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(Hansard)**

Wednesday 15 December 2004

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Mercredi 15 décembre 2004

**Standing committee on
social policy**

Organization

**Comité permanent de
la politique sociale**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Wednesday 15 December 2004

Mercredi 15 décembre 2004

The committee met at 1637 in committee room 1.

RESIGNATION OF CHAIR

The Vice-Chair (Mr Khalil Ramal): First, how is everyone today? Hopefully well.

Mr John R. Baird (Nepean-Carleton): I got Mr Leal's resignation, and I would like to move an official motion that the committee acknowledge the good work of the member for Peterborough as Chair of the standing committee on social policy.

Mr John Wilkinson (Perth-Middlesex): On behalf of the Liberal caucus, I wholeheartedly concur with the member for Nepean-Carleton.

Mr Baird: May I speak to that motion?

The Vice-Chair: Go ahead.

Mr Baird: The member for Peterborough is a good fellow. He has, I know, been working as the member for Peterborough for the last year. I think he served on city council for 18 years before that, which is an unusual amount of elected experience for anyone to have before they come to this House. I didn't have any elected experience when I was first elected to Parliament. I did bring the experience of youth and of young people, which I think is an important part of the political process, I say to my friend from Don Valley East.

Ms Kathleen O. Wynne (Don Valley West): Don Valley West.

Mr Baird: Don Valley West; I apologize.

I was going to say to my friend Mr Marchese that I've just moved a motion acknowledging the good work of the member for Peterborough. We've just received his resignation as Chair of our committee, and I'm speaking to the motion.

Mr Rosario Marchese (Trinity-Spadina): I see.

Mr Baird: The member from Peterborough had a press conference last Friday to talk about the Peterborough Regional Health Centre. He asked a question—I think it was on December 10 last year—of the Minister of Health about whether the project would go forward. Apparently it had been a big issue in Peterborough that it wouldn't go forward if he won the election. The Minister of Health said, on December 10, 2003, that the member for Peterborough could count on that proposal not being delayed one iota.

I guess his resignation letter cites that he's too busy with his job as an MPP and his job as a parliamentary assistant in a very important ministry, Training, Colleges

and Universities. I think he replaced the member for Don Valley East in that position

Ms Wynne: West.

Mr Baird: Sorry, Don Valley West. I think she did a good job in that position. I put that on the record. She's a good friend. She came to Ottawa and met with apprenticeship folks and did a lot of listening with them. I think she met with the school board, which does some apprenticeship—

Ms Wynne: Adult education.

Mr Baird:—adult education. Adult education is very important.

I suspect Mr Leal was too busy fighting for the Peterborough Regional Health Centre. The Peterborough Regional Health Centre hasn't moved, and the member for Peterborough has obviously acknowledged in his resignation letter that he's got to spend more time fighting for the Peterborough Regional Health Centre.

I was very pleased last Thursday to speak to the Minister of Health in question period and ask him a question about where that project is. We had a good exchange of ideas, and it certainly prompted some interest in the Peterborough Examiner. The member for Peterborough, in his capacity as an MPP, had a press conference to talk about the provincial government's commitment and his personal commitment to the project.

It hasn't moved forward, though. There is not a shovel in the ground. I want to tell you that they have built a new parking lot. That's what is done. The new parking lot has been built because the old parking lot is where the new hospital is supposed to go.

I know Gary Stewart, the previous member, had worked very hard. The member for Trinity-Spadina agrees that he had worked very, very hard for that. I went down to meet the previous member for Peterborough, Gary Stewart, to talk about the need for upgrades. Little did I know he was conniving to get a whole new hospital. Good for him. He was very quietly manoeuvring, if I could say to the member for Trinity-Spadina, to get a new hospital.

The president of the Peterborough Regional Health Centre at the time, Rob Devitt, whom I know, had us around and showed us the new CT scan lab, which I thought was quite interesting. Rob did a great job. Rob used to be the hospital president in my riding at the Queensway Carleton Hospital, which is in Nepean, Ontario.

I'm very proud that we fought very hard to get the Queensway Carleton Hospital an MRI, and that was opened recently. Dalton McGuinty and George Smitherman were there. This was just before I became the critic for health. The hospital was told not to invite me. Can you believe that, I say to the member for Don Valley West? I couldn't believe that. I was surprised. But I went and was in the crowd.

A very classy thing happened. The member for Ottawa West-Nepean acknowledged my attendance in the room, and a member of the board of the Queensway Carleton Hospital, Rod Vanier, who was the candidate for the Liberal Party of Ontario in the last provincial general election, was there and acknowledged my presence and the work I had done for the hospital. I thought that was very classy, and I want to put that on the record. While the minister, the Premier and the member for Ottawa West-Nepean insist I had nothing to do with it, he was very big. I think it's good when people are classy.

Speaking of class, I saw the Minister of Community Safety and Correctional Services in the House the other day, and he acknowledged the work that Garfield Dunlop has done. I just screamed at him and heckled and said, "He has got more class"—

Ms Wynne: On a point of order, Mr Chair: There is a motion on the floor. I'd be happy to vote on the motion. I understand it's debatable, but I'm not sure where the member for Nepean-Carleton is going with his discussion.

Mr Baird: She's right, Mr Chair.

The Vice-Chair: I know she's right. She's always right.

Mr Baird: Well, she's mostly left, but I like her.

Ms Wynne: Could we move on?

Mr Baird: I will get back to the motion. The member for Peterborough said in his resignation letter—

Mr Mario G. Racco (Thornhill): A point of order, please.

Mr Marchese: If I could speak to that—

The Vice-Chair: Yes, one second.

Mr Racco: A point of order.

Mr Marchese: Oh, he's got a point of order. OK. We'll go to the point of order first.

Mr Racco: Chair, as you know, a point of order has precedence. I have an agenda in front of me and I thought we were going to deal with the agenda. Of the comments I have heard, to my understanding, there isn't a motion on the floor to add these items to the agenda. These items are not on the agenda.

If I'm correct, I would suggest that the best thing for you to do is to proceed with the agenda and, if somebody wants to add any item under "other business," that can be done. But right now it's not on the agenda. There is an agenda in front of all of us and I think we should follow the agenda. I ask that you rule on that, Mr Chair.

The Vice-Chair: Actually, it was a motion. Both sides agreed to speak on it.

Mr Marchese: May I speak to that?

The Vice-Chair: I'm sorry?

Mr Marchese: Will you allow me to continue?

The Vice-Chair: Yes, sir.

Mr Marchese: What I wanted to say is that when you have a motion on the table, once it becomes debatable, that's it. So even though there are other elements that may or may not be discussed or may or may not be approved, a motion is a motion.

The Vice-Chair: Yes, and then both sides agreed from the beginning.

Mr Baird: Mr Vice-Chair, I agree with your ruling. The member for Don Valley West was completely accurate. I should speak to the motion.

I can remember the member for Windsor-Sandwich, in my first term. She spoke in committee for eight months. The standing committee on the Legislative Assembly met twice a week for two and a half hours, and Sandra Pupatello had the floor for six or eight months, and spoke.

Mr Marchese: You're kidding.

Mr Baird: Yeah. She had a concern and she was trying to make a point. They put me on the committee and on my first day on the committee, Mrs Pupatello was one minute late.

The Vice-Chair: Speak to the motion, please.

Mr Baird: I do apologize.

Speaking to the motion, we should thank the member for Peterborough because in his resignation letter he has talked about how his workload has greatly increased. Well, I know it has greatly increased. This member has a lot of work to do. He has to fight for the Peterborough Regional Health Centre. The member from Peterborough has got to fight against the cutbacks of the nurses and the elder health care workers in Peterborough. That's why he can't be Chair of this committee, and that's why we should thank him for being Chair in the first place.

It's not just that he agreed to serve. The ability to serve this Legislature is such a phenomenal privilege. I know the member for Peterborough feels the same way, because I think it took him a second time before he got elected. He persevered and he stuck with it. I like the member for Peterborough. Sometimes they call upon him to work with the Premier's office and develop the lines, and he goes and delivers the lines from the Premier's office. I think he does quite a good job. I think he could potentially be a minister.

Do you know what I'm thinking, Mr Chair? I'm thinking that the member for Peterborough is looking at his end of eastern Ontario and saying, "There are no cabinet ministers from here." Durham doesn't have any cabinet ministers. If he works hard as parliamentary assistant to the Minister of Training, Colleges and Universities, then he might get into cabinet. Frankly, we would love to have another minister from eastern Ontario, and I think the member from Peterborough would be as good as any. He is an agreeable chap, an agreeable fellow.

In terms of his reason for his resignation, as cited in this letter—and the letter is dated December 15. He probably saw the hard work that the previous parliamentary assistant to the Minister of Training, Colleges and Universities, the member for Don Valley West, did. She

got a big promotion. She's now PA to the Minister of Education. That's a \$15-billion budget.

Training, Colleges and Universities, where Mr Leal is PA—that's no small potatoes. That's an important ministry, but when you're talking about education, training and skills development, the big kahuna is the Ministry of Education. He saw the member for Don Valley West work hard and get a promotion. He saw it and he said, "Do you know what? I'm going to put all my energy into that and not into being Chair of this committee." I want to congratulate him for that, because too many people take too much on and they spread themselves far too thin and they do a bad job. Good for the member from Peterborough for saying, "I'm not going to be one of those people. I'm going to put all my skills, effort and energy into fighting George Smitherman and the cuts to my local hospital and the virtual cancellation of the Peterborough Regional Health Centre, and into my PA job," to ensure that he's able to deliver for the people of Peterborough.

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Because Peterborough is a community which needs strong representation. It has gone through some economic challenges with respect to a little bit of downsizing here and there. Some constituencies are economically booming; this constituency has some unique challenges, I would say to member for Burlington. He has decided, "I will not spread myself too thin." I have seen too many members get elected to this place and get far too many positions on too many committees and these make-work caucus committees. I've seen some ministers get in over their head. They try to take on too much.

My advice to the member for Peterborough would be—when I was Minister of Social Services, I had three priorities. I had work for welfare, which was sort of the corporate priority. I had the Early Years initiative, which was a big priority of Mike Harris. He fought for the Early Years funding from the federal government. And my personal priority was helping people with developmental disabilities. If I had tried to make every single thing in the ministry the priority, nothing would have happened; nothing would have gotten done.

I did sort of break my rule. Developmental disabilities was a big priority for me, as well as shelters for abused women and women's issues. I think the member for Peterborough would probably be pleased with the province-wide telephone helpline that battered women can call for help. I worked with the member for Beaches-East York, Frances Lankin, on taking something that existed in Toronto that now helps people in Peterborough, because I made it a priority. That's important. That's what the member for Peterborough sees. He sees the need to work with others—

The Vice-Chair: Would the member stick to the motion, please?

Mr Baird: Sure. So his increased workload—it's obviously more work being the parliamentary assistant to the Ministry of Training, Colleges and Universities.

Interjection.

Mr Baird: He's actually got it wrong. It's actually parliamentary assistant to the Minister of Training, Colleges and Universities. He works for the boss there, the woman running the show, the Honourable Mary Anne Chambers. And I hear she wants her PAs working hard. I saw how hard she worked the previous parliamentary assistant, the member for Don Valley West. She not only did a lot of speaking engagements—which Mr Leal undoubtedly has—to represent not just the minister, but to represent the Premier and the entire government. That includes me, because I'm a taxpayer and a citizen. He, undoubtedly, is going to be called upon to speak at places like Carleton University, Algonquin College and Queen's University, where I'm a graduate; Arts '92. He will likely—

Ms Wynne: Arts '76.

Mr Baird: "Arts '76," the member for Don Valley West says. I want to put on the record that I like the member for Don Valley West. She's a good friend. I like her. We often kibbutz amongst ourselves and chat.

Ms Wynne: Kibitz.

Mr Baird: Kibitz, sorry. I know the member for Don Valley West has not an insignificant Jewish population in her riding. Correct?

Interjections.

Mr Baird: Not insignificant. Significant. Much like my constituency in Nepean-Carleton. So I try to use those—

Ms Wynne: Hence the kibbutz?

Mr Baird: Kibbutz, kibitz. I don't profess—the member for Peterborough doesn't profess to speak Yiddish, and neither does the member for Nepean-Carleton.

Mr Cameron Jackson (Burlington): But my mother does.

Mr Baird: The member for Burlington's mother does. Good for the member for Burlington's mother.

I would suspect that the member for Peterborough will be traveling to many of these places. I would hope that the member for Peterborough, who is now the parliamentary assistant to the Minister of Training, Colleges and Universities, visits the University of Toronto, because it's an important institution in our province. Visiting people—now that he's delegated himself that he will work hard—

The Vice-Chair: I thank the member for his motion. Time is over now. We can go back and stick with—

Ms Wynne: Mr Chair, I'd like to call the question. Could I call the question?

The Vice-Chair: One second, please.

Mr Marchese: I haven't spoken to the motion

Ms Wynne: Mr Chair, I didn't realize that the member of the third party wanted to speak. But I would like to call the question, if that's possible.

The Vice-Chair: OK. Go ahead. Ask the question.

Ms Wynne: I've done that. I'm calling the question.

The Vice-Chair: OK. We'll ask Mr Marchese to speak and then we'll call the question.

Ms Wynne: OK. Thank you.

Mr Marchese: I don't want to be too long in this, but I did want to praise the member for Nepean, who I thought went on at length with so much knowledge about so much that I was impressed by his presentation.

But to the motion, I just wanted to say that I've also been a Chair in the past and so I know the extent of the commitment we have to give to it, but I was seriously concerned about his own underestimation of his ability—that is, Jeff Leal—when he says, “It is for this reason that I am stepping down as Chair rather than remain and not be able to give the committee my full attention.”

I think he was a very able individual. Not only could he have been the Chair of this committee but he also could have easily served as the parliamentary assistant to the Minister of Training, Colleges and Universities. I have to tell you, as the critic, I'm not quite sure what that ministry is doing; maybe they're doing a whole lot, I don't know. But as I see it, being the critic for that ministry and knowing the ability of Jeff Leal, I think he could do both. I'm concerned about his own diminishment.

Mr Wilkinson: He knows.

Mr Marchese: I'm concerned about whether or not he's suppressing something here that we should be familiar with, and I really want to get to the bottom of it, right? As I say, having had experience as Chair, I know the commitment. Having been the critic, and I still remain the critic, for this particular ministry—and they haven't done very much—I say surely Jeff can do both and not underestimate—

Mr Wilkinson: Let Jeff be Jeff.

Mr Marchese: No, but you see, I worry about—
Interjection.

Mr Marchese: I know. I worry about Jeff because when one member begins to diminish himself, then I think everybody else is going to follow suit. It's like the—

Interjection.

Mr Marchese: It's true. You see those bowling pins there in—what do you call that sport? Bowling, that's what it is. It's like when you hit one bowling pin, the others bop around. So I get worried for you guys. I want to let you guys know you're all able individuals, and please don't diminish yourselves. If the Premier comes and tells you, “Look, you've got so much work to do here, right? We don't want you to do two jobs because stress is a serious issue”—I was just listening to the CBC today about the whole issue of stress—

The Vice-Chair: Can the member stick with the motion, please?

Mr Marchese: It's speaking to this very thing.

The Vice-Chair: The motion, please, yes.

Mr Marchese: I'm concerned—

Interjection: About Jeff?

Mr Marchese: Jeff Leal.

This has nothing to do with the incoming Chair, you understand. This has nothing to do with who Jeff is going to be replaced by; this is not the issue.

The Vice-Chair: Can the member please speak to the motion?

Mr Marchese: What am I speaking to?

Ms Wynne: We're not sure.

Interjection.

The Vice-Chair: Attention, please. Go ahead, sir.

Mr Marchese: They jump so quickly. Chair, are we about to have a vote?

The Chair: You have to move the question first.

Mr Marchese: I move a 20-minute recess.

Ms Wynne: Mr Chair, I just want to be clear that this committee is going to meet until we finish the agenda today.

The Vice-Chair: Sure, definitely.

Ms Wynne: Yes. So we're going to stay meeting—there's no time limit on this—until the agenda is completed.

Mr Marchese: That's why I moved a 20-minute recess.

The Vice-Chair: We have to vote on it.

Mr Marchese: We can move a 20-minute recess before the vote.

The Vice-Chair: So I guess we have a 20-minute recess.

The committee recessed from 1700 to 1720.

The Vice-Chair: Thank you, everyone. Now we'll put the question. Ms Wynne had the floor.

Ms Wynne: Yes, I called the question.

Mr Baird: We're voting on calling the question?

The Vice-Chair: We're going to vote on the motion.

Ms Wynne: I called the question on the motion you put on the floor.

Mr Baird: I'd like a recorded vote.

Ayes

Baird, Fonseca, Jackson, Marchese, Racco, Wilkinson, Wynne.

The Vice-Chair: Now we're going to go back to Ms Wynne. Ms Wynne had the floor.

Ms Wynne: I believe the next item on the agenda is the election of the Chair.

ELECTION OF CHAIR

The Vice-Chair: Today, the committee received the resignation of the Chair. It's therefore my duty to call upon you to elect a Chair. Are there any nominations?

Ms Wynne: I'd like to nominate Mr Racco.

The Vice-Chair: Are there any further nominations?

Mr Baird: I'd like to nominate Mrs Jeffrey, because that's who the whip told me they were nominating.

The Vice-Chair: Any further nominations?

Mr Gilles Bisson (Timmins-James Bay): I'd like to nominate Mr Wilkinson.

Mr Baird: I'd like to nominate Lisa Freedman.

The Vice-Chair: I'm sorry, you have already nominated one and you cannot nominate two.

Mr Baird: Where is that written?

The Vice-Chair: Lisa Freedman is not part of the committee. We are electing people who sit on the committee at the present time.

Mr Baird: That clerk did the same thing to me.

The Vice-Chair: Can I have the floor, please. We'll go back to the elections. We have two people.

Interjections.

The Vice-Chair: She's not part of the committee.

Interjections.

The Vice-Chair: Can I have the floor, please. We'll go back to the election. We have two candidates.

Mr Baird: I'd like to nominate my good buddy, my good friend, Kathleen Wynne.

The Vice-Chair: You cannot nominate more than one person.

Ms Wynne: I decline to stand.

Mr Marchese: I think you can nominate anyone, Mr Chair.

The Vice-Chair: I know, but at the same time, you have to decide—

Mr Baird: Why?

Interjections.

The Vice-Chair: Can I please have your attention. Are there any further nominations? I declare the nominations closed. We have two people nominated.

Mr Baird: Three.

The Vice-Chair: One declined.

Interjections.

The Vice-Chair: The first person nominated is Mr Racco. All in favour?

Mr Baird: I'd like to call a 20-minute recess.

The Vice-Chair: Twenty-minute recess.

The committee recessed from 1724 to 1744.

The Vice-Chair: The time is up and we have a motion for elections.

Mr Racco has been nominated as Chair of this committee. Everybody in favour?

Mr Baird: A recorded vote.

Ayes

Baird, Craitor, Fonseca, Jackson, Marchese, Racco, Wilkinson, Wynne.

The Vice-Chair: I guess there's no sense asking if there's anybody against.

Congratulations, Mr Racco. You've been elected to be the Chair of this committee.

Interjections.

The Vice-Chair: When I'm finished. I will give it to Mr Racco to be the Chair of the committee. Thank you very much.

The Chair (Mr Mario Racco): Can I say thank you to all of you for supporting me. I'll do my best to control this meeting, as I hope I have signalled by banging the gavel. I hope we will continue to express ourselves in a proper form, instead of wasting time as we seem to be doing.

APPOINTMENT OF SUBCOMMITTEE

The Chair: Now that we've dealt with this item, the next item is the appointment of a subcommittee. Mr Craitor, would you like to address—

Mr Baird: Point of order, Mr Chair: As Chair of the committee, it's my understanding, and I could maybe ask the clerk—

The Chair: I don't have to ask the clerk. Ask me the question, please.

Mr Baird: I don't think the Chair should make a value judgment as to whether something is a waste of time or not. I'm a member of this committee and I have moved a motion. It was debated by—

Interjections.

Mr Baird: It was debated. Who are you to say it's a waste of time?

The Chair: Excuse me. Can we hear Mr Baird? He has the floor. Continue, please.

Mr Baird: Who are you to tell me my motion is a waste of time?

The Chair: You made your comments. Thank you. Now can I recognize you, Mr Craitor, please.

Mr Baird: Point of order, Chair.

The Chair: Again?

Mr Marchese: Mr Chair, I really do think you should just slow down a little bit and be a bit careful.

The Chair: Excuse me. I have recognized a member of the committee. You have raised the issue. I heard you.

Mr Baird: It's a point of order. I'd like you to rule on it.

The Chair: I rule that I hear your comments. I am trying to have this meeting run. It's my opinion that we have not achieved much by this deferral for 20 minutes and I have expressed myself. You expressed yourself, and that is fine.

Interjection.

The Chair: I do have the right to express myself.

Mr Baird: No, you don't.

The Chair: Excuse me.

Mr Baird: No, you don't.

The Chair: I am the Chair and I have told you that I do. Thank you.

Do you have a point of order?

Mr Marchese: Yes. You have to be very careful. I know you want to jump at me for saying that, but you are the Chair and the Chair is supposed to be an arbiter of discussion. Your point about the waste of time is unnecessary. We, as members, can move that we have a 20-minute recess whenever we want. It is not for you to judge that. I'm just asking you to be a little careful how we proceed. If someone has his hand up, you have to acknowledge them.

The Chair: Let me say that I agree with you. I don't disagree with what you said, and I believe we have seen that happening today. Nonetheless, Mr Craitor, you have the floor.

Mr Kim Craitor (Niagara Falls): I'm pleased to move that the membership of the subcommittee on com-

mittee business be revised as follows: That Ms Wynne be appointed in place of Mr McMeekin.

The Chair: Any others?

Mr Baird: I'd like to speak to that motion.

The Chair: Yes, you can. That's in order. OK, sure.

Mr Baird: I'd like to indicate my strong support for the motion brought forward by the member for Niagara Falls. I think Ms Wynne would be an excellent member of the subcommittee. I have gotten to know Ms Wynne over the past year since she was elected. I have found her to be someone who takes her responsibilities as a member of the Legislative Assembly and as parliamentary assistant—I think she represents the riding of Don Valley West, which is an important riding because it's a real microcosm of urban Ontario. It represents some of the most vulnerable people and some of the most privileged people, so I think it gives her a unique insight to provide that leadership to the subcommittee. Her constituency has a long-standing record of electing some really phenomenal people to the Legislature, and so obviously—

Interjections.

The Chair: Could I ask that we have only one meeting, please? I really would like to hear Mr Baird's comments.

Mr Baird: I appreciate that, Chair.

I was quite surprised at your interrupting my speech.

Mr Marchese: We apologize to you.

Mr Baird: Thank you.

Ms Wynne has obviously earned the respect of her community, not just in terms of her years and time spent as a member of the Toronto District School Board. That would be the English public school board, where I know she was quite active in terms of representing the interests of the folks who sent her to the school board, so much so that she sought election to the Legislative Assembly, defeating a three-term member, and a minister at that. It's difficult to defeat an incumbent member, let alone a minister. I say to the member for Thornhill, he knows what it's like to defeat a minister; it's tough. To take on any incumbent MPP is difficult, but to take on a minister is particularly difficult. She, of course, defeated Mr David Turnbull, who was at the time the Associate Minister of Enterprise, Opportunity and Innovation—did I get that right?

Interjection: E-I-E-I-O.

Mr Baird: E-I-E-I-O. So she obviously is very adept politically at running, and I think she could bring those skills from the school board and from that campaign. She could also, I think, bring the skills that she gained while she was parliamentary assistant to the Minister of Training, Colleges and Universities. She did a lot in that position, and I expect she can bring those responsibilities to the important work of the subcommittee.

I think the subcommittee is important. The subcommittee, for example, meets, and it's a committee. We have a unanimous report from the subcommittee, for example, in front of us, and two members of the subcommittee are changing their minds. The Liberal members went to the subcommittee and said that this was fine,

that we could debate Bill 118, that we could have public hearings on the bill on January 31, February 1, 2 and 3. It even identified a reasonably good travel schedule that the committee could follow.

I think the member for Don Valley West would bring those same skills she's learned to the subcommittee, as the two Liberal members of the subcommittee did last time. The two members of the subcommittee agreed to this. I want to say that I know, if the member for Don Valley West had been a member of that subcommittee, she probably would have come to the same good judgment that the other members did.

I don't want to in any way, shape or form not speak to the good judgment and hard work of the member for Trinity-Spadina. Were you at the subcommittee meeting, I say to the member for Trinity-Spadina?

The Chair: Excuse me. Just talk to the Chair, please.

Mr Baird: Sure. I think he was at the subcommittee, the member for Trinity-Spadina, Mr Chair.

Interjection.

The Chair: Would Mr Marchese refrain from intervening? He can only address the Chair, please.

Mr Marchese: What are you going to do if I intervene? What are you going to do?

The Chair: Would you please allow him to continue? Please continue, Mr Baird.

Mr Baird: Please. I'm trying to speak here. Listen. Respect here.

The subcommittee agreed to four days. I want to tell you what I've learned from dealing with our government House leader, Dwight Duncan. Dwight gets so angry at Gilles Bisson, the whip, and John Baird, the opposition House leader, whenever we change our minds. We write things down on paper so that it's agreed upon, and then we get things done. Apparently, this was agreed upon. We said we would go with what the subcommittee agreed. Then the government House leader's changing his mind—

Interjection.

The Chair: Excuse me, is there a point of order?

Mr Wilkinson: Chair, we need some clarification. I'm not exactly sure whether the member for Ottawa-Nepean is speaking to the motion that we're discussing at the moment. It seems to be meandering—

Mr Baird: Listen and you'll find out.

The Chair: I agree with you. The only problem is that, as we know, he has 20 minutes. He will either say what he's saying or something else; he will still use 20 minutes. I guess we can challenge whether he's addressing the motion, but at the end of the day he will still use 20 minutes. Unfortunately, we have to deal with this reality. I would ask that you try to make your comments address the motion, please, as much as you can.

Mr Baird: "Unfortunately." It's unfortunate that I have to speak?

The Chair: Would you please speak and address—

Mr Baird: Point of order.

The Chair: Can you address the motion, please?

1750

Mr Baird: On a point of order, Chair: I take issue with the Chair characterizing that it is unfortunate the committee has to listen to my speech.

The Chair: No, it's unfortunate if you do not address the motion in front of us. So I ask that you please address the motion. I think it's understood by all of us that that is what the comments should be made on.

Mr Baird: We'll check Hansard on that.

The Chair: Please, move on.

Mr Baird: Anyway, I think the experience the member for Don Valley West gained and is gaining as the parliamentary assistant to the Minister of Education—if you go back, just to put this into context, traditionally the parliamentary assistant to the Minister of Education goes on to cabinet. The PAs to finance, health and education are sort of considered the big three for going on to cabinet.

I am predicting that before we go to the polls again, this member won't be on the subcommittee. That would be a concern I would have about electing her. That's my only concern, basically, about electing the member for Don Valley West: Will she commit to serve this term on the subcommittee? From what I hear—and I do listen to my friends in the media and in the opposition—there are people who think she would make a good minister.

Perhaps, as we debate this motion, she could give assurances to the committee that she's—the member for Peterborough has resigned because he couldn't do the work. I wonder what the member for Don Valley West's level of commitment is to the subcommittee. If offered a cabinet post, which would she give precedence to: her important responsibilities as a member of the subcommittee—

Interjection.

Mr Baird: Maybe she's not a good candidate for the subcommittee. If that call came from the Premier's office, I do have a concern that she might move on to greener pastures.

Mr Craitor: I hear the phone, John.

Mr Baird: My phone isn't here.

I'm concerned, actually. In my speech, I have to rationally think about whether I could support this motion, because we might be back here next week, next month, next year or in two years, and she may be in cabinet and we'll have to go through this all over again.

So in the conduct of this debate, perhaps she could give some assurances to all members of the committee, her own party included, as to what her level of commitment is to this. I know this member works hard and I know she is committed to the McGuinty agenda. I would want to know which is going to be paramount: her responsibilities as a PA, her responsibilities as an MPP, her responsibilities as a member of this committee, and now the added weighty responsibility as a member of this subcommittee? I say that these subcommittee meetings can clog whatever you want, whenever they happen.

Wagers of this order are not legal in the province of Ontario, so I can't make one. What I can say is that if I

could, I would be prepared to bet that the member for Don Valley West will be traipsing down the hallway upstairs with her Bible in hand to meet the Lieutenant Governor of Ontario, the Honourable James Bartleman, to be sworn in to cabinet.

I would think that her ability to be a member of the subcommittee would be affected, because she's not going to go into some junior cabinet portfolio; she's going to go right into the full gamut. That would make it even more problematic for her to assume the roles on this subcommittee.

So I'm going to put my concerns on the record: I hope she will take this responsibility as a member of the subcommittee seriously. She's asking for the support of all the members of this House.

When the debate goes around to the government caucus, I'm going to issue a challenge to the member for Don Valley West to state on the record her commitment to the work of the subcommittee, because I think it's either there or it's not there.

It's just a pleasure to be nominated to this committee, and she should take the pleasure of being nominated, as should Lisa Freedman. Lisa Freedman was nominated to be Chair of the committee earlier. It's a pleasure just to be nominated, I say to the esteemed table officer who has just entered the room.

So if this motion fails, I say to the member for Don Valley West, it's nothing personal; we just have concerns on this side of the table that you might be off to greener pastures. You could become parliamentary assistant to finance, and then you might have to go on the prebudget consultations and then neglect this work, and I have a real concern about that.

I have a concern that you may be asked by Dalton McGuinty to head a task force. I say to all the members there, task forces are things the Premier's office develops to keep backbench MPPs busy. I served on many of them because I had to be kept busy to be kept out of trouble. I'm concerned that the member for Don Valley West might be appointed to a task force, something like the agencies, boards and commissions review that I served on with Bob Wood as the chair. The member for Don Valley West might not just be asked to be a member of such a committee; she could be asked to be the vice-chair or, heaven to goodness, she could be asked to be chair.

These committees are put together by someone in the Premier's office, someone like Bob Lopinski. I spoke in the House today to congratulate Bob Lopinski; I hear he's moving on. I gave him some very nice words in the House to wish him well because he works very hard. Bob Lopinski's final act could be to establish a task force or someone to organize or co-chair a summit on a particular public policy issue. I've said the agencies, boards and commissions task force. I was also on the Agency Reform Commission. The commissions are the big ones. Task forces are chump change. Don't take the task force, I say to the member for Don Valley West. You want to be on a commission like the Agency Reform Commission, which reviewed adjudicative agencies. That was

very important work. I learned a tremendous amount there from a lot of people. You could also be asked to co-chair a summit. The Premier's office often organizes summits, which are basically meetings—conventions, meetings, get-togethers—but you call it a summit; that's what they do.

Mr Craitor: Like the Magna budget.

Mr Baird: No, no. Not like the Magna budget. A summit—

Interjection.

Mr Baird: Please. Listen, I'm trying to speak here.

The judgment of the member for Don Valley West would be better served if she was like the member for Perth-Middlesex. The member for Perth-Middlesex sent me a Christmas card with his family's picture on it. I was going to go after him in the House. I looked at the picture with all of his family in it and I replaced it with another name because I felt badly going after him once I saw his nice family. How could I go after him with his kids staring at me from my desk?

I have serious concerns with the appointment of Ms Wynne, because I think she's going to be a cabinet minister. I probably will vote for this anyway, despite those—can I ask, is this committee sitting till 6 or do we just sit indefinitely?

The Chair: Just continue and then we'll see. When you finish your part, we'll—

Mr Baird: Can I get a ruling? Are we required to adjourn when the House adjourns?

The Chair: No. We will sit as long as this committee intends to. So we will continue. If we can deal with the agenda by limiting our comments to the motion, it's always more efficient, I would suggest. But it's your choice.

Mr Baird: I appreciate that, Mr Chair. If I get answers from the member for Don Valley West with respect to her commitment to her membership, that would assuage a lot of my concerns. The member for Burlington is there. I'm going to go out on a limb and say it would assuage his concerns and the concerns of the entire official opposition. I dare say the concerns of the third party would be assuaged if you would speak to these issues that I'm raising before we vote on this. I want to know her level of commitment to these important responsibilities.

I say this all with the greatest esteem and respect. The member opposite knows that I admire her and respect her and she is—

The Chair: You still have another minute left on your remarks.

Mr Baird: She is, I would say, with great respect and admiration, perhaps somewhat misguided on the odd issue but well-intentioned nonetheless. She certainly has the skill to serve on the subcommittee, but does she have the commitment? And you know what? We have a right to ask these questions. We should have confirmation hearings for the subcommittee.

The Chair: Thank you. You asked your question and I appreciate it, and it's up to the member to answer.

If there are no other comments, all in favour of the motion? The motion is carried.

Is there any other business?

Ms Wynne: Mr Chair, I'd like to move the subcommittee report.

The Chair: Thank you. Any comments on that?

Mr Baird: On a point of order, Mr Chair: I would like to move an amendment.

The Chair: There is already a motion on the floor.

Ms Wynne: I'd like to move the subcommittee report and then I understand I can speak to it, and I have an amendment, actually, to the subcommittee report.

The Chair: I'd ask you to read it on the record. So you have the floor, and then I will recognize both of you. I know you want to speak.

Interjections.

The Chair: Excuse me. Can we have one meeting, not two?

Ms Wynne: Mr Chair, I just want to be clear. I'm going to read the subcommittee report, and then I would like to move an amendment to that report.

The Chair: Of course. I will recognize that, yes.

Ms Wynne: So I need to read the report, as it stands now, and then I will read my amendment.

The Chair: That's my understanding. So please proceed.

Ms Wynne: OK. Your subcommittee met on Thursday—

MINISTRY BRIEFING

Mr Jackson: On a point of order, Mr Chair: My point of order has to do with my legislative privileges as a member of this committee.

The Chair: Yes?

Mr Jackson: It has come to my attention, through the government House leader, that when I received my briefing on Bill 118 from the Ministry of Citizenship and Immigration, unbeknownst to myself, my staff and two other members of the House, those proceedings were being taped without our permission. I do not wish to raise this with the Speaker, although I feel I have a prima facie case of conduct that is inappropriate and unbecoming.

What I am requesting—and I wish to put it on the record—is that I receive a copy of the tape and a copy of the transcript so that I am protected in terms of some other party or parties alleging comments that were attributed to any of the persons in the room for the briefing; and, secondly, the civil service should be notified as well, because to my understanding, the civil service were unaware they were being taped.

This has been confirmed to me by the government House leader. As I say, I don't wish to make a big issue out of it on the floor. I wish to make sure that the committee is aware, because I will have an amendment to this that deals with the ministry briefing, which I think is an important part of the committee's work. If we're going to go on the road, we'd better get a more current briefing of this bill.

I'm in your hands, Mr Chairman. It's written into the record. I will take your guidance if that should be a motion requesting the minister, but I'm frankly very uncomfortable proceeding.

Mr Baird: You sound like Richard Nixon.

Mr Jackson: I'm very uncomfortable proceeding until I have some assurances, because I truly believe that a certain privilege has been breached here, and I take it very seriously.

The Chair: First of all, I thank you for raising the issue. It's my understanding that you have put it on the record and you are satisfied. I'm satisfied. Unless you are asking—yes?

It's my understanding that what he said is part of the record. So it will not cancel his comments if we agree or disagree.

Ms Wynne: It seems to me that if the member has asked for any record of that meeting that exists, certainly the government members would be happy that he would get that record. Whatever record of the meeting exists, you would get that.

Mr Jackson: I would prefer to have a motion which then is directed—this is a concern of the committee that the process—

Mr Baird: Is this being taped now?

Interjection: Yes it is.

Mr Jackson: The committee should be concerned that the process of us preparing ourselves to do clause-by-clause or public hearings or whatever be done in a manner that protects the rights of all members. So I would move that the Minister of Citizenship and Immigration be called upon to produce a copy of the tape and the transcript from the meetings that were taped without the approval of the participants, in particular the members of the Conservative caucus and their staff. I can furnish you with the date of that. I don't wish to speak to the motion. I would like the motion approved.

The Chair: If you've finished the motion, I'm prepared to ask for a vote, unless I hear any arguments. A member of this committee has raised an issue which is of significant importance. I would suggest that we clear it before we start getting to other issues, without commenting on the value of those other issues.

Mr Jackson, you have made your comments. Allow me to see if there is any disagreement on the government side and then—

Mr Jackson: My motion—

The Chair: I heard your motion.

Mr Jackson: OK, thank you.

The Chair: I think your motion on the floor is clear. Do I hear some comments?

Ms Wynne: Mr Chair, I'm not clear what the motion is. I think the issue is whether a record of that meeting exists and how we may or may not be able to get hold of it for Mr Jackson. I certainly would need to see the motion written before I could vote on it.

The Chair: If that is the argument, can I ask you to do so—we will continue with the rest and, when you're ready, I will come back to you, you will introduce the

motion and we'll deal with it. Would that be OK with you, Mr Jackson?

Ms Wynne: Could we take a five-minute recess and let Mr Jackson write the motion out? We'll take a five-minute recess, he can write it out, and then we will come back.

The Chair: That's fine with me, but I would suggest that we can continue. Allow him to write his motion. Let's deal with the rest.

Mr Baird: If you're asking for unanimous consent, we grant it.

The Chair: Excuse me, Mr Baird. You know very well that you don't have the floor until I recognize you. Could you please allow me to do my job? Please?

Mr Jackson, you don't have a problem with writing down your motion, do you?

Mr Jackson: I would prefer that before we proceed with ordering up the business of this committee—I'd just ask unanimous consent for a five-minute recess until we write this.

The Chair: What the government is trying to do is read the items, so she can very well continue reading the items on the record, and you can finish your motion. By the time she finishes, I will hear you. Is that a problem?

Interjection.

The Chair: Let me finish. I will recognize you once I finish with this suggestion.

Mr Jackson: I would prefer not to try and do two things at one time.

The Chair: OK, that's fine. I hear you. The motion on the floor is for five minutes. Do we agree on that? A five-minute break, please.

The committee recessed from 1807 to 1815.

The Chair: We all have a copy. Can we please read, and tell me when you're ready so we can address the issue. It's a short motion.

Mr Khalil Ramal (London-Fanshawe): On a point of order, Mr Chair: I don't know why we're going to vote on this motion, since this meeting never happened in committee. I guess it's out of our jurisdiction. We can send his motion request to the minister, and the minister will deal with it. We have no problem with that.

The Chair: So you're suggesting that this motion should be going to the minister and/or to the Speaker?

Mr Ramal: To the minister—

Mr Wilkinson: It's not in order for this committee.

Mr Ramal: No.

Interjection.

The Chair: I will recognize you next.

Interjection.

The Chair: Mr Jackson, the briefing had to do with Bill 118, yes or no?

Mr Jackson: It was entirely for the purpose of Bill 118. It was organized by the minister's office. I have the names of the ministry bureaucrats and the minister's political staff who were in attendance.

Mr Baird: Officials.

Mr Jackson: Officials. If you're asking me—I've thought this through. I would rather deal with it in com-

mittee, as opposed to taking up a half an hour to an hour of the House's time tomorrow on the issue. I'm not going to impugn motive or anything. I'm just going to simply say that the work of the committee—I'm a member of this committee. I will be a member of this committee throughout the hearings. I cannot function and do my job without that transcript, if in any way it can be used inappropriately for whatever purpose. So I will consider the matter finished if this committee says that any member who is requesting a document dealing with the bill—and that's what this document does. So I would argue that it's in order.

The Chair: OK. I'm trying to answer directly, and then it's up to the committee to rule. As you know, we're going to take a vote.

Mr Jackson: No, the Chair rules, in all due respect.

The Chair: If the motion should be—

Mr Jackson: In order.

The Chair: Yes. I appreciate that. I haven't done that yet because I'm going to hear comments.

Now, to the specific question: Did the discussion at the meeting address Bill 118? My conclusion from your comments is, no, it didn't.

Mr Jackson: They made a presentation.

The Chair: In your opinion.

Mr Jackson: No, it's not my opinion. The meeting was offered to me by the Minister of Citizenship and Immigration, the purpose of which was to brief myself and several caucus members on the content and substance of Bill 118—the only purpose of the meeting.

The Chair: Thank you. You answered the question. You heard the answer. Madam Wynne?

Mr Marchese: I was on the list.

Ms Wynne: I think he was ahead.

The Chair: I'm sorry. He was first. Mr Marchese, my apologies.

Mr Marchese: The fact that this occurred while they were discussing Bill 118 makes it the responsibility and obligation of our committee to deal with. I will speak to the motion as soon as it comes up, but I wanted to simply say, in response to Mr Ramal's point, that anything that happens as a result of Bill 118 that is a matter dealing with our members is the responsibility of our committee to deal with.

The Chair: Thank you for your comments. Now I go back to Madam Wynne.

Ms Wynne: It's my understanding that this tape and transcript is absolutely available to any member who was in that meeting who would like to see and hear it. I certainly would be happy to support this motion, with a slight amendment. When we're ready to discuss that, I'd be happy to.

The Chair: Can I then move on with the amendment that you would be recommending, and then we'll see if there's agreement?

Ms Wynne: I would support this motion if it read, "That the committee request that the tape recording and transcript of the Ministry of Citizenship and Immigration

briefing of the Conservative caucus on Bill 118 be immediately released to the member for Burlington."

The Chair: Can I ask Mr Jackson if he feels comfortable?

Ms Wynne: It's a friendly amendment.

Mr Jackson: I don't consider it friendly. My statement is that the matter ends here today if it goes in this form. If it doesn't, then I wish to have the matter taken to the full House and then investigated by the Speaker.

The Chair: Which you can, of course.

Mr Jackson: But I am stating for the record that that is not my intention. I want this motion put forward, and that'll be the end of it. Then I'll have my transcript and my rights will have been restored.

The Chair: You have made that point quite clear. Again, at the end of the discussion, when we take a vote, we will see. You have all the options in the world that you want.

Both Mr Marchese and Mr Wilkinson wish to speak. We only have a motion on the floor. There is no amendment yet. We are just trying to see if we can—

Ms Wynne: I actually have—

The Chair: So you did move the amendment?

Ms Wynne: I moved the amendment to delete "that occurred without notice or approval."

The Chair: So that is the amendment. There is an amendment on the floor. Can I ask that we speak on the amendment? Normally—I'd better be careful because the rules could be different here—we would vote on the amendment, the one at the moment, and then we would move into the motion as amended or not amended. That's the procedure.

Mr Marchese: So we're speaking to the amendment?

The Chair: To the amendment now. Let me recognize Mr Marchese and then Mr Wilkinson, and we'll move from there.

Mr Marchese: Here's the problem we have: Evidently, there is a transcript available or that was done, recorded conversation that happened in that meeting while he was getting the briefing. No one knew about it. To delete the fact that it occurred without notice or approval would be a problem.

Now, while I recognize that government members want to pretend or hide the fact that it happened without notice, if that's what they want to pretend by deleting those words, that would be a travesty and a tragedy. The point of the matter is that what happened is reprehensible. If you're going to tape someone or tape the proceedings, it would be good for us to know in advance so that we are all comfortable about what is being recorded. It makes us all very wary about what we say, if that's the purpose of that recording.

Remarks were recorded without his knowledge. That's what's reprehensible. To delete that sanitizes the motion unfairly, and it would only compound the problem that has already occurred. If it happened and then this committee wishes to hide the fact even further by deleting these remarks, they make the situation worse. I hope that

the mover will retract it, because it doesn't help this at all.

The Chair: Thank you for your comments. Mr Wilkinson, please? Only on the amendment, of course.

Mr Wilkinson: I want to weigh in on the amendment. Of course this has been news to me. I have the greatest respect for the honourable member from Burlington and also the member from Trinity-Spadina. The amendment, and the deletion of it, takes out a question on which I am not able to decide whether or not it is fact. I understand from the government and my colleague that the tape exists. I understand that the minister is more than happy to release that.

On the issue of this other matter about the notice, it would be improper, in my opinion, to vote on something without hearing the other side of the case. That would be a travesty. You may consider it to be reprehensible, but I think we would compound it by having a travesty of natural justice if we were to vote with the motion as it stands without deleting the offending clause, because you're asking us to vote on a pig in a poke.

With the greatest respect, I'm in favour of the amended motion and I hope it would carry. Then, I think, the member has—because this is a public meeting. It's on the record. I don't think there's anything being hidden. This meeting is being recorded. I'm sure, if the honourable members want to make this a more public question, then at least we would have—for example, if this were to go to the press, the press would want to know both sides of the issue, or if you want to take it to the House.

But let's get that tape out there. I think you're absolutely right. You need to see that. The other issue is one that should be dealt with, but I can't see how it could be dealt with in this committee, which would not have the ability to hear all sides of the issue.

The Chair: I do recognize both Mr Marchese and Mr Jackson, but I will allow Mr Jackson to speak, because Mr Marchese spoke last. I would invite all of us, if we can, to try and talk as quickly as possible on this issue so that we know where we stand. Mr Jackson, please.

Mr Jackson: In my 20 years here, it's unusual for me to be in any kind of situation where the rights of any member are not taken with the utmost seriousness. The representative from the government whip's office is here. She has confirmed to me that the tape exists. That has been confirmed by Ms Wynne. There was no permission sought. Again, I'm not impugning motive with my motion. I certainly am going to have concerns that I now have the conduct of a minister and the inability of this committee to protect one of its members.

So I have stated—and that is the issue, and perhaps Mr Duncan's office should be apprised—that I'm willing to end this issue now with this amendment. I'm not prepared to end it—I've checked the legal precedent on this, and there are serious implications involving the Attorney General's office. I do not wish to go that route. I am prepared to do that on the very last day and take up well over an hour of the House's time tomorrow. But this motion goes in the way it was delivered by the govern-

ment to me as the member, and if I'm protected, that will be the end of it. But I don't wish to go forward, because now I'll have a concern raised about the committee's inability to protect a member.

The question, with all due respect, Mr Wilkinson—it is not an open question as to whether or not a tape exists and whether or not we were informed. We were not informed.

Mr Wilkinson: You're not the judge and jury of the ministry.

Mr Jackson: I'm not personifying this.

Mr Wilkinson: Yes, you are.

The Chair: Please. Can we have one meeting? Mr Jackson, thank you for your comments. Mr Marchese, and then Ms Wynne after that.

Mr Marchese: With all due respect, as lawyers say, Mr Wilkinson, let me analyze your logic. You're saying that we do not know about the veracity of whether or not the event occurred. At the same time, you're asking for this tape.

Mr Wilkinson: I understand it exists.

Mr Marchese: I see. You understand there is a tape that exists but you don't understand whether or not it occurred without notice.

Mr Wilkinson: I'd have to hear from the minister on that. You don't know and we don't know.

Mr Marchese: Follow the logic.

The Chair: Mr Marchese has the floor. Please continue.

Mr Marchese: You're saying that what is in doubt for you is whether or not it occurred without notice.

Interjection.

Mr Marchese: OK. But you are OK with the fact that we are requesting—

Mr Baird: That he claims. How about if we add that?

Mr Marchese: Hold on.

Mr Jackson: Do you not believe what I just said to you?

Mr Wilkinson: Do we not get to hear the minister? Is she not an honourable member as well?

Interjections.

The Chair: Excuse me. Can we have one meeting here? I would ask all of you to respect—

Interjections.

The Chair: Mr Baird, I don't think you have the floor. Mr Marchese has the floor. Don't ask questions, Mr Marchese. Just make your comments. Otherwise, there is a problem. You can ask a question, but don't expect him to answer right away. Finish your comments, and then I will recognize the others.

Mr Marchese: I didn't ask him a question.

The Chair: Go ahead, please.

Mr Marchese: Mr Wilkinson says—the dispute between the two of us is that he says if we scratch out “that occurred without notice,” then he's OK with requesting the tape. The two are very linked. If he doubts that the tape exists, then he should vote against the entire motion. I'm saying there's a fault in his logic. Either a tape exists or it doesn't, and if the tape does exist, if

that's what he's supporting, then it leads to the other logical conclusion that it was taped without notice.

Mr Wilkinson: That's not logic at all.

The Chair: Please. You have the floor.

Mr Marchese: Perhaps I'm escaping his logic. I really would like him to speak again. If he's OK with accepting the tape—that's what he's requesting with that motion—my argument, and why I support the second part of it, is that it was done without notice and it was not approved. That's what's reprehensible. Even if it wasn't done without notice, let us say, the fact that it was taped, however that happened, is still reprehensible. That there was a tape of the proceedings is reprehensible. It's made worse if I don't know about it. Both are linked and both are bad and reprehensible.

I'm really not in favour of this amendment.

The Chair: Thanks. Ms Wynne, please.

Ms Wynne: I want to be clear about why I've brought this amendment. That is, I do not feel that I am in a position to vote on this part of the motion. I am absolutely clear that Mr Jackson has every right to look at the tape and get the transcript of that meeting. That's clear.

In terms of whether there was notice or approval, that's not something that I feel qualified, at this point, to make a decision on. If we can pass this motion with the amendment, and if he wants to take that issue up in another venue, then I think that's absolutely the way it should happen.

I also think—I want the record to be clear that we came here today to talk about the number of days of committee hearings that we would have on Bill 118, which is the amendment to the Ontarians With Disabilities Act. The government members really would like to get to that discussion because we really believe that there should be a substantial number of days of hearings. I think it's clear that the opposition members do not want to talk about that, and I think that's very unfortunate.

The Chair: On the motion, anyone in favour of the amendment, please?

Mr Marchese: Recorded vote.

The Chair: Recorded vote.

Ayes

Craitor, Fonseca, Ramal, Wilkinson, Wynne.

Nays

Baird, Jackson, Marchese.

The Chair: Therefore, the amendment carries.

There is a motion, as amended, on the floor. Do I have anybody in favour of the motion, as amended?

Mr Marchese: No, now we debate the main motion.

The Chair: Yes, it's the main motion, which is as amended.

Mr Jackson: I'd like a 20-minute recess so I can speak to the government House leader.

The Chair: It's to be understood that when we come back, we are voting on the original motion, as amended.

Mr Jackson: No.

The Chair: Well, that's the motion on the floor.

Mr Marchese: We're going to debate it.

The Chair: Yes, of course we will debate it.

Before you go, let's see if we agree. I don't have a problem. Do you wish me to order some food so we can celebrate at midnight or prior to midnight?

Mr Baird: Let's chat first.

The committee recessed from 1830 to 1846.

The Chair: I believe we are back to the agenda. The next item on the agenda is the original motion, as amended. Therefore, I ask for those in favour of the motion, as amended.

Mr Baird: On a point of order, Mr Chair: Before we broke, you said you would allow debate on that question, and you confirmed that for the record. We can check the tape.

The Chair: My understanding is that we made it clear that if we had the 20 minutes we—

Mr Baird: No, you didn't, Chair. I'd like the tape replayed out loud, and if I'm wrong—

The Chair: Is that your understanding? Maybe you could double-check it.

You want to debate it to try to avoid more—OK?

Mr Baird: To try to avoid what, Mr Chair?

The Chair: To try to—

Mr Baird: To avoid what? I reject these characterizations that are partisan. You are the Chair of this committee and you have to show us a little goddamned respect. I will not be treated like this.

The Chair: Mr Baird, what did I say?

Mr Baird: I will not be treated like this.

The Chair: What did I say that offended you?

Mr Baird: You are constantly, since you took that chair, characterizing our decisions as a waste of time and passing down your judgment, and we will not stand for that.

The Chair: Would you tell us, what did I say?

Mr Baird: I'd like you to have played the tape. I'd like the tape replayed of what you just said.

The Chair: I guess you want to waste another half an hour.

Mr Baird: Waste another half-hour? Who the hell are you to tell me that I'm wasting my time?

The Chair: Mr Baird, we have—

Mr Baird: Who the hell are you—

The Chair: It's open for discussion. Any discussion? Ms Wynne, please.

Mr Baird: Point of personal privilege.

The Chair: What is your personal privilege?

Mr Baird: I have a point of personal privilege.

The Chair: What is it?

Mr Baird: I'm challenging the Chair. You are being biased. You are obviously taking the Alvin Curling playbook, and that is unacceptable to the opposition. We will not sit back here while you characterize our actions

with value judgments. You are forbidden from doing that, absolutely forbidden.

I would like to move a motion of non-confidence in the Chair, that you be removed. I would like to move a motion of non-confidence in the Chair.

The Chair: Can we just get some clarification, please?

Interjections.

The Chair: Excuse me. Can I get clarification, please, and then I will rule.

Would the clerk maybe explain to us what she is telling me so everybody can hear the same story, and then we'll move on, please. Would you explain what is the problem with the request from Mr Baird, please.

The Clerk of the Committee (Ms Anne Stokes): A committee cannot decide a point of privilege. The Chair cannot decide a point of privilege. Only the House can decide a point of privilege. The committee could refer a point of privilege to the House.

The Chair: Thank you.

Mr Baird: What procedures exist, Madam Clerk, to remove a Chair?

The Clerk of the Committee: To remove a Chair?

Mr Baird: Yes.

Interjection.

The Chair: Excuse me. Do you have an answer?

The Clerk of the Committee: The committee elects the Chair. The committee could vote to elect a new Chair.

Mr Baird: And like in the House, when you put a motion to remove the Speaker, that has precedence over all other business, I believe. Is that not correct?

The Clerk of the Committee: This isn't the House—

Mr Baird: What rules do we operate under, then?

The Clerk of the Committee: I don't know. I would have to get some advice on that.

The Chair: Since there is a—

Mr Baird: OK. I would like that. I would like to move a recess until we get that advice.

The Chair: OK, a five-minute recess, please.

The committee recessed from 1850 to 1855.

The Chair: Can we please resume the meeting? Before we start, let me say that I understand that there is a feeling that I am not being neutral. I apologize for that. I honestly don't think that I am trying to cause any difficulties for the opposition in particular. I thought I had been recognizing the opposition—realizing that there are two parties—more often than the Liberals. Nonetheless, I do apologize if that's the perception. My objective is to try to come up to a conclusion, which I think is in everybody's best interest. Having said that, I understand that there is a number of concerns that some members have, that I don't see them as some members

do. Therefore, again I apologize if anybody feels that I am not treating everybody equally. That's not my intent.

What I have now is a motion on the floor, as I understand. There is a motion on the floor—let's see if we can all agree—as amended. That's the motion on the floor. And I'll recognize all of you before we do anything else.

Interjection.

The Chair: Allow me to finish, please.

There will be a discussion on the motion, as amended. That will be the case. Now, if there is any point of order prior to that, I'll recognize that, and then we'll move on.

There are two of you. Can I—Mr Bisson has not spoken?

Mr Baird: Just a very short one. Chair, I just would apologize to you and the members of the committee for my choice of language. In the heat of the moment, you do say things you regret, and I do apologize.

The Chair: Thank you. Mr Bisson?

Mr Bisson: Just two things. First of all, Chair, to your comments. I appreciate your willingness to apologize—that's very good—but just to be clear, the job of the Chair is not to try to bring a conclusion to the discussion. That's up to the committee.

Mr Ramal: Point of order: He's not a member of the committee.

The Chair: Let me answer. It's my understanding that he can comment on—

Mr Bisson: Any member can walk into any committee.

My point is that it's up to the committee. Now, I believe we've had a discussion among the parties that we adjourn this committee till tomorrow and the whips will deal with the issue, rather than having a long, protracted discussion tonight.

The Chair: OK. May I—

Ms Wynne: Mr Chair, that's actually just what I was going to say, that if we could set up a meeting for tomorrow, adjourn now, and return to this discussion, I think it might be the wisest course.

The Chair: Therefore, if that is the case, can I have a motion—

The Clerk of the Committee: You don't need a motion.

The Chair: There's no motion? So if everybody agrees, we will resume—do we have a time tomorrow? Did we establish that or do we leave it to the whip to do that?

Ms Wynne: I'll make a motion to adjourn, Mr Chair.

The Chair: Move to adjourn? Anyone in favour? Carried. Thank you.

The committee adjourned at 1900.

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