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**Official Report
of Debates
(Hansard)**

Wednesday 23 June 2004

**Journal
des débats
(Hansard)**

Mercredi 23 juin 2004

**Standing committee on
government agencies**

Organization

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**Comité permanent des
organismes gouvernementaux**

Organisation

Nominations prévues

Chair: Elizabeth Witmer
Clerk: Susan Sourial

Présidente : Elizabeth Witmer
Greffière : Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 23 June 2004

Mercredi 23 juin 2004

The committee met at 0806 in room 151.

ELECTION OF CHAIR

Clerk of the Committee (Ms Susan Sourial): I'd like to call the meeting to order.

Honourable members, it's my duty to call upon you to elect a Chair. Are there any nominations?

Mr Lorenzo Berardinetti (Scarborough Southwest): I would move Elizabeth Witmer as Chair.

Clerk of the Committee: Mr Berardinetti has moved Mrs Witmer as Chair. Any further nominations?

Seeing none, I close nominations. Mrs Witmer is elected as Chair.

ELECTION OF VICE-CHAIR

Clerk of the Committee: I now have to call upon you to elect a Vice-Chair.

Mr Berardinetti: I would like to nominate Andrea Horwath as Vice-Chair.

Clerk of the Committee: Mr Berardinetti has nominated Ms Horwath. Are there any further nominations?

Seeing none, I declare nominations closed. Ms Horwath is elected as Vice-Chair.

APPOINTMENT OF SUBCOMMITTEE

The Vice-Chair (Ms Andrea Horwath): Good morning, everyone. We're running a tiny bit late, so we'll start right away.

The first order of business is that I would like to ask for a motion to appoint a subcommittee on committee business.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): I move the subcommittee on committee business be appointed to meet from time to time at the call of the Chair or on the request of any member thereof to consider and report to the committee on business of the committee in the presence of all members of the subcommittee, as necessary, to constitute a meeting, and that substitutions be permitted on the subcommittee and the subcommittee be composed of the following members: the Chair as Chair, Mr Tascona, Ms Horwath and Mr Parsons.

The Vice-Chair: Is there any discussion? No discussion. All in favour? Any opposed? That motion carries.

SUBCOMMITTEE REPORT

The Vice-Chair: Our next order of business is the report of the subcommittee on committee business that was dated June 17, 2004. Is there someone to move its adoption?

Ms Laurie Scott (Haliburton-Victoria-Brock): I'd like to make a motion to amend.

The Vice-Chair: OK.

Ms Scott: I would like to amend to remove Patrick Gossage, Martha Durdin, J. Urban Joseph and David Crombie.

The Vice-Chair: There's a motion by Ms Scott for the amendment.

All in favour? Any opposed? The amendment carries.

Then on the motion altogether: All those in favour? Any opposed? It's carried.

The next item is extension of deadlines. Pursuant to standing order 106(e)—I'm sorry?

Ms Scott: Sorry, Andrea, it's me. Also, to remove the following selections of intended appointees—it was separate, just the way they were chosen—Lorraine Desjardins, Anne Mundy, Helena Guenther and Elizabeth Ann Post.

The Vice-Chair: Any discussion?

Mr Peter Kormos (Niagara Centre): I'm at a disadvantage. I have the report of the subcommittee here, Thursday, June 17, 2004. I don't have anything that helps me understand this most recent motion. Maybe somebody could help me with that.

The Vice-Chair: Perhaps the clerk can help with the details.

Ms Scott: We had originally polled these names to come before the committee, and now we've decided that we don't want to see the selected people I've just mentioned. There was no need, but we had called them.

The Vice-Chair: So the opposition had polled the names for interview themselves, and they have determined now that they don't wish to interview.

Mr Kormos: I understand, but is that contained in a recommendation of the subcommittee? I have the recommendation of the subcommittee.

Ms Scott: This is the previous one. There were just two.

Mr Kormos: Wait a minute. So this motion amends previous subcommittee reports that have already been approved?

Ms Scott: Yes.

Mr Kormos: With all due respect, you don't amend those previous subcommittee reports which have already passed; you make a motion standing on its own.

Ms Scott: I just made a motion to withdraw those names.

Mr Kormos: How orderly is that in terms of the committee having approved that and now the committee being called upon to address a matter that has already been resolved by the committee? I'm just asking. As you know, I'm just visiting here. If it's not out of order, I'm just curious, because it seems to me that you're calling upon the committee, which has already decided an issue, to then contemplate the same issue, and I'm wondering about the orderliness of it.

I know why. I understand your motive or your desire, yes. I'm just curious as to whether or not the committee can reconsider a matter that's already been dealt with.

The Vice-Chair: Mr Kormos, if you don't mind, I'm going to ask the clerk to describe the precedent.

Clerk of the Committee: According to the standing orders, we don't need a subcommittee report to adopt intended people to be interviewed. The committee practice has been to use a subcommittee report. Because it's not in the standing orders that we need a subcommittee report, the members can also withdraw the selections without having it go back to subcommittee.

Mr Kormos: Perhaps when we're finished today you can show me the standing orders that provide for that. When we're finished.

The Vice-Chair: All right. So then the motion to withdraw the names has been moved. Is there any further discussion?

All those in favour? Any opposed? That motion carries.

Mr Kormos will get the information he requested at a later date.

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. I believe the only remaining appointee is René Fontaine.

Ms Scott: No, there's one more.

The Vice-Chair: I'm sorry?

Ms Scott: It's the OSC appointee, David Knight. I think he's already been polled. So there would be David Knight and René Fontaine.

The Vice-Chair: I don't have David Knight on my list.

Ms Scott: Has he been extended already?

The Vice-Chair: It's possible he has.

Ms Scott: I'm sorry. He's been extended already.

The Vice-Chair: Do we have, then, unanimous consent to extend the deadlines until August 31, 2004? OK. Thank you.

INTENDED APPOINTMENTS

JOSEPH SNIEZEK

Review of intended appointment, selected by official opposition party: Joseph Sniezek, intended appointee as member, Ontario Municipal Board.

The Vice-Chair: We then move on to the appointments review. Our first interview is with Joseph Sniezek, intended appointee as member, Ontario Municipal Board.

Mr Sniezek, welcome. Please come forward. As you might be aware, you have an opportunity initially, should you so choose, to make some initial comments, an initial statement. Subsequent to that, there are questions from members of the committee in rotation. Our last appointment review started questioning with the Progressive Conservative Party. This morning we'll be commencing questioning with the New Democratic Party. Each party will have 10 minutes allocated for questions, and we will go in rotation. As is also the practice of this committee, any time you take for your initial comments, Mr Sniezek, will be deducted from the time allotted to the government party. So welcome and please go ahead.

Mr Joseph Sniezek: My name is Joe Sniezek. I am a registered professional planner in the province of Ontario. I'm the past president of the Ontario Professional Planners Institute and a certified wetland evaluator. I graduated from the University of Waterloo urban and regional planning program. My employment experience involves both public sector and private sector exposure.

I have appeared before the Ontario Municipal Board on approximately 50 occasions as an expert witness. I believe the board plays an important role in the protection of those wishing to develop property and those affected by property development. Jurisdictions that do not have administrative tribunals like the Ontario Municipal Board must rely on the courts, and the courts may not be the most appropriate vehicle for the resolution of land use disputes. Courts are expensive and more constrained in their abilities to resolve disputes and give a sense of justice and fairness to land use decisions. Rights of appeal to the board are abused at times, and some questions are not about land use but relations between neighbours.

I come to this position with the required background and experience, and I believe I'm able to sit as a fair arbiter of local land use decisions. No actor in the land use decision-making process is omniscient or perfect and, as a result, decisions of councils and committees of adjustment are reviewable. In order for the process to be fair, you must put aside your presumptions and prejudices and see all sides of the issue. You must be empathetic and follow what I call the Elmer the Safety Elephant rules of good planning decisions: stop, look and listen. If you do, you will make fair and balanced decisions that are in the public interest.

It should be made clear to the committee that I have been politically active for the Liberal Party for a number

of years. I was a candidate in the 1988 federal election in Sault Ste Marie. I believe my political involvement should not qualify nor disqualify me for this position.

I would be pleased to answer any questions you may have concerning my background or qualifications.

The Vice-Chair: Thank you, Mr Sniezek. We'll commence with the New Democratic Party.

Mr Kormos: I compliment you for coming clean right off the bat, because you knew someone here was going to ask, right? Heck, you can't keep secrets any more. Even Christ couldn't get 12 people together without one fink. So I commend you for coming clean with the Liberal background.

I'm interested in your work. You're currently working as?

Mr Sniezek: I'm the manager of long-range planning for the city of Sault Ste Marie.

Mr Kormos: Is this a contract position?

Mr Sniezek: No, full-time.

Mr Kormos: You indicate you've owned and operated a postal outlet and an outsourcing business for the last 14 years.

Mr Sniezek: That's correct.

Mr Kormos: That's current as well?

Mr Sniezek: That's correct. But if I get this position, I would probably take a leave of absence from my position with the city.

Mr Kormos: The postal outlet, this is a sub-post office?

Mr Sniezek: It's a sub-post office.

Mr Kormos: Operated out of where?

Mr Sniezek: We have two locations in Sault Ste Marie, one in Market Mall and one in Churchill Plaza.

Mr Kormos: I don't know what an outsourcing business is, by the way.

Mr Sniezek: We take outsourcing contracts for various delivery businesses. We deliver newspapers to delivery boys, that kind of thing. So we take contracts from other businesses to deliver parcels or mail or other kinds of things.

Mr Kormos: You broker these contracts?

Mr Sniezek: Yes, that's right.

Mr Kormos: Why do you want to leave? It's a good position with the city of Sault Ste Marie.

Mr Sniezek: Originally I thought this was going to take some time. I've worked for the city for 33 years and it would be something I could do in retirement. I didn't expect originally that I would get the position so soon, but now that it has come up, I'm willing to take it.

0820

Mr Kormos: You're going to support yourself on your OMB income?

Mr Sniezek: That's correct.

Mr Kormos: I suppose if you're going to come clean, you've got to come clean all the way. You'd be naive not to have used your political contacts to provide some assistance to you in developing this.

Mr Sniezek: I submitted my application for the position, and I contacted the local MPP's office and said that I had submitted my application.

Mr Kormos: Right. And?

Mr Sniezek: That's it.

Mr Kormos: Your local MPP is here, I think.

Mr Sniezek: That's right.

Mr Kormos: I can't ask him any questions so I'm going to ask you how your local MPP responded to you.

Mr Sniezek: I didn't actually contact the MPP directly; I contacted his office.

Mr Kormos: Hard to get a hold of, huh?

Mr Sniezek: I talked to his office. I talked to his executive assistant.

Mr Kormos: He has an executive assistant?

Mr Sniezek: Yes.

Mr Kormos: Is this a man or a woman?

Mr Sniezek: A man.

Mr Kormos: This guy is an amiable kind of guy?

Mr Sniezek: Yes.

Mr Kormos: He said, "Thank you very much"?

Mr Sniezek: Yes.

Mr Kormos: "So long, it's been good to know you"?

Mr Sniezek: I said, "See what you can do."

Mr Kormos: Oh. And he said, "Sure"?

Mr Sniezek: Yes.

Mr Kormos: I think you have the qualifications in terms of your background to do the job. What work or study have you done around arbitration? What's your sense, for instance, of being a neutral? What have you read about that? Tell me about your expertise or your interest or your experience in that?

Mr Sniezek: I've taken a mediation and negotiation course. As a land use planner, you get to deal with neighbourhood problems and neighbourhood disputes between property owners. I understand that your job, as a civil servant, is to remain as neutral as possible and give the best advice to the political masters that you serve.

In terms of seeing land use disputes, I believe you should come with an open mind and see both sides of the issue. I'll use an example: If somebody wants to put up a 60-storey apartment building in downtown Toronto, that may be more than appropriate, but it may not be the best development in a place like Pembroke. That may affect people's values. I think locally determined land use decisions are based on the local set of values, and you have to bring that to the table. You can't see things only from your narrow perspective.

Mr Kormos: Tell me about your mediation-negotiation training.

Mr Sniezek: I took this course at Ryerson. It involved academic and practical simulations. You started off with one-on-one negotiations and then you moved to two-on-two and then multi-party negotiations, where you set out at first what your better-off-not-negotiating position is—when do you walk away from the table and when do you stay at the table—and you work from there.

Mr Kormos: I have to tell you, I like your frankness. I think you'll probably be a good member of the OMB.

There's probably a touch of political patronage here, but I have no aversion to political patronage when it's attached to competence. What I detest is political patronage attached to incompetence. Over a number of years here I've seen dogs walked into this committee—incredibly incompetent. We had a few from the Liberals just a few weeks ago. They wouldn't heed my advice and, honest to goodness, they're going to bite them on the butt before their terms are over. They'll be front-page news in the *Globe and Mail*. An appointment to the Social Assistance Review Board just a couple of weeks ago, an entirely inappropriate personality—but what can I say? They're the authors of their own misfortune. That's pretty clear after the last nine months, isn't it?

I'm encouraged. I can't vote for you, because I'm just here as of right on the committee pursuant to the standing orders and I'm not even subbed in, but I'm urging other people to vote for you. The New Democrats support your nomination.

The Vice-Chair: Thank you, Mr Kormos. Are there any questions from the government side?

Mr Berardinetti: No questions, thank you.

The Vice-Chair: Ms Scott?

Ms Scott: Thank you for coming and appearing here today. When you heard about the possibility of the appointment, which MPP's office did you contact?

Mr Sniezek: David Oraziotti's.

Ms Scott: Did you have any idea how long the appointment was going to be for?

Mr Sniezek: Yes. I knew it was for three years.

Ms Scott: I know there's been some discussion about lengthening the time appointments would be from three years and extending them to maybe five or seven. Do you have any comment?

Mr Sniezek: I think it would provide a certain amount of stability to the kinds of people who could be appointed. In my particular case, I have to move my location to Toronto because the board offices are in Toronto. I happen to be in the fortunate position that my mother lives in Toronto and I will be staying with her during the week. But if one had to relocate their operations from another place in Ontario to operate in Toronto, a three-year term could be a hardship on people.

Ms Scott: The OMB does some travelling—actually quite a bit of travelling—does it not?

Mr Sniezek: Yes. In my discussions with the board, their activities basically are two weeks out of the month in Toronto and then two weeks in the rest of the province.

Ms Scott: OK. There's been a lot of discussion of the role of the OMB lately. Did anyone mention that there would possibly be pay increases involved, and do you know how much the pay is right now?

Mr Sniezek: I know what the pay is right now. It's \$85,000 a year.

Ms Scott: I guess because the OMB is under discussion about its role, do you find this odd? I know you said you didn't expect the appointment so early. Does

this worry you, that there might be structural changes and you mightn't be as active?

Mr Sniezek: I've read the proposals that the government has put out with regard to the reform of the board. There are good points and bad points. I know there are pressures from municipal politicians to change the role of the board, but the board has made—and I'll go back into history—some very important decisions with relation to land use in this province. They have reviewed municipal decisions and made some very positive changes.

You have a situation where they may be throwing the baby out with the bathwater in changing the role of the board. A really small percentage of decisions are appealed to the board, a minuscule number. To change the role of the board and not give property owners that right—the proposal they're making is that there would be no de novo hearing and only the record of the decision would be reviewed by the board. There may be a positive to that. It may be less costly for developers. But it may be that all developers will then think that they may have to go to the board with a record and it may be more costly for all of them and add to the cost of development applications. So there are good points and bad points to the reform proposals that have been made.

Ms Scott: I know one of the Liberal MPPs had mentioned he might like to dissolve the OMB entirely.

Mr Sniezek: Well, that's a possibility when you're appointed to a government position such as this, but the proposals that have been made that are in the planning reform document don't speak to that.

Ms Scott: Not so far.

Mr Sniezek: No.

Ms Scott: OK. There's also mention that board members would make it more accessible to members of the public. Do you have any ideas about how that would be possible?

0830

Mr Sniezek: If you take the view that members of the public come to the board and have a right to make their case and not—I don't see the board as a court. I see it as a forum where anyone can come to the board and make their case for and against a land use application, similar to the way they appear before city councils. I don't think the board should be so legalistic and so imposing that it would intimidate citizens from bringing applications. I think sometimes, you know, "You have to have a lawyer to present things to the board," and I don't think that's the case. The board's instructions and the Web site that they have support the idea that citizens can come to the board by themselves and make a case and the board will listen.

Ms Scott: So you feel the way it is now is open enough to the public?

Mr Sniezek: Yes. There are always improvements that can be made in making the decisions. I think sometimes the decisions of the board are too legalistic in form, but that's a style point.

Ms Scott: OK. So you're going to take a leave of absence from the city of Sault Ste Marie, and the other, the postal outlet—

Mr Sniezek: I am an owner. We have staff who operate that business. I'm a shareholder. There are two other shareholders in my business. I have two other partners, and we'll make appropriate arrangements.

Ms Scott: You said you've been politically active. Could you state what party you've been politically active with?

Mr Sniezek: The Liberals.

Ms Scott: Thank you. Those are all the questions I have.

The Vice-Chair: That concludes the questions. Thank you very much, Mr Sniezek. You can step down and go about your day. Thank you for coming in.

JASON CHEE-HING

Review of intended appointment, selected by official opposition party: Jason Chee-Hing, intended appointee as member, Ontario Municipal Board.

The Vice-Chair: We'll move on to our second interview, with Jason Chee-Hing, who is an intended appointee as a member of the Ontario Municipal Board. Mr Chee-Hing, please join us.

Welcome. As you may be aware, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there are questions from members of the committee. You may have observed how it's been done with the previous interview. Each party will then have 10 minutes allocated for questions, and we will go in a rotation. Any time you take in your initial statement will be deducted from the government's allocated time for questions. At this point, I would ask if you would like to make some statements.

Mr Jason Chee-Hing: Madam Chair and members of the standing committee, thank you for allowing me the opportunity to speak to you today on my intended appointment. Firstly, I would like to say that I consider it an honour and privilege to serve this province as a member of the Ontario Municipal Board.

You have a copy of my curriculum vitae, so I would like to take just a few moments to highlight for you my experience and qualifications, which I feel would serve me well in hearing cases brought before the Ontario Municipal Board.

Most of my career has been with the public service, starting at the municipal level of government and then moving on to the provincial level, in the areas of urban and regional planning, land development, housing, environmental planning, social policy and real estate financing. I believe planning is a multi-disciplinary activity utilizing many disciplines to ensure the development of sound planning principles. To a certain extent, my career path has been guided by this belief.

I received my bachelor's degree in urban and regional planning in 1981 and subsequently practised as a planner for the region of Durham for six years. My career path

then took me to the provincial government, where I worked in the areas of affordable housing, land development, real estate financing, environmental planning and social policy. These are all areas that I consider to be within the context of planning. During this time, I also pursued further academic studies and received my master's degree in environmental studies in 1988 and a certificate in public administration.

I have been a registered professional planner, a member of the Ontario Professional Planners Institute and a member of the Canadian Institute of Planners from 1986 to 2003.

Community service is very important to me, and for the past two years I have served, and continue to serve, as a director and board secretary for Habitat for Humanity, York region.

Thank you very much for this opportunity to be here today, and I would welcome any questions the committee may have of me.

The Vice-Chair: Thank you, Mr Chee-Hing. Government side, do you have any questions?

Mr Berardinetti: No, thank you, Madam Chair.

The Vice-Chair: Ms Scott, do you have any questions?

Ms Scott: Sure. Thank you very much for appearing here today. How did you hear about this appointment?

Mr Chee-Hing: I heard about the appointment through the Public Appointments Secretariat.

Ms Scott: They contacted you?

Mr Chee-Hing: Yes, they did.

Ms Scott: Had you submitted your name on a Web site? How did they know to contact you?

Mr Chee-Hing: Actually, I had initially applied two years ago under the previous government and I subsequently renewed my application. I am aware of the OMB, being a planner and being associated with the planning profession. I am aware of the Web site and I did submit my application by mail.

Ms Scott: So this is something you've wanted to do for a while?

Mr Chee-Hing: It has interested me in terms of public service, yes.

Ms Scott: Are you aware of how long the appointment is going to be for?

Mr Chee-Hing: Yes, I am. I've been told that it's for a three-year term.

Ms Scott: Are you a member of any political party?

Mr Chee-Hing: No, I'm not.

Ms Scott: I'm going to ask some similar questions. The OMB is under review. Have you seen the document and do you have any thoughts about the proposed changes that may be coming to the OMB?

Mr Chee-Hing: I have seen the document. I have read the document. I would like to preface what I'm about to say by saying that since the Ontario Municipal Board is a quasi-judicial agency and it's an administrative tribunal, if I become a member, I will have to carry out the policies of the government because we are a tribunal. So, in a way, I think it would be inappropriate for me speak

or even be presumptuous, as a matter of fact, to speak on the policies that may be implemented and the board will have to follow. But having said that, I think the government's direction with respect to the OMB reform and planning reform is heading in the right direction.

Ms Scott: OK. Does that mean you like longer terms, public access and its powers maybe being less?

Mr Chee-Hing: From a personal perspective, and this is my own opinion, the OMB has had a long tradition of making decisions that affect residents in Ontario. I think a longer term would perhaps bring some sense of tenure with respect to the practice and perhaps take away any perceived pressures people may think have been brought by the government on the OMB. In other words, the OMB may enjoy some independence from a perception point of view.

Ms Scott: You think it's going to enjoy more independence from the—

Mr Chee-Hing: If it goes to a five-year term, I think the decisions would be seen to be more independent, yes.

Ms Scott: OK. Your history is that of a planner. I'm sorry. Are you working as a planner right now?

Mr Chee-Hing: No, I'm not working as a planner right now. I'm in the planning field, but not in land use planning. I'm in the social planning field now.

Ms Scott: Do you see any conflict, possibly?

Mr Chee-Hing: Not at all. In fact, as I mentioned in my opening statement, I feel that planning is a multi-disciplinary activity that borrows from many disciplines: social planning, land use planning, environmental planning, law etc. So my work has no bearing with respect to what the OMB does.

Ms Scott: That's great. You have a very good resumé. Thank you for appearing and answering my questions. That's all, Madam Chair.

The Vice-Chair: Mr Kormos, do you have any questions?

Mr Kormos: Of course.

The Vice-Chair: Go ahead.

Mr Kormos: Obviously, a strong background. What about your current job? Are you going to leave that job?

Mr Chee-Hing: Yes, if this committee confirms my appointment, I will be taking a leave of absence.

0840

Mr Kormos: Only two things: I'm just curious—you have a strong planning background—as to how, in the role of an adjudicator, you are going to avoid the irresistible temptation to play the role of litigant. You understand what I'm saying. You're going to have planners, among other things, appearing in front of you. Some of those planners may well be making propositions around planning that are going to conflict with your firm beliefs about planning. How do you reconcile that? It's nothing to do with your appointment; it's just a question to you as a person with a whole lot of experience who has contemplated this role on the OMB.

Mr Chee-Hing: Well, as the previous candidate mentioned about dispute resolution and mediation, I have taken courses on that as well. I would like to say that

being on the Ontario Municipal Board, from my perspective, my role would be to ensure that everyone is heard equally and fairly. The principle of natural justice, which is that everyone has to be heard before a decision is made, is one of the principles I intend to adhere to, to ensure that everyone is heard equally and fairly.

Mr Kormos: I appreciate you saying that.

Finally, what is the process? You submitted your resumé. Do you undergo any interviews? Tell us what happens before you get here, because you're not a political appointment.

Mr Chee-Hing: I hope that I will be selected on the basis of merit.

Mr Kormos: But you're not a political appointment.

Mr Chee-Hing: No, I don't believe I am.

Mr Kormos: Assure me; tell me you're not.

Mr Chee-Hing: I am not.

Mr Kormos: OK, good. That's better, because you're a civil servant.

Mr Chee-Hing: Yes, sir, I am.

Mr Kormos: You have a long background in the civil service. So tell us—I really want to know. I mean, you don't just show up here. Are there one-on-one interviews? This is a very important position and you're eminently qualified, but did anybody interview you before you got here? Tell us about that.

Mr Chee-Hing: Well, I applied to the OMB through the Public Appointments Secretariat a number of years ago; it was actually two years ago. I renewed my application back in January, and I received a letter confirming the receipt of my application and that it was forwarded to the minister responsible for the OMB. I subsequently received a call that I was to be interviewed by the chair of the Ontario Municipal Board, Marie Hubbard, and two vice-chairs. I subsequently met with Ms Hubbard, and I can't remember the gentlemen's names, and had an interview with them. They asked me about my background. I believe it was a very good interview because, at the end of the interview, Ms Hubbard said that she would be making a positive recommendation to the Public Appointments Secretariat. So in terms of the process, that's what happened.

I waited and, I guess about six weeks or two months later, I was told by letter that I was an intended appointee made by the government. So I believe the process was followed, if that is the process.

Mr Kormos: Oh no, that's a good process. The problem is, and that's why I wanted you to tell us about it, I'm not sure it always happens that way. But in your case it did, and I hope the committee supports your appointment. Thank you, sir. I appreciate it.

The Vice-Chair: That concludes the interview process, so thank you for having come in. We appreciate it, and we'll be moving on to the next interview. Thank you, Mr Chee-Hing.

Mr Chee-Hing: Thank you.

Mr Kormos: It's cold in here. I didn't think it was at first, but holy moly.

The Vice-Chair: It's to keep us awake for these 8 o'clock meetings.

Mr Kormos: Jeez, my nose is running, you know.

Mr Arthurs: That means you're healthy, if your nose is cold.

Mr Kormos: Is that true? Is that right? I don't know; it confuses the daylights out of me.

The Vice-Chair: OK, our third interview is with Ieva Martin, who is an intended appointee as a member of the Ontario Rental Housing Tribunal. Is Ms Martin here? OK, then we'll take a five-minute recess. We can all go and warm up and come back at 10 minutes to 9.

The committee recessed from 0845 to 0853.

IEVA MARTIN

Review of intended appointment, selected by official opposition party: Ieva Martin, intended appointee as member, Ontario Rental Housing Tribunal.

The Vice-Chair: We're going to get started again. I will ask the members of committee to take their seats when they are ready to do so. In the meantime, our next interview is with Ieva Martin. Ms Martin is an intended appointee as a member of the Ontario Rental Housing Tribunal. Ms Martin, if you are here, could you please come forward and take a seat at the end of the table?

Welcome. Make yourself comfortable. As you may be aware, you have an opportunity, should you wish, to make an initial statement. Subsequent to that, the process is that questions will be made from each of the different parties to you. Each party will be allocated 10 minutes for questions, and we will go in rotation. Any time that you take for your initial statement will be deducted from the time that is allocated to the government party. With that, I welcome you, and ask if you'd like to say a few words.

Ms Ieva Martin: Yes, thank you, I would.

Good morning, ladies and gentleman. I assume that I'm here to convince you that I'm eminently qualified for the appointment as a member of the Ontario Rental Housing Tribunal.

I first applied for this position in January 1998, after an advertisement appeared in the Globe and Mail shortly before Christmas 1997. At that time, I had already adjudicated more than 1,000 unemployment and, later, employment insurance appeals. Here's what I said at that time, which I think is worth repeating:

I have a proven track record in the following areas: interpreting and applying legislation and related regulations guided by case law; decision-making; impartiality and sound judgment; strong organizational, administrative and problem-solving skills; ability to formulate reasoned decisions and communicate them orally and in writing in a timely manner—the written decision is done the day of the hearing; sensitivity to diverse interests; ability to maintain effective control in confrontational situations; integrity; and understanding of and sensitivity to conflict-of-interest issues.

I was well aware at the time that this was a political appointment, but hoped that the government might see the value of appointing someone who was on the public record as a Liberal candidate in 1995. I was granted an interview and wrote the test, but was not offered the job. Since then, I have gained even more experience—six more years—and I am now considered the best chair of the board of referees in Mississauga of the last 30 years. This was the busiest board in Canada until the boards in Toronto amalgamated. I'm the person who gets called on if, at the last minute, a chair is not available for the day they're scheduled for; I have to go in blind and chair the hearing.

When the government changed, I applied again through the Public Appointments Secretariat, because my experience and skills are directly transferable to any administrative tribunal. The first tribunal on my list was the Ontario Rental Housing Tribunal.

At the board of referees, I set the tone for respectful, fair and impartial hearings on the issues before us. I make sure that claimants and/or their former employers are given the opportunity to be heard. We then have to assess the credibility of both. Some issues are more black and white than others, such as minimum requirements of insurable hours in order to qualify for benefits, the benefit rate, or the length of the benefit period. Other issues, most specifically those involving leaving employment voluntary, dismissal for alleged misconduct or the extent of self-employment, are more difficult. Then there are the major fraud cases. I have handled them all. In fact, the more difficult cases are reserved for me. This is because I write decisions that explain the reasons in clear language so that all parties understand why we arrived at our decision.

Thank you.

The Vice-Chair: Thank you. We begin questioning with the official opposition.

Ms Scott: Thank you for appearing here today. You've mentioned that you were a Liberal candidate in 1995.

Ms Martin: Yes.

Ms Scott: Are you presently a member of the Ontario Liberal Party?

Ms Martin: Yes.

Ms Scott: And you've made donations to the Ontario Liberal Party?

Ms Martin: Yes.

Ms Scott: You are presently also the chair of the board of referees.

Ms Martin: Yes.

Ms Scott: If you are successful in this appointment, you will be—

Ms Martin: I'll be resigning that position.

Ms Scott: You'll be stepping down.

Ms Martin: My term is up in September, anyway.

Ms Scott: So you have always wanted to be on this board? How did you hear about this appointment? You applied for it?

Ms Martin: As I said, the first time I heard about it was when the Ontario Rental Housing Tribunal was first set up and an advertisement appeared in the Globe and Mail. I thought that my experience and skills were directly relevant to that position. So when the government changed—one that is maybe more friendly to my background—then I applied again. So whenever something came up—

Ms Scott: This is the board that's been of major interest to you over time?

Ms Martin: Yes.

Ms Scott: You've applied to a lot of boards before, and you are presently. You seem to be very interested in full-time employment on the board.

Ms Martin: Yes.

Ms Scott: So is it more a full-time appointment or more a passion for the board, I guess is what I'm asking.

Ms Martin: It's a passion for social issues in general. I have been interested in social policy my whole adult life. The rental tribunal, I feel, has the most direct relevance to what I'm doing now, since I see the power relationships between employers and employees to be similar to landlords and tenants. I've seen bad employers and I've seen bad employees, and I know they can be on both sides.

0900

Ms Scott: I guess many people who are going to appear before the tribunal have little or no experience in dealing with tribunals, and a lot of times, from what I gather, they appear on their own behalf. Do you have any comment on how you'd make sure those individuals felt comfortable appearing before you and how you'd ensure they would be able to effectively present their side of the case?

Ms Martin: I have a way of making people feel comfortable. In the present job, I emphasize the fact that it's informal, and if they appear at all nervous, then I make sure to let them know that they don't have to be, that we will make sure we hear them, and to just relax and tell their story.

Ms Scott: So if you don't feel they could adequately represent themselves, would you delay? Would they be able to appear before you again?

Ms Martin: There have been times where I have felt they needed some assistance. I ask whether there is somebody who could help them, in which case—I don't want to prompt them too much on adjournments, because that takes taxpayers' money, but I am interested that the process be absolutely fair, that we do hear their story. This happens more when the claimant sends a representative who was not there; it's a second-hand account. I can remember one case when the mother of the claimant came, and I basically led her to believe that it would be better if the young man came in himself so he could tell us his story.

Ms Scott: Do you have time to review the cases to see if there might be a possibility to intervene before they come before the tribunal?

Ms Martin: Sometimes, when I think something is really missing. We get an appeal docket prior to the hearing so we can review the written material and summarize it before I actually go into the hearing, because we have very little time afterward to make a decision and write it. Sometimes, when I think there is something glaringly missing from the docket, I will send an e-mail and try to speed up the process to avoid an adjournment. Nobody wants adjournments.

Ms Scott: On May 5 and June 14 of this year, Tony Ruprecht from the Liberal Party read a petition and added his name to it to, among other things, "shut down the notoriously pro-landlord Ontario Rental Housing Tribunal." How do you feel about that, that one of the Liberal caucus members feels the tribunal should be shut down?

Ms Martin: I think he's entitled to his opinion. I have no opinions yet whether it should be or not, because I haven't—well, I did read the act and the guidelines before going to an interview and test, but I would have to have more experience in the job before I could give an opinion on that. I certainly wouldn't offer an opinion unless I was specifically asked.

Ms Scott: But you know quite a bit about the tribunal right now and you feel it has a role, obviously, because you're going on it.

Ms Martin: Yes.

Ms Scott: The Liberal government is also planning to make changes to the Tenant Protection Act this fall. Right now the Ontario rental market is working better than it ever has. Vacancy rates are at record highs and predicted to be rising, the vacancy rates are highest at the lowest end of the market and rents have been falling for the first time since 1975. Do you think it's right for the government to be scrapping a law that's clearly working for tenants at this time?

Ms Martin: That's not up to me to say. My role, should I be given this appointment, is to apply the legislation that's in place and, as changes are made, to conform to those. I don't see my job as influencing policy.

Ms Scott: Do you worry that the government's proposed changes could result in more cases being heard by the tribunal?

Ms Martin: Would it result in more cases? I can't say.

Ms Scott: All right. That's fine. I know I'm getting close to my time.

The Vice-Chair: Mr Kormos, any questions?

Mr Kormos: Howdy, Ms Martin. You got your BA in 1982. Any other academic work since then?

Ms Martin: Since then? No.

Mr Kormos: Who did you run against in 1995?

Ms Martin: Margaret Marland. I ran against her in 1999 too. I did much better in 1999, and this year we did even better.

Mr Kormos: Yes, but you weren't the candidate this year. How did you get to the board of referees for EI?

Ms Martin: My MP.

Mr Kormos: Who is that?

Ms Martin: Paul Szabo. He called me after the 1995 election and said, “Hey, would you be interested?” He knew I was in between things at that time and a bit at loose ends. He suggested it and thought that my experience would be valuable, so that’s how I got that one.

Mr Kormos: Your term expires and you don’t expect to be reappointed?

Ms Martin: I’ve been there for three three-year terms. My understanding is, that’s it, that chairs do not get reappointed for three terms. Also, the government could change.

Mr Kormos: I suppose it could. People should be sucking up to Jack Layton right now because he’s liable to have more power than the next Prime Minister.

You’re here and you sort of did a shotgun application—Ms Scott was talking about that as well—where you applied for the Ontario Rental Housing Tribunal, the Workplace Safety and Insurance Appeals Tribunal, the Social Benefits Tribunal, the Assessment Review Board, the Ontario Municipal Board etc. That was a pretty shotgunny approach. Help me with that.

Ms Martin: I just think that my skills in chairing the board of referees are directly transferable to any other adjudicative tribunal. I’ve never been a narrow-focus person. I’ve been more of a generalist as far as policy. I’ve had to be, as a candidate. That’s why I felt that any of those tribunals could use my skills.

Mr Kormos: Who’s your Paul Szabo this ‘round?

Ms Martin: I don’t have a Paul Szabo this ‘round.

Mr Kormos: You don’t have a member who has—

Ms Martin: I have a supportive member, but I didn’t go through him.

Mr Kormos: Fair enough. I want to know about the relationship with that member.

Ms Martin: The current member, Tim Peterson?

Mr Kormos: Yes.

Ms Martin: I helped him in the provincial campaign. I did an awful lot of canvassing, since I have quite a bit of experience in that. But he’s not the one who initiated this process.

Mr Kormos: Sure, I appreciate that. But you certainly let him know you’re applying.

Ms Martin: I’m not sure. I think he found out later in the process.

Mr Kormos: Ms Martin, you’ve been around political circles for a long time now. You surely knew how effective Paul Szabo was in getting the appointment to the board of referees. You talked to somebody. You’d be naive not to have. Who did you talk to?

Ms Martin: Who did I talk to? I asked the contact at Queen’s Park who had responsibility for our riding how I go about applying for agencies, boards and commissions. That’s how I found out that you go through the Public Appointments Secretariat.

Mr Kormos: Who’s that contact?

Ms Martin: Ralph Martin.

Mr Kormos: Where does he work out of?

Ms Martin: I don’t know where he works now. He was in Queen’s Park.

Mr Kormos: I don’t understand you.

Ms Martin: He was in Dalton’s office.

Mr Kormos: Responsible for your riding? I don’t understand how that works. I’ve been here a long time and I still don’t understand.

Ms Martin: There’s a staff person who oversees a group of ridings and we were in the group where Ralph was our contact if we had questions or whatever.

0910

Mr Kormos: How do you find that out? How do you find out there’s a contact for your riding, should you have questions?

Ms Martin: I’ve been active in the riding for a long time.

Mr Kormos: Right. You’re on the executive of the riding association?

Ms Martin: I am now. I wasn’t then. I was a past candidate, so ex officio.

Mr Kormos: I want to understand, because this is news to me that there are contacts in the Premier’s office in charge of respective ridings.

Ms Martin: They’re not in charge; they’re just our contact person who we turn to when we don’t know where to turn.

Mr Kormos: OK. How did you find out that Ralph Martin was your contact person?

Ms Martin: He’s visited our riding.

Mr Kormos: OK, and he’s explained that he’s the contact person?

Ms Martin: Mm-hmm.

Mr Kormos: OK. What is his role as the contact person? You’ve got me off on a little side issue, but this is intriguing.

Ms Martin: I’m not entirely sure what his complete responsibilities are. I’ve just found that when I contacted him, he was able to give me the answers to my questions.

Mr Kormos: OK. So it was Ralph who you contacted about your application to all these tribunals?

Ms Martin: I asked him how does one go about applying to a provincial tribunal, and that’s how I found out about the Public Appointments Secretariat. I submitted an application to them.

Mr Kormos: To the Ontario Rental Housing Tribunal, the Workplace Safety and Insurance Appeals Tribunal, the Social Benefits Tribunal, the Assessment Review Board and the Ontario Municipal Board. What did “etc” mean? Anything else they might have at the moment?

Ms Martin: Any other administrative tribunal.

Mr Kormos: What do you think about the impression of patronage?

Ms Martin: I’m not completely comfortable with it, because I wish that the last time around, when I had the qualifications, the Conservative government would have seen that I was eminently qualified for that job and would not have disregarded my application just because I’m a known Liberal.

Mr Kormos: Is that why they disregarded it?

Ms Martin: They never answered. I know there are at least 30 members who have been appointed to the rental

tribunal, and I have no idea what their backgrounds are, whether they were better than mine. I didn't get a response from them. I went to the interview, I wrote the test. I was never told whether I passed the test and the interview or not. I just never heard from them again.

Mr Kormos: There was no follow-up?

Ms Martin: I tried to follow up with Margaret Marland.

Mr Kormos: Margaret, yes. And?

Ms Martin: She suggested that certain civil servants might be qualified to do that job, and that's all.

Mr Kormos: Did you have a contact person then to make inquiries, to give you some direction or guidance?

Ms Martin: In the party at that time? No.

Mr Kormos: In the party. Are you talking about party contacts or governmental contacts?

Ms Martin: I would think that the person one should go most directly to is the MPP in that case, which is where I went. I didn't go any further with that.

Mr Kormos: Because the MPP should assist you in your search for a position.

Ms Martin: I had hoped. She certainly knew me.

Mr Kormos: And Mr Peterson—his assistance in your search for this position?

Ms Martin: At that time? He wasn't around.

Mr Kormos: No, at this time.

Ms Martin: Oh, at this time. He didn't assist me, as far as I know.

Mr Kormos: Did you ask him? Did you think you had to?

Ms Martin: No.

Mr Kormos: Did you think it was enough to contact—Ralph Martin knew who you were.

Ms Martin: There are a bunch of people who know me.

Mr Kormos: Of course.

Ms Martin: I know quite a few of the cabinet ministers.

Mr Kormos: We all operate in small circles in the total scheme of things.

Ms Martin: Some circles are smaller than others, yes.

Mr Kormos: So a whole bunch of cabinet ministers as well?

Ms Martin: Yes, a bunch of key cabinet ministers know who I am, as does the Premier.

Mr Kormos: Is that why you contacted the Premier's office before you contacted the appointments secretariat?

Ms Martin: That's the contact.

Mr Kormos: You wanted to let the Premier's office know that you were applying for the position.

Ms Martin: I wanted to follow the process, and so I wanted to know where to go directly. Not necessarily to let the Premier know I was applying, but asking how does one go about—

Mr Kormos: You're an experienced woman. You know there are Web sites with the Public Appointments Secretariat.

Ms Martin: I know.

Mr Kormos: You know that. Come on, Ms Martin.

Ms Martin: That was the shortest way of doing it.

Mr Kormos: That's right. It was the way of letting the Premier's office know at the same time that you were applying for it.

Ms Martin: Oh, well, if you want to impugn that motive—

Mr Kormos: No, I wouldn't expect you not to. You've been a candidate, twice. Lord love a duck. Of course the Premier's office should know.

Ms Martin: I assumed he'd find out somehow, or his people would.

Mr Kormos: Yes.

Ms Martin: But that wasn't the motive behind it. I just thought I had a better chance this time around than the last time.

Mr Kormos: Because it was a Liberal government and you were an active Liberal.

Ms Martin: Yes.

Mr Kormos: OK.

Ms Martin: Is that a sin?

Mr Kormos: Well, it all depends where you are in the country right now.

The Vice-Chair: Thank you. That concludes your questions, Mr Kormos?

Mr Kormos: Thank you, ma'am.

The Vice-Chair: Thank you. On the government side are there any questions?

Mr Berardinetti: No questions, thank you, Madam Chair.

The Vice-Chair: OK. Thank you, Ms Martin, for coming in. That concludes the interview. You can go about your day and you'll hear from this committee at another time.

Ms Martin: Thank you.

JOHN RICHARDSON

Review of intended appointment, selected by third party: John Richardson, intended appointee as vice-chair, Ontario Pension Board.

The Vice-Chair: We're running a little bit early, but I'm hopeful that our fourth interviewee is here. That would be Mr John Richardson, who is the intended appointee as vice-chair of the Ontario Pension Board.

Welcome, Mr Richardson. Please have a seat at the table. Mr Richardson, as you may be aware, you do have an opportunity, should you wish to do so, to make an initial statement. Subsequent to that statement there will be questions asked from all parties. Members of the committee will be asking questions. Each party will have about 10 minutes allocated for those questions. Any statements that you choose to make at the beginning, we'll deduct that time from the government question period. We will ask the members to go in rotation. I believe that the first question is to be asked by Mr Kormos. First, you can make your statement, and then we will go on to the questions. Please go ahead.

Mr John Richardson: Thank you. It's a good thing I was early. We can move the process along. This is

actually my first visit to Queen's Park. I've lived in the city for 70 years and I've never been in the Parliament Buildings. I should have spent a little bit longer looking around, but I'll do that after the meeting.

I'm John Richardson. I appreciate the opportunity to appear before the committee and provide you with the information you need to satisfy yourselves on my appointment. With your permission, I will make a few opening remarks and then answer any questions you might have.

I assume you have a copy of my resumé that I shared with Mr Phillips, but if you do not, I have a couple of extra copies I can provide you with afterwards.

You'll see from the resumé that I really had four careers. The first was getting an education. I attended the University of Toronto, graduating in commerce in 1954; so we celebrated our 50th anniversary of the graduating class. I graduated in the top 10% of the class.

After obtaining a chartered accounting degree from Queen's and the Institute of Chartered Accountants of Ontario in 1957, where I graduated in the top 20 in Ontario, I went on to the Harvard Business School a few years later and graduated in 1965.

In recognition of the service I'd made to the profession, in 1982 I received an honorary fellowship from the Institute of Chartered Accountants of Ontario.

The next career really started after graduating from the Harvard Business School. I returned to Canada and joined Clarkson Gordon as a partner, and for more than 20 years I was a senior partner on many of the firm's largest audits.

Career number three started in 1986 when, not wishing to retire at 60—we had a mandatory retirement age at the firm at that time—I joined the Brascan, Trilon, London Insurance Group as deputy chairman of London Insurance Group and became the executive in charge of their general insurance operations. I was involved in buying and selling a number of businesses as CEO of Wellington Insurance, president of Great Lakes Power and chairman of a number of other entities, including London Guarantee and Meloche Monnex. In 1998, Great West Life purchased London Insurance Group, and shortly thereafter I retired to commence career number four.

I'm now a director of several companies, including chairman of the Boiler Inspection and Insurance Co of Canada, a subsidiary of the American insurance group in the US; Research in Motion, which is a great Canadian technology success story in Waterloo; a company called Armtec; and the Ontario Pension Board, to which I was appointed two years ago. In that capacity I was chairman of the audit committee and was recently nominated as the lead director, following which we undertook a governance review that adopted, among other recommendations, to separate the position of chair and CEO. We revised the organization structure and we're working on reviewing the statement of investment policies.

0920

I look at the OPB directorship as an opportunity for continued public service—a field in which I have been

really active for more than 40 years. During this period I've been chairman of the United Way of Toronto, chairman of the board of trustees of the Toronto Rehabilitation Institute, which is the old Queen Elizabeth Hospital, a board member of the Toronto Community Foundation, a former board member of Mooredale House, chairman of the southwest Toronto regional hospital council, active on a number of school and church boards, as well as a board member of the Insurance Bureau of Canada and the Facility Association.

Based on the above, plus my more than two years on the board, and the continuity I provide, I believe I'm qualified for this appointment. I believe continuity is particularly important at this time, with the increased board turnover caused by pending retirements and newly appointed members.

In closing, I would just comment that June 23 is a memorable date for me for at least two reasons: appearing before this distinguished body and because Pam and I are celebrating our 43rd wedding anniversary today. I believe Pam might put them in a different order. She would probably put the wedding anniversary first and appearing here second.

That's my statement. I'm happy to answer any questions you might have.

The Vice-Chair: Mr Kormos, any questions?

Mr Kormos: You and I probably disagree so much about insurance policies—

Mr Richardson: I knew, Peter, when I saw you sitting there, that was maybe an inappropriate remark, but that's not the purpose of this discussion.

Mr Kormos: I was hoping maybe in your senior years you're becoming a convert to public auto insurance. I'm not sure. I read your body language.

Mr Richardson: As a shareholder of a few companies, I might have a problem with that.

Mr Kormos: Look, obviously, you're well-qualified. I don't want to judge people who called you here.

Chair, are the resumé's not available to people when parties select persons to appear before the committee? Oh no, I have your resumé.

The Vice-Chair: Yes, they are.

Mr Kormos: In that case, having read your resumé and, again, not passing judgment—you see, what happens here is that sometimes, because the committee exists, parties feel compelled to call people to appear before the committee just because the committee is sitting and it has to fill in the spaces. For the life of me, I think it's a wacky sort of thing, because your resumé, in my view, speaks for itself. You're eminently qualified. I don't know why you're here today.

Mr Richardson: I asked myself that question. I guess I was appointed by the Conservatives, confirmed by the Liberals. I'm saying to myself, "Why are they picking on me?" For whatever reason, I'm here and I'm happy to answer any questions you might have.

As I say, I look at this as a continuation of public service. I think at the present time there are a number of things that have to be done on the board. One of the

members is retiring. There's another member who may well be retiring in November. We're a seven-man board and one of our recommendations is to increase the size of the board. Another recommendation is to separate the chair and the CEO position. So there are things that have to be done on the board and, at this time, in my view, continuity would be an important criterion for the vice-chair position. I'm quite comfortable to fill in that position until such time as a chair is appointed.

Mr Kormos: Thank you, sir. I'm trusting that the committee will have no hesitation in confirming your appointment. I appreciate your coming regardless of how meaningless it is for you.

Mr Richardson: We can talk afterward.

Mr Kormos: And you get to visit the building. Take the tour.

Mr Richardson: I will take that opportunity.

Mr Kormos: Stick around for question period.

Mr Richardson: It is magnificent. I think it's one of the treasures. I've always thought Osgoode Hall was certainly the number one building when tourists come to town, until I stepped through the front doors here and saw—and there's been a lot of work done on this building. I recognize that. This is a fantastic piece of architecture.

Mr Kormos: Until a few years ago, there was rubber-backed red carpet glued on to all of the mosaic and all of the hardwood out there. Tradespeople were in here on their knees, some very elderly ones, working on the mosaic, literally painstakingly scraping that stuff off. It's a shame that was ever done, but it is a beautiful building and you've paid for every penny of it—you and the taxpayers.

Mr Richardson: I know that.

The Vice-Chair: Just for clarification, Mr Kormos, the certificates come forward with just a brief paragraph or so describing the background of the intended appointee. It's sometimes not adequate in regard to the detail. The full resumés, the full CVs, are not provided.

Mr Kormos: Thank you, Chair. Again, I'm not a member of the committee and far be it from me to tell the committee what to do, but maybe if resumés were available to the committee—they're certainly in the system somewhere—it might help committee members and the caucuses fine-tune their selection process. In my view, the goal here is to pick out the dogs, the ones whose appointment is perhaps worthy of questioning, not the Mr Richardsons.

The Vice-Chair: Are there any questions from the government side?

Mr Berardinetti: Just a quick point. I don't know if it's a point of order or not. The agenda does say this was a selection by the third party, so I don't understand. I think the NDP called Mr Richardson here.

Mr Kormos: We didn't have a resumé. That's why. We just found that out.

Mr Berardinetti: Those are all our questions.

The Vice-Chair: Yes, that's likely the problem.

Ms Scott, do you have any questions of the intended appointee?

Ms Scott: A very impressive resumé. Thank you for appearing here today. You've been a board member since 2002 and you're going to be vice-chair—I think we're all in agreement. Do you see your role changing? What direction would you like to see, and is there a possibility you may be getting groomed for the chair, in which case we might not see you again?

Mr Richardson: Well, that's up to the minister. I would be surprised but honoured if in fact I was invited to consider that situation. I'm more or less fully retired, so I don't want to become too busy in my retirement. But I think I have a reputation that if I take something on, I put the appropriate amount of time into the job and do a good job.

There are a number of things that require some consideration at the board at this time. There are some organizational positions that have to be filled, a number of senior people who will be retiring, so one of the major tasks will be finding the appropriate people to fill those spots. The major position, I guess, is Bob Kay, who is retiring in a year and a half. He's been the senior investment officer for quite some number of years. Our performance has been, as you can see from the record, much better than average. It's probably almost the best of any pension fund. So we've got a model that works, but it works under Bob Kay, and whether the model will have to be modified in the future is a question that will require some thoughtful consideration going forward.

There are other sorts of things that we're working on. We're trying to restructure the upper level of management so it's more cohesive, works better together and eliminates overlapping lines of authority, that sort of thing.

There are a few immediate considerations. There is a new board member, I believe, coming on in July who has some investment background. So that will be helpful to us.

I'm really looking forward to the opportunity of working with the employees. They're a very fine group of people who have, I think, done an excellent job in managing the monies entrusted to them and ensuring that the pensioners of Ontario receive their pensions when they retire.

We've had a conservative investment philosophy and I think it has served us well. One of the things we've been blessed with, of course, is some foresight in retaining the 11.75% Ontario debentures that we were blessed with when we were set on our path in 1990, I think. Some of our fellow pension fund people decided to monetize those investments; in fact, they got rid of them. I guess we were lucky enough or smart enough to retain them, and 11.75% coupons in a low-interest environment look very good. So that's been a major contributor to the performance of the fund.

0930

We have diversified the real estate investments slightly, maybe to the extent of 10%, but they have also

followed the same philosophy: conservative income streams that are relatively assured. They are providing a return of 9% or 10%, something around there.

Ms Scott: Well, you certainly have an impressive background. I do like the continuity, and so we'll certainly be in favour of your appointment. Thank you for appearing here today.

The Vice-Chair: Thank you very much, Mr Richardson. That concludes the interview.

SEAN STRICKLAND

Review of intended appointment, selected by official opposition party: Sean Strickland, intended appointee as member, Social Benefits Tribunal.

The Vice-Chair: Our next interview is with Sean Strickland, an intended appointee as member of the Social Benefits Tribunal. Mr Strickland, can you please join us.

Welcome. Thank you for attending. As you may be aware, Mr Strickland, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there are questions from members of the committee. Each party receives 10 minutes of questions, and we go in rotation. Any time that you take in your statement will be deducted from the time allocated to the government party. With that, I want to welcome you, and ask you if you'd like to say a few initial words.

Mr Sean Strickland: Yes, thank you, Madam Chair. I would like to make a statement.

Thank you, Madam Chair and members of the committee, for providing me with an opportunity to appear before you today and outline some of my career and life experiences that will help support my application to be appointed to the Social Benefits Tribunal.

From 1990 to January 2004, I was employed as the executive director of the Food Bank of Waterloo Region in Kitchener, Ontario. Over this time period, I have become well educated in the challenges that low-income people face and, in particular, families who are on either general welfare—Ontario Works—or ODSP, the Ontario disability support program.

The Food Bank of Waterloo Region, in co-operation with its member agencies, provides emergency food hampers—a hamper contains enough to feed your family for two to three days—to approximately 10,000 people a month throughout the greater Kitchener, Waterloo and Cambridge area. More than 50% of emergency food recipients list either Ontario Works or ODSP as their primary source of income. Over the years, I have become quite familiar with welfare legislation, regulations and policy, and how such policy can have a direct effect on people receiving assistance.

You will notice from my resumé that I have spent nine years in municipal politics, first as a public school trustee with the Waterloo Region District School Board, then as a regional and city councillor with the city of Waterloo, and from 2000 to 2003 as a regional councillor with the region of Waterloo and chair of the community services

committee. This standing committee of regional council is responsible for all income maintenance programs administered by the region, in addition to having responsibility for public health.

My experiences of chairing committees at the school board and at regional council will serve me well as a member of the Social Benefits Tribunal. An effective chairperson has to listen intently to all of the opinions that are presented and ensure that the business of the committee moves forward. Similarly, as a member of the Social Benefits Tribunal, you have to have the ability to listen fairly to both sides and ultimately make a reasonable and informed decision.

I also fully recognize that the role of members of the Social Benefits Tribunal is to hear appeals from social assistance applicants or recipients about the denial, termination or reduction of welfare benefits under the appropriate legislation. As such, my role, if my appointment proceeds, would be to review appeals and make decisions based on the existing legislation. It is quite clearly the role of the Legislature to make the laws, and as the Social Benefits Tribunal is considered quasi-judicial in nature, all members of the tribunal must conduct themselves in an impartial manner and not be subject to outside influence.

I have had numerous other experiences working with disadvantaged populations, including guiding the region of Waterloo through the initial phases of developing a comprehensive and very successful affordable housing strategy. I also chaired a committee, the employment and income support advisory committee, which was comprised of employers, non-profit agencies, government representatives and Ontario Works and ODSP clients. This committee was a sounding board for administrative staff, who were able to gain insight into how the Ontario Works programs were actually functioning and how improvements could be made. Often the committee would be a sounding board for concerns from the client representatives, and as chair, I would often have to facilitate discussions between clients and staff representatives with respect to benefit levels and supplementary assistance.

Other direct experience includes working with Ontario Works recipients at the food bank, as volunteers and also as participants in job training programs. The food bank is a big place, 32,000 square feet of warehouse space, with tow motors, trucks, vans, pickups, freezers, forklifts: an ideal place to train people on how to work in a warehouse. In 2002, we partnered with the region's social services department, and three times a year, for six weeks at a time, the food bank actively trained Ontario Works recipients in warehouse operations. The program is quite a success, and many trainees were able to complete the training and find gainful employment.

As you are no doubt aware, I was a Liberal candidate in both the 1999 and 2003 provincial elections. Like most people who seek public office, I did so with the intent to serve my community and improve the lives of our citizens. I see my potential appointment to the Social Benefits Tribunal as an extension of my desire to con-

tinue my career in public service and would very much welcome the opportunity to do so.

Thank you for your time, and I am prepared to answer any questions you may have, Madam Chair.

The Vice-Chair: Thank you, Mr Strickland. The first people to ask questions are the members of committee from the government. Any questions?

Mr Berardinetti: No questions, thank you, Madam Chair.

The Vice-Chair: Ms Scott, any questions for the intended appointee?

Ms Scott: Yes, thank you, Madam Chair. Thank you, Mr Strickland, for appearing before us. You mentioned you were a Liberal candidate in the past. Are you presently a member of the Liberal Party?

Mr Strickland: Yes, I am.

Ms Scott: Have you been a financial supporter of the Liberal Party?

Mr Strickland: Yes, I have.

Ms Scott: How did you hear about this appointment?

Mr Strickland: Through the Web site.

Ms Scott: So you were looking for an appointment with community service?

Mr Strickland: That's correct.

Ms Scott: Do you know how much this appointment pays?

Mr Strickland: Not exactly. I think it's approximately \$68,000.

Ms Scott: I'm not sure myself. That's why I was asking.

I certainly commend you on all your community involvement in the past and your contributions to your community. I know that you've worked extensively on behalf of people. A lot of the people who do appear before the tribunal don't have a lot of experience and may not be able to represent themselves. I asked this question earlier today too: Could you describe what you would do to make them feel more comfortable if they felt that their case hadn't been presented adequately by themselves?

Mr Strickland: Never having really experienced and seen how a tribunal operates, other than OMB hearings, which I think are much more formal, I think it's important for the chair in a Social Benefits Tribunal setting to recognize the particular kinds of circumstances and some of the different challenges people may have coming forward to the tribunal and try to ensure that the atmosphere is as comfortable and as supportive as possible so that the person who's appealing the decision feels comfortable in making their presentations.

Ms Scott: Are you going in as a member or as chair?

Mr Strickland: Member.

Ms Scott: As a member. OK. Do you have any adjudicative or mediation experience?

Mr Strickland: None formally, other than the experiences I've had in various settings that I described in my opening statement. I understand that there is training available and that training will help develop my skills in an adjudicative manner.

Ms Scott: Have you ever represented anybody appearing before the Social Benefits Tribunal?

Mr Strickland: No, I have not.

Ms Scott: Will you be stepping down from your position as the executive director?

Mr Strickland: Right. I'm no longer currently employed by—

Ms Scott: I'm sorry, I missed that. Now, you're still a trustee, though?

Mr Strickland: No, I'm no longer a municipal politician. It all kind of ended in 2003.

Ms Scott: Did you run again, or did you just—

Mr Strickland: No, I decided not to run.

Ms Scott: OK, that's fine. Those are all the questions I have. Thank you for appearing before us.

The Vice-Chair: At this point, there will be no questions from the New Democratic Party, as the member from that party has left the room and is not here to ask any questions. Thank you very much for having attended. You can now step down and go about your day.

Mr Strickland: Thank you very much.

The Vice-Chair: Members of committee, I believe we should likely take a recess. Our next interview is not scheduled until 10:30, although people are asked to arrive half an hour in advance. Let's recess till 10:15, if that's all right.

Mr Berardinetti: I think we asked a staff member to see if we could find the next appointee. Could I just take a very quick look out the door?

The Vice-Chair: Certainly. If that would expedite the work of the committee, I have no problem with that.

No luck, I suppose?

Mr Berardinetti: No luck.

The Vice-Chair: If you like, we could come back at 10 in hopes that the interviewee would have arrived by 10, half an hour in advance. Is that fine?

Mr Berardinetti: Yes, that's fine.

The Vice-Chair: All right. So we can reconvene at 10 o'clock.

The committee recessed from 0942 to 1006.

The Vice-Chair: Members of the committee, I think we have enough members to start our process with the sixth interview of the morning. So if it pleases the committee, I will then move along and ask for our sixth interview to commence.

DAWN BENNETT

Review of intended appointment, selected by official opposition party: Dawn Bennett, intended appointee as member, Ontario Heritage Foundation.

The Vice-Chair: Our sixth interview is with Dawn Bennett, an intended appointee as member of the Ontario Heritage Foundation.

Ms Bennett, if you want to come forward, thank you very much. Have a seat. As you're getting yourself comfortable there, I'll let you know, as you may be aware, that you have an opportunity to make some com-

ments if you choose to do so at the beginning, to make an initial statement.

Subsequent to your initial statement, there are questions that will be asked from members of the committee. The way we do it is that each party will have 10 minutes allotted to them to ask questions of you. We will go in rotation. Any time that you determine you wish to take at the beginning, in terms of your own statement, will be deducted from the time allotted to the government party members.

With that in mind, welcome; you're free to go ahead and make your statement.

Mr Kormos: On a point of order, Madam Chair: Quorum, please.

The Vice-Chair: I believe you are correct. We do not have quorum at this time. We do have members of each party here to question and thought that we would be able to go forward. But without quorum, if you prefer, we will certainly recess for five minutes.

Mr Kormos: My preference is—

Mr Berardinetti: Madam Chair, if I may speak to it, I know that one member is in the washroom. We tried to get this member to be here a bit earlier so we wouldn't have to recess and have this problem. If you can just indulge us for two or three minutes, I'm sure the member will come back here. I don't—

Mr Kormos: Chair, it's not a matter of indulgence. The clock started running when I called quorum.

The Vice-Chair: Yes. We'll take a five-minute recess and hope the members come back to the committee in adequate time to reconvene.

Mr Kormos: Thank you, Chair.

The committee recessed from 1008 to 1010.

The Vice-Chair: Committee members, we have now achieved quorum. I would like to reconvene the meeting and begin the interview process.

As I mentioned, Ms Bennett is here to be interviewed. I have already indicated what the process is. After that delay, Ms Bennett, you can now go ahead and begin with your initial statement. Thank you for waiting for us.

Ms Dawn Bennett: Madam Chair and honourable committee members, I'd like to thank you for this opportunity to appear before you today. From both a personal and a professional perspective, I'm interested in the work of the Ontario Heritage Foundation and would be truly honoured to contribute as a volunteer to the pursuit of its objectives. By way of an opening statement, I might make three points in this regard.

First, one of the many activities of the Ontario Heritage Foundation is the stewardship of our province's built and cultural heritage, including the 22 built heritage sites that the foundation currently holds in trust. From a personal perspective, I grew up in a little town called St Marys, in southwestern Ontario, which has a wealth of local architectural heritage sites. My father has an inherent love of history and spent a great deal of time educating his children about the heritage that surrounded us on a daily basis.

St Marys is home to the Junction Station, which is one of the earliest stone rail stations, built in the mid-1800s

by an architect of the name Gzowski, who was Peter Gzowski's great-grandfather. The Junction Station has since been designated a national historic site. In addition, the St Marys town hall, in which I was married, is a magnificent Gothic edifice built in 1896, entirely of limestone from our local quarries, by an architect from nearby London by the name of Humphris. Many of you may not know that the Eaton brothers, George and Timothy, originally owned a general merchandise shop in St Marys in the mid-1860s, before they went their separate ways in the retail business. My father owned that store for a number of years. The Carnegie library in St Marys will be celebrating its 100th anniversary this year. The Opera House, which was built in the early 20th century, after World War I, was dedicated several years ago by then-Governor General Jeanne Sauvé. In addition, the St Marys water tower is one of the earliest still surviving water towers and was recognized for its 100-plus years of service as such by the North American pipe manufacturers about 20 years ago.

My father instilled in me as well as my siblings the importance of recording and preserving our local heritage for not only our children but also for future generations. My husband and I then bought our first home in Cabbagetown, which was a mid-1800s row house in much need of exterior restoration. So we took out membership with the local Cabbagetown Preservation Association and began our research into how we should go about restoring our home's exterior to its original beauty. Through the CPA, we learned of a local contractor who had done many Cabbagetown restorations, and they helped us restore the home to its original glory. My husband, our twin daughters and I now live in the beautiful highlands of Caledon, and our present home backs on to the Caledon trailway, which is a wonderful hiking trail that intersects with parts of the Bruce Trail at various junctures.

The Ontario Heritage Foundation also helps to ensure that Ontario's natural heritage remains a viable and significant part of our future by holding in trust more than 130 natural properties, over 90 of which are part of the Bruce Trail. Caledon, in addition, has both the Oak Ridges moraine and the Niagara Escarpment running through it and represents a wonderful example of the natural heritage of our province. On both a personal and professional level, I've seen how the protection and conservation of this natural heritage is so important for our future generations. As a real estate professional, I understand the concept of conservation easements, acquisition and dissolution of property. I encounter it in my profession regularly, and it's one of the perspectives I would bring to the table if I'm fortunate enough to be appointed to the foundation.

Secondly, the Ontario Heritage Foundation thrives due to the contribution, in no small part, of its many volunteers. When I worked for the Honourable Lincoln Alexander, the Lieutenant Governor, one of the greatest lessons that he taught me was the value of volunteerism and giving back to your community. Since that time, I've

been involved in a great number of community organizations as a volunteer, and I know first-hand what wonderful contributions volunteers can make to their communities.

Currently, I'm volunteering on the board of directors at the Abbeyfield Houses Society of Canada in Caledon, which is a not-for-profit community group that saw a huge need in Caledon for seniors' housing. This group has in fact stepped in to work with municipal councillors in the region of Peel to find a suitable property or land, to fundraise—in order to purchase that and have a home built on it. In fact, I've convinced the Honourable Henry Jackman, another former Lieutenant Governor and mentor of mine, to be our volunteer fundraising chair in that capacity. The aim is to build a 10-unit home where fit, elderly, yet perhaps lonely seniors in our community can live together and not have to leave the communities that mean so much to them.

The Ontario Heritage Foundation does work closely with and, more importantly, recognizes the great importance that volunteers bring in working to preserve their local heritage. I find that to be an extremely commendable part of the foundation's mandate.

Thirdly, the foundation's mandate does reflect my own personal and professional interests. The proposed reforms of Bill 60 and Bill 121, which the previous government drafted and the current government has in part mirrored, understand the importance of balance and respect: balancing the need to strengthen the mandate of the foundation and assisting municipalities to also assist the foundation in its preservation mandate, while at the same time having a balance and appreciation and respect for the rights of property owners.

I see this as a very positive development, and one that will allow the foundation to continue its exceptionally important objectives in preserving Ontario's heritage, a living legacy that allows us to understand our past, provides us with a context for the present and influences our future.

I thank you very much for this opportunity.

The Vice-Chair: Thank you, Ms Bennett. The rotation now would dictate that we ask Ms Scott first if she has any questions.

Ms Scott: Thank you for appearing here today and giving us your background. Lincoln Alexander is certainly a role model and mentor to learn from.

I noticed in your resumé that you were also the legislative assistant to the parliamentary secretary to the ministers of transportation and government services. Did you have more than one boss in that?

Ms Bennett: No, that was the member for Dovercourt, Tony Lupusella. He started off as PA to Ed Fulton, who was the Minister of Transportation at the time, and was then moved to PA to, I think, Richard Patten, who was Minister of Government Services.

Ms Scott: OK, that's very good.

You mentioned bringing in Bill 60, the Ontario Heritage Amendment Act. We've been working with the other parties and there are a few recommendations that

we would like to see in it. A five-year review of the legislation to make sure that it's working well might not be going far enough, and it might be going too far. Also, I'd like to see actual value assessment of the affected properties. If the property is culturally significant, it might lose some commercial value after being designated, which is basically protecting property rights. We'd like to see the powers in the act vested with the Lieutenant Governor in Council, which is cabinet, as opposed to just the minister.

Do you think those are reasonable amendments? Do you have any comments on that? I know I just said it was a lot of information that I just said.

Ms Bennett: Obviously, I'd like to take more of an in-depth look at it. But in my mind, anything that would work to strengthen the mandate of the foundation and allow it to continue its preservation and conservation mission would be something that's positive, also bearing in mind my previous comments about balancing the need for respect and the rights of property owners as well.

Ms Scott: It's a very fine balance. They're saying historical districts are the wave of the future. I heard your comments about St Marys, and I know some of that history.

Definitely to give some more powers to the municipality—I know in my riding, in Lindsay, they demolished Sir Sam Hughes's house and there was nothing anyone could do about it, and the Boyd estate in Bobcaygeon as well. So I welcome those new powers that are coming.

Do you feel the municipalities and the powers that are coming down to them—can you think of any sites where this would be an important tool in protecting Ontario's heritage? I know that southwestern Ontario is predominantly where you're involved.

1020

Ms Bennett: Yes, not that I'm able to come up with it off the top of my head. I have no specific frame of reference that I can call upon for that.

Ms Scott: OK. I'll go into the usual round of questions here, so don't mind. Are you a member of the Liberal Party?

Ms Bennett: Yes.

Ms Scott: Have you been a financial supporter of the Liberal Party in the past?

Ms Bennett: The distant past.

Ms Scott: How did you hear about the appointment?

Ms Bennett: In the early spring I had a conversation with an acquaintance in the minister's office, Guy Bethell, and I was commenting to him how pleased I was to see Lincoln Alexander having been appointed as chair of this foundation. He happened to mention that there were some vacancies likely to be coming available and if I had an interest, perhaps I'd like to put in an application through the Public Appointments Secretariat, which I did.

Ms Scott: I'm sorry. You mentioned Guy Beckell?

Ms Bennett: Bethell.

Ms Scott: And what title does he have, what position?

Ms Bennett: To be honest, I'm not sure. He's in the minister's office. He's just an acquaintance, so—

Ms Scott: OK. So did you then go to the Web site to look, or were you notified by someone?

Ms Bennett: I did some research on it and then followed through with the Public Appointments Secretariat.

Ms Scott: Did you speak to anyone after that, or were you interviewed by anyone?

Ms Bennett: I just—

Ms Scott: Just submitted, and you were approved and—

Ms Bennett: I was contacted that I would be coming here today.

Ms Scott: OK. Thank you very much. That's all I have, Madam Chair.

The Vice-Chair: Mr Kormos, do you have any questions?

Mr Kormos: Yes, ma'am. Howdy, Ms Bennett. Jeez, two years working for Tony Lupusella. I'd expect to see a bunch of medals and honours awarded you for doing that. Lord, what a sainthood. Two years of Lupusella.

Now, this is interesting, because I'm not on the committee, right? I'm just stepping in today, some people will say because I've got time on my hands. We talked to folks earlier who underwent interviews. You weren't interviewed by anybody?

Ms Bennett: I had a briefing, but I wasn't specifically interviewed by anybody.

Mr Kormos: Wow. I've got your one-page resumé, right, and your cover sheet, which is sort of the application—I think you're going to be a good member of the board, by the way—and that's all you submitted?

Ms Bennett: Yes.

Mr Kormos: No other information, material?

Ms Bennett: There was none requested.

Mr Kormos: So nobody sat down with you and asked you—I mean, you've relayed to us, you've given us more information today in your comments about your interest in these matters than you've given anybody else in the Public Appointments Secretariat or similar circles.

Ms Bennett: About the same.

Mr Kormos: Who else have you spoken to, besides us, about your enthusiasm for this position?

Ms Bennett: I've spoken with the Public Appointments Secretariat.

Mr Kormos: OK. How did that happen? I'd just like to really get a handle on what the process is. I may be applying for one of these patronage positions someday. Go ahead.

Ms Bennett: When my application went in, I was contacted by them and went in for a briefing, a discussion, whatever you'd like to call it. It wasn't specifically an interview, I don't believe, but—

Mr Kormos: Tell us about that.

Ms Bennett: It mirrored almost what happened here today.

Mr Kormos: You didn't have to sit with politicians, right?

Ms Bennett: That's about the only exception.

Mr Kormos: Who did the interview?

Ms Bennett: Staff members of the—

Mr Kormos: Of the secretariat, insofar as you know. And how long was the interview?

Ms Bennett: I'd say 20 minutes.

Mr Kormos: You were executive assistant to the office of the LG, so you were working here at Queen's Park, from 1989 to 1997?

Ms Bennett: Yes. I was events manager with three Lieutenant Governors.

Mr Kormos: Quite right. Was that a full-time job?

Ms Bennett: Yes.

Mr Kormos: OK. Why did you call Lupusella—were they called parliamentary secretaries before—

Ms Bennett: Parliamentary assistants, at that time.

Mr Kormos: That's why I'm glad you asked that, Ms Scott. I thought you were working with the federal government, because you have "parliamentary secretary." That was when Tony had become a Liberal?

Ms Bennett: Yes.

Mr Kormos: Good luck with the foundation.

The Vice-Chair: That concludes the interview. Thank you very much for having coming in, Ms Bennett. You can step down at your leisure.

We're going to go on now to the appointments. We will consider the intended appointment of Joseph Sniezek, intended appointee as member of the Ontario Municipal Board.

Mr Berardinetti: I'll move concurrence.

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

Mr Kormos: As I indicated when this gentleman was in the room, he was qualified, he was candid in his response to questions. On behalf of New Democrats, we have no quarrel with his appointment.

The Vice-Chair: Any further discussion? All those in favour? Any opposed? The motion is carried.

We will next consider the intended appointment of Jason Chee-Hing, intended appointee as member of the Ontario Municipal Board.

Mr Berardinetti: I'll move concurrence in the appointment.

The Vice-Chair: Any discussion?

Mr Kormos: I think his application was a particularly impressive one—a long-time career in the civil service. What was notable about both him and the applicant prior to him is that, notwithstanding that they hadn't tried to flesh out their resumé's, both of them had taken programs, courses and academic work in the area of mediation and those sorts of things. I found it a particularly telling thing that this applicant, notwithstanding his impressive academic credentials and his impressive work background, obviously has a commitment to keeping on top of things, to constant upgrading. I think he's going to be a very good member of the OMB.

The Vice-Chair: Any further discussion? If not, all those in favour? Any opposed? The motion is carried.

We will now consider the intended appointment of Ieva Martin, intended appointee as member, Ontario Rental Housing Tribunal.

Mr Berardinetti: I'll move concurrence.

The Vice-Chair: Mr Berardinetti has moved concurrence in the appointment. Is there any discussion?

Mr Kormos: This applicant stands out today in contrast to other applicants. Again, I'm not disputing her candour, but she very much gives the impression of someone who was taken care of, as they say in those circles, after the provincial election of 1995. The Employment Insurance Board of Referees is, in my experience, a notorious repository for political hacks, something of a losers' club for people who lose elections, and then you get taken care of. I suppose there's nothing in the total scheme of things wrong with that. Ms Martin may indeed be as qualified as she portrays herself to be and she may be as skilled as she explains herself to be in terms of her three terms, I believe, on the board of referees.

I'm curious as to why—and again, nobody should be excluded from a position because of their political affiliation, but this one is so obviously a Liberal being taken care of. That's not to say that other people before the committee today haven't been Liberals. For instance, we'll consider later the application of Ms Bennett. Her CV, her work history, allows one to draw the inference that you don't work for Liberal MPPs or for Hugh Edighoffer—I should have made reference to Hugh when we were talking because I'm a fan of Hugh Edighoffer's—without having some political affiliation. But Ms Martin's is a pretty crass and blatant one, and it's going to be hell.

1030

She's a self-promoter; no two ways about it. The first-person pronoun was frequent in her narration of her skills during her comments to the committee. What's disturbing as well is how she wanted an appointment to anything. She even put "etc" after the list of boards' tribunals. She was ready to take a job. She needs a job. Everybody needs a job. But surely there are a lot of folks out there who have some special interest in the peculiar and painful issues that attach to tenants and landlords and the relationship, and I'm not sure that Ms Martin, because of her intimate relationship with the government in power, is necessarily the best.

I don't wish to diminish any of her talents, and I'm sure they are many, but I am troubled by someone who so brazenly, but candidly, acknowledges having had her first contact with Ralph Martin in the Premier's office. She's not a stupid woman. She knows how you go about making these applications. She knows there are Web sites. Nobody else here today did a wink-wink, nudge-nudge, "Let the Premier's office know that I'm applying for the position in the hopes that it will carry me through." Look, people should be calling upon their MPPs. She called upon her MPP, Ms Marland, last time around, but this time she said, "No, I'm not going to trust the MPP, I'm going to call the Premier's office. I'm going to go right to the source." She assumed that at some point they would know, out of Premier McGuinty's office, that she was applying and the fix would be in.

I'm not enthusiastic about her appointment. I think it's a wrong move. I think it is political patronage without overwhelming merit. And I say "overwhelming merit;" there's some merit here, but I am confident there's a whole lot of other folks who have applied for this position, a whole lot of folks with experience and background in advocacy for tenants, in dealing with difficulties specific and peculiar to housing and the shortage of housing and the incredible cost of housing, who would be a far more effective and productive and genuine participant in the Rental Housing Tribunal.

This will undoubtedly be portrayed as the Liberals here at Queen's Park taking care of a twice-defeated Liberal candidate. Lord knows, I don't envy this woman having to run against Margaret Marland in 1995 or 1999 in that particular riding, but at the end of the day, she would have been better off to have sought the nomination in 2003. She would have relieved herself of having to come cap in hand, having been taken care of for three terms by the federal Liberals and now, being apprehensive about the future of the federal Liberal Party and the patronage that could flow from their government, coming to the provincial Liberals. I don't think it's an appointment that should be supported.

The Vice-Chair: Are there any other comments? No further discussion? All in favour? Any opposed? The motion is carried.

We'll now consider the intended appointment of Mr John E. Richardson, intended appointee as vice-chair of the Ontario Pension Board. Is there a motion?

Mr Berardinetti: I move concurrence, Madam Chair.

The Vice-Chair: Concurrence in the appointment has been moved by Mr Berardinetti. Is there any discussion? No discussion? All those in favour? Any opposed? The motion is carried.

We will now consider the intended appointment of Mr Sean Strickland, intended appointee as member, Social Benefits Tribunal.

Mr Berardinetti: I move concurrence.

The Vice-Chair: Mr Berardinetti has moved concurrence of the appointment. Any discussion? Comments? If not, all in favour? Any opposed? The motion is carried.

We will now consider the intended appointment of Ms Dawn Bennett, intended appointee as member, Ontario Heritage Foundation.

Mr Berardinetti: I move concurrence.

The Vice-Chair: Mr Berardinetti has moved concurrence of the appointment. Is there any discussion?

Mr Kormos: As I indicated when Ms Bennett was sitting here with the committee, I'm confident that she is going to do a more than capable job as part of this heritage board and on behalf of the heritage community. What I found interesting about our conversation with her—she was very forthright in talking about the extent to which the appointments secretariat and its staff interviewed her—is the paucity of inquiries of Ms Bennett about her interest and background. I think we got lucky. The fact is, it appears from the brief time she spent with

this committee that one can assume she has the skills and the interest necessary to perform this role.

I think it should be of some concern that there is no consistency to the way the secretariat—you see, this committee can only spend a brief period of time with each and every nominee. There has to be some prior vetting or screening that gives this committee confidence that there's been a thorough inquiry into the background, the skills, the interest and the commitment of any given nominee. What we've learned today in the course of talking to several nominees is that there doesn't appear to be any real consistency in how the secretariat does that. I think this committee has to be assured, because it has only a few minutes to spend with each of these nominees, it has to be confident that there's been a thorough discussion with each and every one of these applicants.

Lord only wonders what the conversation with respect to the now successful nominee to the Rental Housing Tribunal, Ms Martin, would have been about, between her and the Public Appointments Secretariat. I encourage the committee to support Ms Bennett's nomination, and

suspect they will, but I also encourage the committee to consider seeking some confirmation that there are clear standards which will be abided by when all of these applicants are being screened by the Public Appointments Secretariat.

The Vice-Chair: Is there any further discussion? No further comments? All those in favour? Any opposed? That motion carries.

That concludes the business on the agenda of the committee. Is there any further discussion by members? I believe we decided we will have a meeting in August. The subcommittee will get together to make a determination of what that date will be.

Mr Berardinetti: Madam Chair, I just wanted to commend you on an excellent job as Chair of the committee today. I think you did a very good job and a commendable job. I just want to put that on the record.

The Vice-Chair: Thank you. This meeting stands adjourned.

The committee adjourned at 1039.

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Ms Laurie Scott (Haliburton-Victoria-Brock PC)
Ms Monique M. Smith (Nipissing L)
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Mrs Elizabeth Witmer (Kitchener-Waterloo PC)

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Mr Wayne Arthurs (Pickering-Ajax-Uxbridge L)
Mr Kim Craiton (Niagara Falls L)
Mrs Carol Mitchell (Huron-Bruce L)

Also taking part / Autres participants et participantes

Mr Peter Kormos (Niagara Centre / Niagara-Centre ND)

Clerk / Greffière

Ms Susan Sourial

Staff / Personnel

Mr Larry Johnston, research officer,
Research and Information Services