mr Tascona: I hope everything is well.

Ms Mushinski: Everything is great.

Mr Tascona: I just noticed on your resumé that you're a board member of the Toronto Raptors Foundation.

Ms Mushinski: Yes.

Mr Tascona: Have you got any opinion on their new general manager?

Ms Mushinski: No, I have no opinion.

Mr Tascona: Having served with you, I think you're an excellent choice for this, especially in this particular area, the Social Benefits Tribunal, and the work that you did not only on council but within your community, and also the time you served with the provincial government. So I heartily support your being selected. I thank you for coming here today.

Ms Mushinski: Thank you, Mr Tascona. I appreciate that.

The Chair: The New Democratic Party, any questions?

Mr Prue: Oh, absolutely. It's good to see you back in this room.

Ms Mushinski: Thank you. It seems to be bigger than when I was sitting over there. Have they redesigned the room?

The Chair: Different desks.

Mr Prue: But it's still as warm as ever in the summer-time.

Ms Mushinski: It is, yes. I noticed the air conditioning works just as well.

Mr Prue: The questions I have are obvious. I don't think there can be any doubt that you have the skills and abilities necessary to do the job, but I find it perhaps a little strange that you would want to apply for it. The reason I'm putting it this way is that you were part of a government that, first of all, slashed welfare rates hugely in 1995, and now you're going to sit in judgment of those very same people. Can you tell me why you think this is a proper mix?

Ms Mushinski: Clearly, any government has the right to set policy, and I don't believe, as a member of the tribunal, it would be in my position to make any comment about any government's policy. As an applicant to this position, I would be here to clearly interpret the law and apply it fairly and judiciously. I certainly appreciate the fact that having served a very diverse community for 21 years, I understand what the challenges are in the community, and most certainly I believe that I have the experience and the ability to interpret the law as it stands. It would not be in my position to comment, nor indeed should it be in my position to make any comment, about government policy.

Mr Prue: There are some who would say that your government, or the government of which you were previously a part, was very uncaring toward the poor. How would you answer that in terms of whether or not you would be fair to a person who is poor, perhaps uneducated, down on their luck, that kind of stuff?

Ms Mushinski: Once again, I don't believe any political party has a monopoly on deciding who cares for

the poor and who doesn't. I think every elected official in this room cares for improving the health and welfare of their constituents. But having said that, it would not be my position to judge or comment on any policy. I believe that I'm an extremely fair person, that I'm an extremely objective person. I was a firm believer in the adage that you see in the House, which is, "To hear the other side." In terms of my own track record for caring for my community, I believe it will stand up to scrutiny on behalf of every member of this committee, who I know all ran for election for the same reason, which was because they care for their community.

Mr Prue: This is a quasi-judicial tribunal, which I guess would not be so fearful to most people, but it might be fearful to those with very limited education, whose first language may not be English, who might be new immigrants. How do you see your role in this particular regard? What would you do as a board member?

Ms Mushinski: I appreciate that it can be very daunting going before any quasi-judicial body. I appreciate that there will be many people who come before the tribunal who will feel quite nervous. I'm sure that former councillor Berardinetti, who sat on council with me through some very tumultuous years on Scarborough council, will attest to the fact that having chaired the planning committee for three years, we had a lot of people who were very nervous about coming before committee to speak about quasi-judicial issues. I think my record speaks for itself, that I did everything possible to put those people at ease. That's my style, and I certainly can't see that changing as a member of this tribunal.

Mr Prue: Although the number of welfare cases in Ontario has declined, the incidence of poverty in Ontario has skyrocketed. The United Way, in its report that came out earlier this year, pinpointed that poverty rates in Toronto have just gone up exponentially in the last number of years. Do you see a tie-in at all between welfare, ODSP rates and poverty?

Ms Mushinski: As I said earlier, I don't believe that, in applying for this position, I should be commenting on the policies that are set by the government. Having said that, I do recognize that many people who will be coming before the tribunal will be highly marginalized. It would certainly be incumbent upon me as a member to be very sensitive to the needs of the individuals who come before the tribunal. Once again, I can assure you that I will be extremely fair in any decisions I make regarding the individuals who come before me.

Mr Prue: These marginalized people are oftentimes unrepresented by professional counsel. What would you do to assist them in what would be a very difficult circumstance, where you would have someone presenting the government's side, someone who may appear to be opposed to them? It is an adversarial system. What would you do to assist them if they were unrepresented?

Ms Mushinski: I can certainly appreciate that. Alluding back to our former days in Scarborough, there were many who were unrepresented and felt quite nervous about that. I think it is important and incumbent

upon any member to be sensitive to the needs of the individual and to make sure they are put at ease.

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I understand there is a considerable amount of training that is involved with this particular position, anywhere from six to eight weeks. I'm sure that part of that training will make sure that members do develop the sensitivity to ensure that, as people come before the tribunal, they are put at ease and made to feel that they're going to get a fair hearing. You have my assurance of that too, Mr Prue.

Mr Prue: I know that in the tenant review process, many tenants go before that and do not feel that the process is fair. You probably were aware of those comments while you were a government member. Do you see any way of making sure that you do not fall into that same sort of, let's say, position, where justice must not only be done but must be seen to be done?

Ms Mushinski: Absolutely.

Mr Prue: I can tell you, a great many tenants don't feel they are receiving justice in the tenant review. I want to make sure that welfare claimants would feel they have more faith in the system. I just want to know what you would do to make sure you don't fall into the same trap as the tenant review.

The Chair: The time is almost finished, so this will be the last response.

Ms Mushinski: Thank you, Madam Chair.

I can assure you, Mr Prue, through you, Madam Chair, that I will do everything in my power to make sure that the individuals who appear before me are put at ease and feel, certainly, that they receive full and fair treatment.

Again, I would suggest to you that I think I have a pretty strong track record of being able to represent myself in a fair and objective manner. You have my assurances that that would continue if selected for this tribunal.

Mr Prue: Thank you very much.

The Chair: Thank you very much, Mrs Mushinski. That concludes the time that we've allocated for the interview, and we thank you very much for coming. Now you may step down.

Ms Mushinski: Thank you very much.

The Chair: OK. We've now completed the interviews for the morning, and so we'll take a look at our intended appointees, beginning with the consideration of the intended appointment of Robert Shirley, the intended appointee as member, Town of Mono Police Services Board.

Mr Parsons: I would move concurrence.

The Chair: Mr Parsons has moved concurrence in the appointment. Any discussion?

All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Monica Donahue, intended appointee as member, North York Community Care Access Centre board of directors.

Mr Parsons: I move concurrence.

The Chair: Concurrence in the appointment has been moved by Mr Parsons. Any discussion?

All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of William Prosperi, intended appointee as member, board of Legal Aid Ontario.

Mr Parsons: Again, I move concurrence.

The Chair: Concurrence in the appointment has been moved by Mr Parsons. Any discussion?

All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Marilyn Mushinski, intended appointee as member, Social Benefits Tribunal.

Mr Parsons: I'm pleased to move concurrence.

The Chair: Concurrence in the appointment has been moved by Mr Parsons. Any discussion?

All in favour? Opposed? The motion is carried.

That takes us to a piece of business deferred from the meeting of June 2, 2004, and that is the committee's consideration of the intended appointment of Barbara Sullivan as chair of the Health Professions Regulatory Advisory Council, which was deferred for seven days. Is there a motion for concurrence?

Mr Parsons: Yes, definitely.

The Chair: Concurrence in the appointment has been moved by Mr Parsons. Is there any discussion?

All in favour? Opposed? The motion is carried.

Is there any further discussion? No?

The meeting is adjourned until June 16, 2004. Thank you very much.

The committee adjourned at 1115.

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