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(Hansard)**

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des débats  
(Hansard)**

**Wednesday 1 March 2006**

**Mercredi 1<sup>er</sup> mars 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 1 March 2006

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 1<sup>er</sup> mars 2006

*The House met at 1845.*

ORDERS OF THE DAY

TIME ALLOCATION

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to government order 9, when government order 9 is next called, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; and

That there shall be no deferral of any vote allowed pursuant to standing order 28(h); and

That, in the case of any division, the members shall be called in once, all divisions taken in succession, and the division bell shall be limited to 10 minutes.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Caplan?

**Hon. Mr. Caplan:** I'm done.

**The Deputy Speaker:** The member for Simcoe–Grey.

**Mr. Jim Wilson (Simcoe–Grey):** I rise on a sad note tonight. I note that this is about the 10th time that the Liberal government has used time allocation to shut us down in debate. This one is particularly upsetting and quite personal, actually, in terms of the fact that I was the first cabinet minister under the Mike Harris government, back on December 9, 1996, to do the right thing and step aside when there was a question of impropriety by one of my staff.

I'll briefly tell the story. It was a Friday afternoon. Jane Coutts of the Globe and Mail, who reported here in those days, had been pursuing a staff member of mine in terms of trying to get some OHIP information. We were in OHIP discussions with Ontario's doctors in 1996 at that time. They were the first major discussions that had occurred in about a decade in this province. My staffer unfortunately said that he knew or knew of the top biller in the province of Ontario—it turned out it was a cardiologist in Peterborough—and that his billings were so high that he couldn't possibly be spending any more than about a minute with each patient.

So the next day, on the Saturday, Jane Coutts wrote in the Globe and Mail. She did phone us on the Friday afternoon and indicated that she was going to write this story and what her comment was. My comment was, "I

don't know anything about this; I certainly don't have access to OHIP information." By the way, every other province and territory at that time in Canada disclosed doctors' incomes, but we didn't do that and don't do that. The minister would never get identifiable OHIP information; it was always blacked out.

Margaret Mottershead, a woman without a blemish on her record of some 35 years here in the public service, was the deputy minister. Mary Catherine Lindberg, with some 36 years here, was the assistant deputy minister in charge of that information, in charge of OHIP—impeccable, as well as the other assistant deputy ministers, directors and managers in that workforce.

At the end of the day, no one believed me. I phoned the Premier on the weekend and said, "I'll step down on Monday." I read the following statement into the record at 1:30 before question period and asked for unanimous consent. I fired Brett James, the staffer, at 2 o'clock on the previous Friday when the incident occurred—all of this over what turned out to be absolutely nothing compared to the Takhar affair.

The statement I read at that time was:

"I rise today on a point of personal privilege. Last week I was informed that a member of my staff had inappropriately disclosed information relating to a member of the medical profession to a member of the media. Upon learning of this allegation, I requested the resignation of the staff member and it was provided immediately.

"This morning, the secretary of cabinet formally called upon the Information and Privacy Commissioner to investigate this matter and report back as soon as possible. Mr. Speaker, I support this move.

"It is critical that the confidentiality of information in the Ministry of Health regarding any individual be maintained and protected. This is of the utmost importance to me personally, the ministry and this government. Therefore, to ensure the integrity of the investigation by the privacy commissioner, I believe it is both honourable and appropriate that I step aside as Minister of Health until the investigation into this matter is complete."

1850

**Interjection:** That's how it's done.

**Mr. Wilson:** That's how it should be done.

If you do the honourable thing, I say to Mr. Takhar, you get stories like this two days later in the Globe and Mail:

"Ontario Health Minister Jim Wilson resigned on Monday because a now former aide released confidential billing information to a Globe and Mail reporter. Every

boss has asked herself or himself, 'Am I responsible for the stupid mistakes made by people working for me?'

"Over the weekend Mr. Wilson answered that question honourably with his resignation. Specifically, he stepped down as minister until an investigation by Information and Privacy Commissioner Thomas Wright clears him of any personal wrongdoing.

"Mr. Wilson did the right thing. First, he held himself to the standard of accountability the public expects from elected officials, but doesn't always get. Recent history holds too many examples of ministers clinging to office despite breaking the public's trust: Sheila Copps, Shelley Martel, Bill Vander Zalm. Depressing, really."

This article was in the *Globe and Mail*.

"Second, he made the people's business his top priority"—referring to me. "His aide's attempt to smear Dr. William Hughes, head of the Ontario Specialists Coalition, poisoned already delayed negotiations on doctors' fees and billing rights. Ontario Medical Association negotiators demanded to know, 'Did the minister authorize "dirty tricks" against them?'"

Anyway, it goes on pleading actually with the privacy commissioner to do a fairly quick review of this matter.

In hindsight, compared to Mr. Takhar, who has been found guilty by the Integrity Commissioner—it's the first time in the history of Ontario—and his behaviour was found to be "egregiously reckless." From a judge, you don't get much stronger words. It's one of the only laws I can think of in Ontario, the Members Integrity Act, where the person who has to dish out the penalty is the Premier. It's one of the only laws where he is the person who doles out punishment, if any. In this case, he's totally decided, in spite of many quotes, which I'm going to go through, in spite of his minister being found guilty, being found reckless of the act, breaking the law, he absolutely refuses, for even a few days, to ask Mr. Takhar to step into the penalty box, pay the price, clear the air—best to have a committee clear the air—and get to the bottom of this so that we can once again restore confidence in the democratic system.

I did it. Bob Runciman did it. Al Leach did it. You hounded Chris Stockwell. You ruined his life. Sandra Pupatello and the late Dominic Agostino ruined Chris Stockwell's life.

**Mr. Rosario Marchese (Trinity-Spadina):** Mr. Jackson.

**Mr. Wilson:** And Mr. Jackson—all exonerated. Chris shouldn't have had OPG or Hydro One, whoever it was, pay his van bills. It's because you're so bloody cheap in this place—and we've done it to ourselves over the years—that no one will pay your transportation when you're required to go to England and Europe and see what's going on in their electricity system. That doesn't happen in the Speaker's office, because you're not FOIA-able and you can get away with this stuff. The fact of the matter is this guy got a ride with Hydro, which is quite common, and he got hounded and hounded until it ruined his life and drove him out of this place. He couldn't run

again—a man who had served the public all of his adult life in the city of Etobicoke and in this place.

Even after I do the right thing—I only have a few minutes or a couple of more minutes—what does Dalton McGuinty do, the classy guy he is, at question period at 1:30? I had already resigned, done the right thing, was willing to sit in the penalty box even though I felt personally I had done nothing wrong. I had been an assistant to Perrin Beatty for three years, one of the greatest men of integrity in Canadian history, and George McCague for six years prior to that in this place. He was Chairman of Management Board and chairman of cabinet for 10, 11 years under Bill Davis—I held both positions simultaneously—and a man of integrity. So we did the right thing.

But what does McGuinty do? I'll tell you his first question, December 9: "My question is for the Deputy Premier. This resignation can hardly be the end of the story. What we have here was that late last week we had the disclosure of highly confidential information from a senior staffer who worked with this minister day in and day out, and in a deliberate effort to undermine the credibility of and to intimidate a representative of the physicians who had been negotiating with this government, that information was disclosed. This is hardly the end of the matter."

He goes on to say, "There are some other questions that need to be answered: How did that confidential information get into the minister's office? Why was it brought into the office? Who else knew about it? What other files were in the hands of the minister, and why did Brett James disclose that information?"

"My question: Minister, given the seriousness of the situation"—he's addressing his question to the Deputy Premier of the day—"will you agree here and now for an all-party legislative committee to get to the bottom of this matter?" That's what he called for.

He did it again later on, in the next question: "There are many, many more questions that we feel ought to be answered, and for that reason once again I'm asking that you allow this House, through an all-party legislative committee, to subpoena witnesses and have them answer questions under oath." And then everybody gets in on the act. You've got Gerry Phillips, Sandra Pupatello, Mr. McGuinty again: "The Information and Privacy Commissioner will go only a short distance by way of asking the questions that we feel ought to be answered by a legislative committee. Once again, will you agree to have this House, through an all-party legislative committee, look at those questions?"

What was alleged to have happened was nothing. My uncle, Dr. J. K. Wilson, was head of cardiology at St. Mike's for many years. I phoned him and he said, "Everybody knows that this guy is the highest biller in the province. He goes around bragging about it." It was a terrible time. It was a terribly lonely time. Here you are, a minister, in the middle of negotiations, and you have to step aside; fine. But it took Tom Wright—whom we hadn't appointed, by the way—10 weeks, 10 weeks of my life, to find out what I told him on day one: "There's

nothing to this. We don't have access to OHIP information. The computer is in Kingston." We didn't have e-mail in those days, the way you have it today, so we wouldn't even be able to get it electronically.

The fact of the matter is, he was told immediately, on day one, by these people who had worked in the bureaucracy, who weren't necessarily Conservatives or anything. They were good people. They'd worked for all three stripes of government. My deputy minister and assistant deputy ministers and the whole slew of them came to my defence from day one and said, "There's nothing here. We don't have this information lying around on our floors." In fact, I never even visited the computer in Kingston. I never had time to go out to Kingston, which is the usual tour for health ministers, to go see this massive installation there.

It's a tough time. After I leave the House at 1:30, I go back to my office to get my personal belongings, and I'm not allowed to get my personal belongings. There's police tape across my door in Hepburn Block. The deputy, with tears in her eyes, asked for my keys. They asked for the car keys and the office keys. So it's a tough time.

Thank God for my riding. I had the Christmas party a few days later, on December 12—or the following Saturday, I guess, December 15 or so—at my house. I normally get about 250 people at this drop-in at my house that I have been having every year for 15 years now; I got close to 400 people. That's how good people are back in Simcoe–Grey. Actually, I got all kinds of gifts. I probably was in more trouble with the gifts that I was getting than with the whole issue, because people were giving me expensive bottles of Scotch because they felt terrible.

My point is that you have no integrity. You said one thing when you were on this side of the House; you do something else when you're on the government side. You said something else on this side of the House; you do something else there. Your integrity is terrible. The Premier says one thing, does another. You ruin five or six lives over here, and you don't even care, and now you're shutting down debate.

You know, Liberals don't have hearts. Mike Harris used to say that they'll slit your throat while they're smiling at you, and he's right. That's a horrible, horrible thing you're doing. You won't take responsibility. You're destroying parliamentary democracy. Previous to many of you arriving here—so I don't blame you—your colleagues, the rat pack, destroyed a lot of lives, and they have the gall today to not do the right thing.

**The Deputy Speaker:** Further debate?

**Mr. Marchese:** It's a pleasure to speak to this issue again. We're dealing with time allocation on the issue of the Integrity Commissioner's report. I first of all want to talk about time allocation, then talk about the report of the Office of the Integrity Commissioner, then attack what the minister did and ought not to have done, and then I will attack what the Premier should do and did not do.

On the first point, time allocation: It gets tiring in this place when you see opposition parties—all of us are victims of it, and we've all done it, but the Liberals were particularly adamant when they were in opposition. On every occasion when there was an opportunity to do so, they would attack the Conservative government, for good reasons, on every issue connected to time allocation. The former Conservative government had a predilection for calling time allocation motions. On each and every issue, there was time allocation. There was a penchant to do it. They had so much to do that they needed to cut debate short, and they loved to cut the debate so they could simply get on with the agenda of government in a businesslike way and just move on with all the other issues they had to deal with.

**1900**

The Liberals quite correctly attacked the Tories, as did New Democrats, because usually when you call time allocation, you've got something to hide or you want to hide something connected to a particular bill. In relation to this particular issue, the government wants to get out of the way as quickly as they can; they want to not deal with this issue any longer. In their mind, they have been attacked long enough and they simply want the issue to disappear.

I welcome the citizens of Ontario to this political forum. We are on live at 7 o'clock. It's good that you're watching this program, because there's a lot to learn. You learn so much from all of the debaters, the Tories, the NDPers, and the Liberals when they speak, because from time to time they speak to these issues as well, and we're looking forward to their participation tonight.

But I've got to tell you that it is actually pointless to talk about how many time allocation motions were introduced by the Conservatives. It's ridiculous for the Liberal government to say, "We've only introduced 10 motions of time allocation, whereas the Tories, oh, my God, they've introduced 50, 60, 70." Do you see the game? "They did more than we did, and because we've done fewer than they did, therefore we're better than they are." It's a silly argument. It's a useless argument to be making. How can the Liberals be any better than the Tories simply because they've introduced fewer time allocation motions than they did? But they do it. If not with the same regularity, they do it when it suits them to do it, because they want this issue to disappear, for a variety reasons, the least of which includes the fact that we have a by-election in the eastern part of this boundary, and they want this issue to go away. They don't want this to become an issue as the by-election in the riding of Broadview is taking place. So I have to say to the government, please stop your attack on the previous government on the basis that they introduced time allocations more than you did, on that issue.

Moving on to what Monsieur McGuinty used to say in relation to other conflicts of interest or at least conflict as it related to the contravention of the Integrity Commission, the member from Simcoe–Grey pointed out his own experience and talked about how he resigned as the

right thing to have done when there was a whiff of a possible contravention or a scandal.

McGuinty, the Premier now, then Leader of the Opposition, wasted no effort in attacking Monsieur Leach when he was in government. There are so many quotes. I'll just try to select a couple in relation to what he had to say about Monsieur Leach. Let's come back to what this report is all about, what the conclusion is all about. It's about your minister being in breach of the act; it's about, now that we understand the full implications of this, two other ministers clearly being in breach of the act. You have no option, Premier. You cannot wriggle out from under this one. You have been hoisted on your own petard. This is an arm's-length, quasi-judicial body. You've got to ask for and demand the resignation of your three ministers.

June 25, 1997: Monsieur Leach and others, obviously. "What today is all about is your standards. It's lending focus on those more so than at any time in the history of your government. You, today, are under the microscope"—referring to Monsieur Harris—"and people in this province want to know what you are going to do in the face of a finding by the Integrity Commissioner that your minister broke the law, is in breach of the Members' Integrity Act, interfered with the workings of an independent, arm's-length, quasi-judicial body." That was June 25, 1997.

Monsieur McGuinty was also very self-righteous when Chris Stockwell was caught expensing meals and travel to his riding association but had nothing to say when Monsieur Cordiano was caught doing exactly the same thing.

On Monsieur Cordiano, McGuinty says the following: "First of all, let me say once again that I fully support Minister Cordiano. He has been faithful and diligent in making each and every one of his expenses public in the required way. All of his government expenses have been vetted by the Integrity Commissioner and approved by the Integrity Commissioner. All of his party expenses have been signed off by an independent third party auditor."

In relation to Mr. Stockwell, this is what he said:

"It is wrong to run some \$25,000 in family expenses through the riding association. To my way of thinking, Premier, you should have fired Chris Stockwell, because what he did was wrong.

"It's about ... your judgment and your standards. At what point in time are you, as Premier, going to exercise some leadership, at least some modicum of leadership, and tell your caucus and cabinet ministers that in your government, there are some things that are right and there are some things that are wrong, and what Chris Stockwell did was wrong? When are you going to have the courage, the intestinal fortitude, the conviction to stand up and condemn this minister for what he did as wrong?"

Mr. McGuinty was also scathing in his attacks on Cam Jackson, who was caught expensing pricey meals and hotel stays to the public, whether it was right or wrong, but when Dwight Duncan was caught doing the same

thing, his story changed. On Cam Jackson, he said the following:

"There's the matter of Cam Jackson running up expense tabs....

"I wonder if you are taking notice that your ministers are apologizing ex post facto for behaviour that should never have arisen in the first place. The reason that is happening is because of your lack of standards, your lack of leadership, the lack of direction you are setting for your government."

On Monsieur Duncan, this is what the Premier says: "I think the important thing here is that the Integrity Commissioner is charged with the special responsibility of reviewing expenses submitted. Those have been submitted and they have been approved."

You dear listeners and watchers of this political forum hopefully got a good sense of what it means to be in opposition and attack those who have been in conflict or even possible conflict with the standards of the Integrity Commissioner's act, and what happens when you become a Premier. You notice very quickly that the Premier changes his tune, the song, defends his members and says, "There is no problemo. Everything is okay." But when he's in opposition and there is even the whiff of a possible scandal, the then Leader of the Opposition, Monsieur McGuinty, had no problem saying, "They should resign, and it's up to the Premier to be able to stand up to his own standards and fire the offending members." Once in government, everything changes. It makes us all cynical, politicians and the electorate alike, to hear one song in opposition and a different song when you're in government.

What happened here with the issue of the Honourable Harinder Takhar, as reported by the Office of the Integrity Commissioner, was that the minister, who had a share interest in Chalmers Group, had to put his shares in the "management trust of which Joseph Jeyanayagam, Chalmers' CFO, is trustee. Mr. Jeyanayagam was also the elected treasurer of the minister's riding association as of December 17."

#### 1910

We believe, as the Integrity Commissioner reports, that a lot of these issues as they relate, first of all, to why the minister went to Chalmers Group and, secondly, why the trustee of his own interests happened to be the elected treasurer of the minister's riding association, why those two particular issues produced a conflict for which Monsieur Harinder Takhar should have resigned and should resign, but refuses to do so.

On page 9 of the Office of the Integrity Commissioner report: "The evidence ... discloses that the minister attended the Chalmers office on December 17, 2004 for the annual general meeting of his riding association and that Mr. Jeyanayagam was elected treasurer of the riding association at that meeting. Finally," we understand, "there is undisputed evidence that Chalmers provided a parking place at its offices for the minister. The parking place was signed 'H.T.' It was adjacent to Mrs. Takhar's parking place signed 'B.T.'"

We also know, from page 8, that “On April 29, 2005 Brett Kelly, director of research, PC services, on his way to work at Queen’s Park from his Dunnville home, drove to the offices of the Chalmers Group of Companies at 6400 Northam Drive in Mississauga, Ontario.” He arrived at the meeting at 7:30. We know that Mr. Takhar parked in the lot near the Chalmers offices. All this we know to be fact.

What we read in the preamble to the act is the following: “Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly’s dignity and justifies the respect in which society holds the assembly and its members.”

It says as well, “Members are expected to act with integrity and impartiality that will bear the closest scrutiny.”

I believe and we believe, as opposition members, that the act has been violated by Mr. Takhar, the Minister of Transportation, and I will go on to show, based on the evidence provided by the Integrity Commissioner, that he has violated the act.

On page 10 of the integrity report: “In his response to the substance of the allegations the minister asserted that in the spring of 2005 he and his wife faced the prospect of paying for their younger daughter’s university education starting in September 2005. The minister stated that because of difficulties in arranging a time for discussion about university-related matters he and his wife decided to meet at Chalmers on a workday when both of them were free. As to Mr. Jeyanayangam’s attendance at the meeting, through his counsel the minister stated:

“It was also decided, at the time that the meeting was being set up, that”—I’m having difficulty—“Mr. Jeyanayangam ... would be asked to attend, since he was in control of the assets from which the education would be paid for.”

We find it problematic that the minister could not find the time to discuss the issue of their daughter’s education in Scotland and/or England—we don’t know which of these two; I don’t know which of the two. But I find it very problematic and difficult that the minister could not find a half-hour of his time, and he and his wife could not find a half-hour of their time together, to discuss the matter of the education of their daughter, at home or at a cafe or at a restaurant or anywhere but the Chalmers Group. It is inconceivable to me or anyone watching that the minister could not find the time to meet except at the Chalmers Group.

**Mr. Mario G. Racco (Thornhill):** How do you know?

**Mr. Marchese:** My friend Mr. Racco from Thornhill says, “How do you know?” Well, I am assuming, Monsieur Racco, member from Thornhill, that you can find a half-hour of your time to spend with your wife, and if you are not finding a half-hour of your time or an hour of your time, you are in deep trouble, socially and psychologically, and I dare venture you’re having a diffi-

cult time in that marriage holding it together. Because I say that you do find the time to be with your wife, as I do with mine, and it may never be enough time, but we do find the time to discuss important things with our partners and/or our wives or husbands. We find the time if we deem it important. For the minister to say, “We could only find time to meet at work,” is incomprehensible, unacceptable, and not believable by me, the Tories, and/or, I dare venture, half of the Liberal caucus, if not three-quarters of the Liberal caucus, because they’re reasonably minded people too. And they have wives—those who are men—and those who are women have partners and/or husbands, and they know, surely, that if you’re going to discuss something serious, you’re going to find the time—at home or over a latte, espresso, cappuccino, tea, if that’s what you drink, but you will find the time.

So I’m sorry, the argument that you couldn’t find the time is a problemo. It doesn’t hold. It doesn’t hold with me, it doesn’t hold with Mr. Kormos—he’s here—or anybody, for that matter.

On page 4 of this document we know that “the minister acknowledged that the annual general meeting of his riding association was held at the Chalmers offices on December 17, 2004, and that he had attended that meeting.” Most Liberal members who are reasonably minded people, which I believe they are, are probably saying, “What would drive the minister to have gone to a meeting at the Chalmers Group related to his riding association, as opposed to convincing Mr. Joseph Jeyanayangam and others that perhaps the annual general meeting of the riding association should be held outside of the Chalmers Group?” Why didn’t the 14 staff members of the minister advise him, “Minister, this is problematico. You cannot go there. You ought not to go there. There is an appearance of a conflict. You shouldn’t do it”? I would fire, first of all, the 14 staff. That’s what I would do, having had some experience in this place—14 at least, and those who were not in the know, maybe they’d get dispensation. But most of them should go, because the minister may not have the time, God bless, to read everything he needs to read or she needs to read, but surely the political staff or some of the political staff—and those who have been ministers know that you’ve got a lot of advisers, and if not one person advised you that you shouldn’t have gone, it’s a problem.

Speaker, you agree with me. I’m sure you agree with me, because it’s a reasonable-minded thing. I don’t know where you have your annual general meetings, but I’m sure it wouldn’t be in the company where you worked. I’m convinced of it. You, as an accountant, wouldn’t go back to the accountancy office you might have had. It would seem odd. Besides, they might not want you to go back there; I don’t know. But it would seem very odd.

**Interjection:** That’s another issue.

**Mr. Marchese:** You would have it somewhere else? That’s a problemo, and I say to you that the 14 people who worked for the minister have got to help him out. I’m sure Mr. Bradley agrees with me on this.

On page 14 of the report, we know that, “The minister’s riding association uses the Chalmers Group offices as its official address.” That’s the same thing, so we don’t need to repeat that particular fact.

Moving on, on page—where are we? We know that Mr. Siegel, the defence lawyer for the minister, argued that the allegations made against Mr. Takhar were frivolous and ought to be thrown out simply because they’re not substantiated, presumably, or they’re simply not substantive enough to hold up in court. So he argued—Mr. Siegel—that the motion was frivolous and it should be dismissed in a quick manner. It’s amazing to me that, if somebody complains about the fact that he had two meetings, and the man with whom his shares are placed in trust is also the riding association treasurer, those allegations would be considered frivolous by the minister’s defence lawyer.

Mercifully, the Integrity Commissioner says, “I see absolutely no basis upon which to accede to Mr. Siegel’s submissions that the complaint be dismissed as frivolous and vexatious or not made in good faith. The allegations made as related to ss. 10 and 11 of the act require an answer or an explanation. This complaint,” he says, “is manifestly not frivolous and vexatious or made in bad faith.” The commissioner uses the word “manifestly.” Notice that there is a great deal of weight that is put to the language that is used by the Integrity Commissioner, and in this case, “manifestly not ... vexatious.” Not just simply not vexatious, but manifestly so.

So we had a weak argument presented by Monsieur Siegel that it should have been dismissed summarily as being vexatious. I suggest that that didn’t go too far.

#### 1920

I move on to the report on page 27. We’re coming near the end of it, at least in terms of my remarks, I hope, assuming our leader is around to complete the remarks. Otherwise, I will fill in much more.

The commissioner says: “As I have said, Mr. Jeyanayagam produced notes that he said he took during the course of the April 29 meeting. I have annexed a typed version of Mr. Jeyanayagam’s notes and a handwritten version as appendix ‘A’ to this report. I am skeptical as to the legitimacy of these notes.” Take heed, my Liberal friends. He says he is “skeptical as to the legitimacy of these notes.” “Perhaps my skepticism is in part caused by my concern as to why this meeting at Chalmers was held in the first place and why Mr. Jeyanayagam was invited to participate.”

Further down the page he says:

“Notwithstanding my skepticism about Mr. Jeyanayagam’s notes, having regard to the standard of proof—clear and convincing evidence—I am not satisfied that the evidence establishes that the minister was engaged in the management of a business carried on by a corporation.”

Remember, Mr. McGuinty cites this as evidence that he did nothing wrong, but Monsieur McGuinty doesn’t go on to say what the commissioner says. Remember, Monsieur McGuinty says the opposition uses passages

selectively and makes the assertion, therefore, that he does something differently, i.e., he provides both sides of the story. What Monsieur McGuinty doesn’t do is to say this: “There is, however, no doubt that the Minister was egregiously reckless in participating in the April 29 meeting at Chalmers. He virtually invited a complaint by his conduct.”

Monsieur McGuinty, mon ami, and the others never raised this part of the commissioner’s report. I quoted what the commissioner said that McGuinty quotes, but I quote as well that the commissioner says the minister was “egregiously reckless.” Note the use of those words. When I use the word “egregious” in this assembly, I use it to make a point—an emphatic point. It doesn’t say, “It’s bad—really bad.” When you use the word, “egregious,” you manifestly add so many adjectives about how really, really bad it is. “Egregiously reckless” is strong language used by the commissioner. I say this as a non-lawyer, but we all understand that when we use language, it has weight, and it has weight when you use particular words, the weight of the words “was egregiously reckless in participating” at that meeting and he “invited a complaint by his conduct.”

It goes on on page 28 of his report, which I have in front of me:

“Any inferences that I might draw from evidence that I accept must not be speculative. It seems to me that were I to conclude the minister engaged in the management of a business, particularly on April 29, I would be trespassing on the ground of speculation.”

This is the line that Monsieur McGuinty, mon ami, quotes all of the time. What he doesn’t quote is the following: “I can find no more than an error in judgment, that is negligence, on the minister’s part. I therefore conclude this aspect of the complaint has not been established.” But it is established that there was an error in judgment and there was serious negligence on his part, including egregiously reckless behaviour in participating in that meeting of April 29.

That, in my humble view, is sufficient to persuade the Premier that Monsieur Takhar, the Minister of Transportation, is in contravention of the integrity act, and for that reason, he should say sayonara to his position, move on and be lucky enough to be reinstated in a couple of months. But he doesn’t want to do it. The Premier doesn’t want to do it. The Premier is afraid, presumably, that another political scandal would ensue should he resign, but what the Premier doesn’t know is that by holding the minister in his place and in that position, it’s equally scandalous and it flies against everything the Premier used to say when he was in opposition.

We are not judging Monsieur Takhar as much as we are judging the standards of Monsieur McGuinty, the Premier. We’re judging him by the standard of which he was a fine example and which he articulated best as to why it was that the many Tory ministers should resign when he was Leader of the Opposition. That’s what is at stake.

What the commissioner has done is to issue a reprimand. I believe, given that the commissioner has

limited ability to tell the Premier what to do, that that reprimand was sufficient reason for the Premier to say to Monsieur Takhar, "You've got to go." It surprises me that Monsieur Takhar is still here.

Again, this has nothing do with the personality of Mr. Takhar. Yes, there was an error in judgment. We're not judging him as a person, but we are judging what he has done here in relation to going to the Chalmers Group; having a meeting there; having a parking spot there; having gone not just once but several times; having the treasurer of the riding association, who is the man who holds his assets in trust, be very closely linked to these meetings; and the taking of notes whose veracity the commissioner doubted. All of these things points to why Monsieur Takhar should leave. We're not judging him as a person; we're judging him in terms of his own political decisions and how it is that he, as a minister, ought to have known and ought to have avoided meetings at the Chalmers Group, and he did not do that. That is enough reason to dismiss him.

The reason that he had to meet with his spouse and the treasurer, who holds his assets in trust—that they should have met at Chalmers to discuss the issue of the education their daughter at Chalmers is simply unimaginable, to say the least. It's simply unacceptable to think that somehow they could not have found time to meet at home on a Saturday or Sunday afternoon to discuss a personal matter; that he endangered his political career by merely having the meeting with his wife and the treasurer at Chalmers Group.

I believe that the reason the Premier wants to terminate, to choke off, debate tonight on this issue is because he wants this issue to die as quickly as it can. The Premier has been embarrassed by this incident, particularly when reminded about what he had to say to the Tories when they were in power. He has been completely embarrassed by the incident. He wants the issue to go away. What he doesn't realize is that the issue hasn't gone away and will not go away because the proper thing to have done is for Mr. Takhar to have stepped down.

I believe that many Liberal members believe the same thing. I think that most of the Liberal members sitting in this House tonight and those who are not here tonight believe that this has caused them all serious embarrassment, and he should have done them all a favour by stepping aside. Surely they believe that the Premier should have done them the favour of not having to debate this issue day in and day out for the last week and a half. They would have been spared the ignominy of having to deal with this issue had the Premier done the right thing.

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The Liberal members who are in this place tonight can't say that; I understand that. They have to pretend that they are behind the Premier; they have to pretend that they are behind the minister, because that's what you've got to do. You're in solidarity with your party. But those of us who have been in government for so long, or even not so long, as some of the members in the Conservative Party or the Liberal Party know—even they

know this has caused serious embarrassment to their party. The issue will not go away even if this government has terminated the debate tonight with this motion to time-allocate the Integrity Commissioner's report.

**Ms. Monique M. Smith (Nipissing):** I'm pleased to be able to speak to this motion this evening. The member for Trinity–Spadina made a number of assertions, as he always does, and I have to say that, regrettably, I don't agree with most of them this evening. I do agree with his discussion on the predilection of the previous government for invoking closure. I too spent some time here between 1997 and 1999, and I too witnessed first-hand how the previous government did ram things through this Legislature. We, of course, have used the motion that we're debating tonight sparingly, and we feel that in fact there has been full and frank debate of this motion that we are debating.

The Integrity Commissioner's report, which we are debating this evening, I should note does not deal with pricey meals or abuses of expenses or any personal benefit to a minister. It's not about misuse of taxpayers' dollars. The Integrity Commissioner in fact concluded in his report that the minister, Minister Takhar—

*Interjection.*

**Ms. Smith:** If the member would like to make a comment, he probably should sit in his seat.

I would note that the Integrity Commissioner concluded that "the minister did not go about intentionally trying to short-circuit the system." That's important: The Integrity Commissioner did find that the minister in this case "did not go about intentionally trying to short-circuit the system."

We take our responsibility to consider this report very seriously. That is why we have brought this matter before this House on three different occasions over the past three weeks, or, as the member for Trinity–Spadina said, why we've spoken about it day in and day out for weeks. We have had over seven hours of debate. I am the 27th member to stand in this House and speak to this issue.

**Mr. Tim Hudak (Erie–Lincoln):** You're only the second Liberal.

**Ms. Smith:** In fact, no, I'm the ninth Liberal, but thank you—again, not sitting in your seat. The member from the opposition, I'm sure, would like to share in this debate.

As he well recognizes, there are currently several very important issues that this Legislature needs to address. We need to talk about clean drinking water, we need to talk about a stronger Toronto for a stronger Ontario, we need to talk about learning to 18, and I could go on. I would remind the members in opposition that we don't have the power to inquire further into the contravention or to impose a penalty other than the ones recommended. Our job as legislators is to approve or reject the report and its recommendations.

I'd like to take the Legislature through the Members' Integrity Act. In December 1994, Bill 209, An Act to revise the Members' Conflict of Interest Act and to make related amendments to the Legislative Assembly Act,

was passed and received royal assent. The Members' Integrity Act was proclaimed in October 1995. It deals not only with issues of conflict of interest in the economic sense, but also with Ontario's parliamentary conventions.

I would like to draw the members' attention to section 10, that once appointed to the executive council, the Members' Integrity Act points out that a member cannot "engage in employment or the practice of a profession ... engage in the management of a business carried on by a corporation; or ... hold an office or directorship," other than in a social club, religious organization or political party, except as permitted by the responsibilities of being a member of the executive council.

Section 11 has also been discussed by the Integrity Commissioner. Section 11 sets out that a member of the executive council cannot "hold or trade in securities, stocks, futures or commodities," with the exception of certain assets and liabilities set out in the act:

The member may entrust the assets to one or more trustees;

The trust agreement and the trustees are required to be approved by the commissioner;

The trustees must be at arm's length with the member and cannot consult with the member regarding the management of the trust property;

At intervals throughout the year and at the end of each calendar year, the trustee must give the member a written report stating the value, but not the nature, of the assets in the trust;

In addition, the trustee must give the member sufficient information to submit returns to Revenue Canada;

The trust must "provide that the member may ... instruct the trustees to liquidate all or part of the trust and pay over the proceeds to the member."

Those are the two sections of the act that were raised by a member in their referral question to the Integrity Commissioner.

I refer to section 30, where a member of the Legislative Assembly, by resolution, or the executive council may request the commissioner's opinion with respect to the compliance of a member with the act or Ontario parliamentary convention by setting out in writing the grounds for the belief that the member is in contravention and the nature of the member's contravention. That's what happened here.

To that end, the commissioner can then conduct an inquiry, which is set out in section 31. He may conduct an inquiry upon giving reasonable notice to the member concerned. Where the request for an opinion is received from a member or the Legislative Assembly, the commissioner's report is forwarded to the Speaker of the assembly, who presents the report to the assembly. When the request is received from the executive council, the commissioner reports his opinion to the clerk of the executive council.

As seems to be missed sometimes in this House, the Members' Integrity Act sets out penalties, and one penalty in particular we are discussing here today is part of

the report, but he does have the authority to issue other penalties. Under section 34, when the commissioner conducts an inquiry following a request from a member or the Legislative Assembly and finds that the member has contravened the act or has refused to follow a disclosure statement or a statement of material change within the time provided, or has failed to disclose relevant information in that statement or has contravened Ontario parliamentary convention, the commissioner shall recommend:

"(a) that no penalty be imposed;

"(b) that the member be reprimanded;

"(c) that the member's right to sit and vote in the assembly be suspended for a specified period or until a condition imposed by the commissioner is fulfilled; or

"(d) that the member's seat be declared vacant."

There are other penalties available.

In this particular case, Mr. Justice Osborne, who is the Integrity Commissioner and reviewed this situation, chose to issue a reprimand. In his report, which was released on January 4, 2006, the Integrity Commissioner looked at three very specific issues. He looked at whether Minister Takhar had, at any time, used his position or knowledge gained as a minister to further the interests of his family-owned business. The Integrity Commissioner said that there was "no merit." Again, I'd like to repeat this for the member for Renfrew-Nipissing-Pembroke, who may some day find his seat. There was no merit to the contention that the minister's family-owned business would have benefited from his position as minister. The Integrity Commissioner went on to say that "there was no evidence, direct or circumstantial," to support that claim.

The second point that the Integrity Commissioner was asked to review was whether Minister Takhar participated in the management of those companies after he was appointed minister. Here, the Integrity Commissioner clearly confirms that he has never used his position or knowledge gained from that position to further private interest. He was very clear.

The third point that the Integrity Commissioner was asked to review was the relationship with Minister Takhar's trustee and whether it was at arm's length. When Minister Takhar was appointed as a minister, he put all of his assets into a blind trust. The Integrity Commissioner approved the trustee, as set out in section 11 under the Members' Integrity Act. That was a requirement. Mr. Takhar failed to inform the Integrity Commissioner when the trustee of his blind trust also became the CFO of the Mississauga Centre riding association. He should have notified the commissioner of the change in the relationship with his trustee. This was the finding of the commissioner.

Minister Takhar has fully accepted the commissioner's findings and has worked closely with him over the past few months to ensure that a new trustee was put in place.

In his concluding remarks, the Integrity Commissioner wrote:

"Although I regard this as a serious matter, I have to recognize that the minister did not go about intentionally

trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship ... was compromised, he would have taken steps through this office to straighten things up." That is what the Integrity Commissioner has found.

We have tasked the Integrity Commissioner, through the Members' Integrity Act, to look into situations like this. The Integrity Commissioner did so. We've asked him to write a report. He did such. Under section 34, he has the ability to impose penalties. He has chosen a reprimand, and that is what is recommended by this report. In accepting this report, the reprimand will have been given and the Legislature will have done its task and the Integrity Commissioner will have completed his task.

At no time was the public interest put at risk through the actions of the minister. There was no misuse of funds. There was no influencing of government decisions. This is about a minister who failed to inform the Integrity Commissioner that his trustee was elected the CFO of his riding association. The minister has learned a valuable lesson and has worked very closely to change the situation.

#### 1940

As many in this House know, Minister Takhar was elected at the same time I was, in 2003. He brings to this Legislature a great deal of experience and personal integrity. He has done a fabulous job as the Minister of Transportation. I had the privilege of hosting him in my riding, in Nipissing, where we announced the northern highway strategy, which is a great initiative for the north, something long overdue, something long waited for. As many in this House have heard me speak eloquently on the topic of northern highways—

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Always eloquently.

**Ms. Smith:** Always eloquently, and at some length, I might add. We in the north are delighted to see an end date—

**Mr. Yakabuski:** And from your own seat, no less.

**Ms. Smith:** Well, I only speak from my own seat, and sooner or later you will be reprimanded, the member for Renfrew–Nipissing–Pembroke.

The motion that is before this House today, before we get too far off-track, is "that the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein." I am pleased today to be in this House and to speak to the motion and to accept the report that the Integrity Commissioner has provided to us. We approve his recommendations. We recognize that the minister has made an error, has corrected that error, has said publicly that he made an error and that he was apologetic for that error. Nothing more can be done. Nothing more should be done. I appreciate the time today.

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I'm disillusioned and I'm disappointed with our Premier's lack of action with respect to the reckless behaviour of his appointed Minister of Transportation.

Rather than choking off debate and compromising the integrity of this Legislature, I'm convinced that the Premier should be seeking his minister's resignation. I'm concerned that the members opposite are forced to sully their own reputations defending the transgressions of their colleague, defending the transgressions of their Premier. I assume that's why they're hiding from this debate.

It's not just about the members opposite, members who have to pay the price for this Premier's behaviour. Every member in this chamber gets taken down a notch with respect to public esteem, especially when a Premier tolerates a politician such as the Minister of Transportation getting caught visiting the cookie jar on company time. That's a price I'm not willing to pay, not for this Premier, not for this government. We simply must be willing to do whatever is necessary to rebuild Ontarians' faith in this Legislative Assembly, to rebuild faith in the institutions of this government and the elected representatives, all of us who are here for public service. It's not an issue of partisanship. It's an issue of integrity, it's an issue of honour and it's an issue of ethical behaviour.

Ever since I was elected in 1995, I have referred to myself as an elected representative or as an MPP. Down my way, being called a politician is usually an insult. Politics is a dirty word. I regret that. When I first read the Common Sense Revolution, I noticed that Mike Harris promised to eliminate 20% of the politicians. In our area, that was felt to be a good start. I don't blame the good folks down my way for holding politicians in such low regard. Who wouldn't be skeptical of politicians after seeing the Premier blithely ignore the Integrity Commissioner's report on Mr. Takhar?

Despite the bad reputation unscrupulous ministers give elected representatives, some of my boyhood heroes were politicians. I think of my grandfather, a just and upright man. He was a federal MP for our area, a farmer, a Protestant of southern Irish descent, a military man, a writer. He had the reputation of being a bit of a tough nut, and as I understand it, he had the reputation of being someone who did the right thing, who did the honourable thing. Two other politician heroes or role models for me, federal MPs in our area, were Evans Knowles and Bill Knowles, and provincially, of course, Jimmy Allan.

There's a plaque located behind the wall—in fact, it's strategically located in a position where government members see this bronze plaque every time they enter the Legislative Assembly. I'll read it in part. It's titled, "Robert Baldwin, 1804–1858.

"Born in Toronto, Baldwin devoted his entire career to a single cause. As a member of the assembly, as executive councillor, as Solicitor General, and as co-Premier he remained true to his vision until the second Baldwin-LaFontaine administration established the principle of responsible government in Canada."

I suggest that members take a close look at that plaque. Historicala on-line provides many examples of Baldwin resigning—this was in the 1840s—a number of times rather than compromising his values or compro-

misgiving his character and ultimately his honour: “Baldwin commanded respect and exercised moral leadership by reason of his character. In a society that revered the code of gentlemen, he embodied the cherished virtues of adherence to honour, duty, and principle. Each time he gained office he left it by resignation rather than compromise his principles. In 1841, Baldwin resigned when the Governor refused to implement responsible government” at that time.

I’m talking about an honourable man resigning out of principle. This is over 160 years ago, well before the Members’ Integrity Act, which I hear so much discussed today. This is history. Perhaps now honour is merely a footnote to history, but I can’t help but wonder how Robert Baldwin would have reacted to a Premier condoning such a serious and offensive breach as we’ve seen with the Minister of Transportation.

In 1933, George Wilson, the author of *The Life of Robert Baldwin*, says this about Baldwin: “In the long roll of those who have played a part in the public life of Canada, there is no more honourable name than that of Robert Baldwin. Success as a politician was as nothing in his eyes compared to the fact that he should never do anything dishonourable or mean.”

That book is in our legislative library. I just returned it today. It was signed out repeatedly back in the late 1930s. It was printed in 1933. Sadly, it hasn’t been signed out since 1975. Does that suggest the length of time that honour has been in decline in this esteemed assembly? I’m glad Robert Baldwin was denied the opportunity to see how this chamber has been denigrated and diminished lately. I would be embarrassed for him to see how the honour, duty and principles that he stood for have declined on this government’s watch.

Wilson went on to say, “He would never stoop for office or for power. Power might come to him, office might seek him out, but it would never be because he had compromised his conscience or done anything of which he himself might be ashamed.”

Baldwin did not need an integrity act. I look back to the day when men like Robert Baldwin blessed Parliament—in this case, the Upper Canada of the 1840s. I see a beacon for all of us. A man of his stature, of his integrity, would never have been accused of “egregiously reckless” behaviour. If he had been, he would have resigned on the spot.

I would be very surprised to see such an accolade to Dalton McGuinty. Under this watch, this House, in my view, has been diminished; it has been undermined and tarnished. High position—no brass box for this Premier.

Has the Premier forgotten why we call this place Queen’s Park? As we know, it’s named after Queen Victoria. I had the distinct honour several weeks ago to attend the inaugural visit to Ontario of Her Excellency the Right Honourable Michaëlle Jean. I wore my medals for the ceremony. I wore them with pride, knowing that there is a long history of honour and tradition in our parliamentary system of government. As MPPs, we have all sworn allegiance to the Queen and what she represents. This tradition must be upheld.

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I’d like to conclude with some advice for this Premier. In addition to Baldwin’s code of honour, we are blessed with more wisdom on the topic much more recently through the Members’ Integrity Act. My advice is that the Premier should read it aloud in caucus.

The present Premier I consider hypocritical. He is guilty of his own accusation—

**The Deputy Speaker:** I would like the member to consider withdrawing that.

**Mr. Barrett:** I will withdraw, Speaker.

I would ask those assembled to judge for themselves. I will present the evidence. In 2003, the present Premier, and I quote: “When barely half of the population takes the time to exercise their basic democratic right, when turnout among young people and new Canadians hardly hits one third, real change is needed. People have lost faith in their institutions and their institutions of government.”

I suggest that we can see why. This Takhar mess, this scandal, is contributing to our democratic decline. This time allocation motion, coupled with last night’s time allocation motion and this scandal of which we speak, is recklessly destroying democratic debate and the sense of honour and the sense of principle that should exist within this chamber. This is a price that I’m not willing to pay and in fact none of us should pay.

**The Deputy Speaker:** Further debate? The member of the official—of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** If you’re in the business of elevating us today, Speaker, we’ll accept.

I merely want to make a few comments on today’s debate. My comments are, first of all, contextual. So that people at home understand, this is a time allocation motion. It’s the third time the McGuinty government has used a time allocation motion to shut down debate in a week. We had the OMERS pension legislation. The government time-allocated that. Then we have the issue of the Integrity Commissioner. The government has time-allocated that. Then we had the LHINs legislation. The government has time-allocated that.

For people at home, what “time allocation” means is that a majority government simply shuts down debate, shuts down discussion and says, “We’re not interested in hearing anything from anybody anymore. We, as the government, are going to use our majority to ram this down people’s throats.” That’s what it means.

I find it interesting to actually read some of the comments of the now members of the McGuinty government on what they thought about time allocation.

Let’s take the former McGuinty House leader, now Minister of Finance, Mr. Duncan. This is what he had to say: “Closure motions really are inherently bad for our parliamentary system and prevent members of all political parties—government members, opposition members, third party members—from fully participating in the debates of the day. They’re designed to limit those discussions.”

Again from Mr. Duncan, former government House leader, now Minister of Finance: "If you're truly interested in democracy, as you say you are, if that is where you're going, I suggest to you that you don't use the great mallet of closure to stifle this Legislature and to prevent public input into this bill. If you're all about democracy, you ought not to be afraid of that."

Then I want to quote the current government House leader, because he after all presented this guillotine motion, this motion to absolutely wipe out democratic debate on this issue. He said, "Each of the time allocation motions which close off or choke off debate in this House seems to be more drastic as it comes forward, seems to be more sinister as it relates to the privileges of members of this House and as it relates to healthy, democratic debate for the people of this province." This is the House leader who has presented three guillotine motions in less than a week.

I want to quote him again: "The opposition role is to help to slow the government down, and I think ultimately better legislation for all the people of this province emerges when the government is forced to take a little longer to pass that legislation." And he's brought in three guillotine motions to shut off debate in less than a week.

I want to quote him again: "What you have with this time allocation motion, with this closure motion, is a government that, every day it comes into this House, gets worse in the way it deals with the democratic process."

Or again: "The minority in this House and perhaps on many occasions the majority of the people in this province, who on occasion disagree with this government, are having their rights run over by this government because it is efficient." Not democratic, but efficient—efficient to silence the people, efficient for this government to shut down debate.

To quote the now government House leader again: "Time and again, the government puts the boots to the opposition in this Legislature, as it has this afternoon with this time allocation motion—more ominous, more sinister every time." So said the government House leader, in the current context of having introduced his third time allocation motion, his third guillotine motion, in less than a week.

But I want to go on. I want to quote the now Attorney General, because this is what he says about closure motions: "I, too, choked when I saw that yet another debate-killing motion was before this Legislature.... They're sometimes called guillotine motions; they're sometimes called closure motions. The technical reference description, so that nobody knows what they are, is time allocation motions." He says he almost choked, yet his own government is using time allocation to shut down debate three times in less than a week.

Or let me quote the Minister of Community and Social Services: "I am not pleased to be speaking to another closure motion today.... The government doesn't want to hear how it has failed, and I will continue to point this out to the government always in the hope that they will finally take the suggestions we have made and apply

them to the people," as her own government uses closure on important public issues for the third time in less than a week.

Or let me quote the member from Essex: "The cutting off of debate—closure, time allocation, whatever you want to call it—really limits the ability of this Legislature to have any effect whatsoever.... The constituents of every riding that is represented in this Legislature, I think, expect their member to be able to stand and voice their opinion and the opinion, therefore, of their constituents. So once again, we are going to stand today, take a legislative day's debate, and at the end of the day we're going to have to accede to the government's wishes that they simply choke off democratic debate." This government has used a closure motion to choke off debate three times in less than a week.

Or let me quote, for example, the now Minister of Municipal Affairs and Housing, who says, "It seems to me that this is a complete attack on the democratic principles and the parliamentary rules that have been a tradition within the Westminster model." His own government now is bringing a closure motion for the third time in less than a week.

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Or let me quote Mr. Gerretsen, from Kingston and the Islands, again: "What's the meaning of all this? The meaning is quite simply that this government believes it is not important for their House leader to have any discussions with the House leaders on the other side to come up with some meaningful program, some meaningful method, whereby bills can be debated for a certain period of time so that the important bills get four or five days of debate and perhaps some other bills that everybody agrees to can be passed in one day. No, it would rather just ram its way through." And what is the McGuinty government doing? Just ramming it through.

Perhaps I should also quote the chair of the government caucus, Mr. Gravelle, from Thunder Bay—Superior North. He says, "It's just stunning that the way they choose to deal with it at the end of the day is to put time allocation on debate. It's wrong, I think everybody knows it's wrong and I think even the government members themselves know that it's the wrong way to approach it." Then he goes on to say, "This is disgraceful. This is unbelievable," yet his own government is now imposing closure and time allocation for the third time in less than a week.

Or let me quote—he's here tonight—the member for Don Valley East, also now a member of cabinet: "I usually start off my remarks by saying it's a pleasure to speak to something on behalf of the people of Don Valley East, but it really isn't. This is yet another closure motion, a gag order on the Legislature. How could it ever be a pleasure to speak to that, when that's the normal course of action and when this Legislature is shut down for the very purpose it was meant for, which was to discuss important matters?" as his own government, the McGuinty government, imposes closure for the third time in less than a week.

Then I should quote the Premier, because this is what the Premier said: "For a government that promised to be open, this closure action is the height of arrogance, the height of exactly everything you campaigned against and you said you were for." My, my, my. High-minded words. If only the Premier would apply them to his own government. If only the Premier would apply them to his own government's conduct here in the Legislature.

I believe we've done an injustice to the people of Ontario. This government has done an injustice to the people of Ontario, not only by imposing closure on this issue but imposing closure on the LHINs legislation and by bringing a closure motion with respect to the OMERS pension legislation. Three times in less than a week a government with a large majority has sought to stifle democratic debate, has sought to shut down the democratic institution that is supposed to function on behalf of the people, not just on behalf of a majority government.

This is a disservice to the people of Ontario, a disservice to democracy, but most of all it's a disservice to the members of this government who used to stand here and condemn time allocation, who used to stand here and condemn closure, who used to say over and over again themselves that it was disgraceful, that it was undemocratic, that it destroys our democratic institutions, that it undermines free speech. What happened to their brave words? What happened to their desire to stand up for democracy? What happened to their desire to hear full debate and answer? That's a question that I think people all across Ontario are asking with increasing frequency.

I'm not going to debate the issue any further, but I agree with those government members who, only a couple of years ago, said over and over again that shutting down debate, that imposing a guillotine order, that imposing a closure motion, imposing a time allocation motion, was undemocratic. It continues to be undemocratic, and it's especially undemocratic for a McGuinty government that said, oh, in such holier-than-thou tones, that they would never do this, that they were going to bring democracy into full light in Ontario, that they were going to be different, that they were going to be open and transparent. And yet they have imposed a closure motion three times in less than one week.

**Mr. Yakabuski:** It's my pleasure to join in this debate this evening. Of course, the leader of the third party has articulated very well why we shouldn't be doing what we're doing tonight, because the party in government today—and we don't have to go through chapter and verse of each particular person who sits in the front benches today, be they the government leader or the Minister of Finance, as to what they said about time allocation motions when they were invoked by the previous government. They've used that as an excuse. We have heard time and time again how they were absolutely, in opposition, against time allocation motions, but here today we see it being invoked, if not in actual fact then in principle, for the third time in less than a week.

I'm not going to speak too long on the time allocation side of it, but I am going to talk about the motion itself,

the motion that we were debating with regard to the Minister of Transportation. While the Minister of Transportation has become the subject of this debate, the debate is really not about the Minister of Transportation; the debate is about the Premier of the province of Ontario, Dalton McGuinty.

When we put our names forward to stand for public office, we understand and we recognize clearly that we will live in a fishbowl and that our names and our reputations and everything we do will come under closer scrutiny than anyone else in any other walk of life. If you choose the public life, the elected life, your name and your reputation will come under scrutiny like no other. But we accept that. It is part of the job. You know going in that this is what you can expect as a person who chooses to live the public life. Should you be honoured with an appointment to the executive council, that scrutiny only increases, and the expectation that you will conduct yourself beyond any form of reproach or even the hint of reproach is an accepted part of that job.

What is regrettable today and through this entire process has been the Premier's response to allegations that a member of his executive council—and not only allegations, but an agreement on the part of the minister himself that he has breached the Members' Integrity Act. In fact, for the first time since this act was brought into being, a member of the executive council has been found to be egregiously, recklessly negligent in his breach of the Members' Integrity Act. The Premier's choice has been to ignore that ruling and that finding. Even though the Integrity Commissioner made it clear that he has no power to decide whether a member can sit on the executive council or not—that power rests solely with the Premier of the province of Ontario—the Premier has stonewalled and decided to do nothing about it. That is what is truly regrettable here.

#### 2010

Going back to some of the things the Premier has said, he spoke about ethics in government and how the rules simply wouldn't be good enough for his government, that they would rise above the rules and set new heights for that bar like no one has ever seen before, because that was the kind of government that Dalton McGuinty promised to bring to Ontario. And he has failed: He has failed in the eyes of the people of the province of Ontario, but what is truly regrettable is that he must be failing in his own eyes, because he has not lived up to the standards he had set for himself. It is very difficult sometimes to live up to the standards set by others, but you have to live up to the standards that you set for yourself, because those are the ones that you will be justly judged by. The Premier has had ample opportunity in this House to choose to do the right thing with regard to this entire situation.

I say, and I continue to say, that this is not about—the Minister of Transportation is the subject. We have mounting mounds of evidence as to why the Premier should ask him to step aside until this thing can be completely cleared up. Send it to committee. Give the

people an honest opportunity to vet this entire situation completely, and then, if it is found that the minister should return to cabinet, so be it. But this has not been dealt with in its entirety, and there are many, many unanswered questions.

There are many issues in the Integrity Commissioner's report, and there is not enough time in the time I am allotted this evening to touch on them. There are many, many inconsistencies, unclarified points and questions as to how that could possibly exist. If a member of the cabinet has said that he has nothing to do with a company, then why does he have a parking spot in the executive lot of that company? That defies logic. If you have nothing to do with the company, they wouldn't waste a parking spot putting your initials on it, and also the initials of your wife on the adjacent spot. So we certainly can't say that that was a shared spot, unlike the cellphone, for example.

The Premier is the question here. I implore him, I ask him—this is not the time to run roughshod over the democratic process in this House. The people of the province of Ontario have the right to see all of the facts completely—unvarnished, completely transparent—and let them make the choice. There is much to be known about this situation, and we are not being given the opportunity, because this government is invoking closure, invoking time allocation, something they preached against. But you know what? They have one rule in opposition, another one in government. That is shameful, and it's regrettable.

**The Deputy Speaker:** Further debate? Does any other member wish to speak?

**Mr. John O'Toole (Durham):** It's a pleasure to follow the member from Renfrew-Nipissing-Pembroke, because his anxiety level is quite high, and I respect that. In fact, his time was limited, and so he had a lot to say and little time to say it in.

I was reading the Integrity Commissioner's report, and it is good to respect the offices of the Legislature and to abide by the rules. As we gain experience here, we learn to abide by them. I look at the history here of Jim Wilson earlier, making his declarations, and he did the honourable thing. I think that's really what's being asked here.

It's a matter of Premier McGuinty's reluctance to make a difficult decision. In fact, one of the more difficult decisions is to ask a minister to step aside from cabinet and allow the air to clear and to set a standard for others to follow. That's really what's in question here. I don't question that the Minister of Transportation is well intentioned. His personal plea here the other day brought tears to my eyes, not just his eyes. He bared all, for the most part, and I respect that. It was a humbling gesture for a man who has worked hard to become as successful as he has, becoming successful in really three businesses: the board of education and Chalmers Group as well as being recruited to be a minister of the then-wanting-to-be government—the McGuinty government—by Sandra Pupatello, who was one of large mouthpieces for the government opposition at that time.

*Interjections.*

**Mr. O'Toole:** No, no. She spoke very—and Minister Smitherman, who was highly critical, did an excellent job in opposition of railing on the government, railing on Cam Jackson, railing on Minister Wilson, railing on ministers. What we said was setting a standard that needs to be maintained. What's required here—

*Interjections.*

**The Deputy Speaker:** Order. The member for Durham has the floor, and we should hear what he has to say.

**Mr. O'Toole:** There is a place for each of us to respect the process, but the process here itself is part of the problem. The Premier's failure to address a standards issue of ethical behaviour is one of the questions that I have. Minister Takhar is a nice fellow; most of the people here are nice fellows, have worked hard and have their own personal stories, each one, which is important and I respect that. But it is a question of the judgment of the Premier. I certainly wouldn't be one to question that judgment, but the Integrity Commissioner did.

I'm going to read from the report, here, by the Honourable Coulter Osborne, Integrity Commissioner. Basically, it's on page 27, section 87, so this isn't some spurious remark. This is what is said:

"As I have said, Mr. Jeyanayagam produced notes that he said he took during the course of the April 29 meeting. I have annexed a typed version of Mr. Jeyanayagam's notes and a handwritten version as appendix 'A' to this report. I am skeptical as to the legitimacy of these notes."

That's very legal, so there are no liability issues going forward. He said, "I am skeptical as to the legitimacy of these notes." What could be clearer? I recall the other day, just a couple of days ago, Minister Takhar responded to a question about the cellphone. They went into this thing: "They're our cellphones"—there were several cellphones that we weren't sure whose they were, the minister's, the ministry's—

**Mr. Yakabuski:** One and a half—

**Mr. O'Toole:** One and a half cellphones?

**Mr. Yakabuski:** One and a half minutes left.

**Mr. O'Toole:** Okay. I'm wondering this now: There is this time allocation motion. Other ministers have stepped aside; you know, "Let's get on with business." But the Ministry of Transportation's response—I'm the critic there. There's the gridlock issue, the 16-year-old driver's licence issue that you can't deal with, I would say some of the decisions of the 407, environmental assessment, the legal battles ongoing. I wonder if the minister is not seized with this personal issue, whether he shouldn't step aside and allow the Ministry of Transportation to emerge from the gridlock of his issue and get on with running the economy of this province.

With that, I am going to have to step down and allow other members to speak, because there is a litany of issues, not personal, but to summarize, it's about the Premier's leadership and decisiveness on this issue; it's about that.

*Interjection.*

**Mr. O'Toole:** The minister is saying over there, "Be careful," because they don't want us to really say anything. I think that's what he's implying, as I understand it.

With that, I'll step down and hope that other members will stand and air their very serious concerns.

**2020**

**Mr. Vic Dhillon (Brampton West–Mississauga):** It's a pleasure to speak on this issue. Mr. Takhar has never shied away from the fact that he was the CEO and president of the Chalmers Group. He's a very smart man. As he said, he's worked very hard to build what he has and that's why the Premier chose him to serve in cabinet. I can't see why the opposition is making a fuss out of really nothing.

The member from Trinity–Spadina mentioned that we're better because we've called for fewer time allocation motions. Yes, we are, and there's no doubt about that. I've gotten very few calls from people in my riding about this issue—actually, I don't think I've had any calls—because people realize and see and agree with the decision the Premier has taken.

Our government is busy doing other things, undoing the mess we were left with. The Tory government cut \$2 billion from public schools, they closed 28 hospitals, they closed 7,100 hospital beds—the list goes on and on and on.

In the Integrity Commissioner's report, there are three issues of contention. The first one: Did Minister Takhar use his position or knowledge gained as a minister to further the interests of his family-owned business? The answer was no. Did Minister Takhar participate in the management of his business? The answer was no.

I don't see why the opposition is going over this again and again and not dealing with the real issues of our government. I think it's about time that we let this pass and get down to further issues that are affecting our province.

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to join in the debate this evening. We're debating the time-allocation motion to end debate on the Integrity Commissioner's report to do with the Minister of Transportation, Mr. Takhar. I had hoped to speak for at least 20 minutes on this, but because of this time allocation motion that is ending the debate, unfortunately I won't be able to cover all the various topics that I would like to. I wanted to give some history, so I had lots of information from the Davis years, for example, when George Kerr resigned from cabinet over a relatively minor situation; and experiences of my own father when he was the Treasurer and there was a leak of budget news that was in no way the Treasurer's responsibility, and how he agonized over the decision to stay in cabinet.

The point I wanted to make is that the standards have changed. We heard from Mr. Wilson earlier about his situation, when he did the right thing and resigned from the executive council. We know of the many ministers in the Harris years who did resign when there was a question at all or an appearance of something being not correct. But here we have an Integrity Commissioner's

report which, if you actually go through it and read it, really questions the credibility of the minister. But I say that this is more about Mr. McGuinty's judgment and his standards for the members of his executive council.

I don't have enough time to go through the report in detail, but I would like to note some of the aspects which really make you question the credibility. For example, we've heard a lot about the meeting that happened at the Chalmers Group on April 29 with Mr. Jeyanayagam, who was his chief financial officer of the company and also—a very cozy arrangement—the chief financial officer for the riding association. It was quite the cozy arrangement, and it's hard to believe the minister wouldn't know that this would be breaking the rules. Supposedly, the meeting was about their daughter's education. In my own case—I have four kids—if we have a meeting to do with our kids' education, we do it around the kitchen table. We don't go to a company and have somebody taking minutes. The minutes really make you wonder about their credibility. In the minutes Mr. Jeyanayagam took, he concluded his notes by referring to Mrs. Takhar making lunch arrangements and the minister going out to make mobile phone calls. That's in the minutes. First of all, if minutes are being taken for a meeting to do with your daughter's education and the trustee of his supposedly blind trust is there, I'm amazed.

We go on. There are so many things you could question: Why did he have a parking spot with his initials on it when he has claimed that he never was involved with the company, yet he was bragging on his election website about his involvement with the company? There are many questions.

All I would say to the general public, because I don't have enough time to go through it in detail as much as I would like to, is to read the Integrity Commissioner's report. When you read the verbatim questions and answers that are described in the report, I think you might be a little skeptical. It did find that the minister was "egregiously reckless" and in fact broke the Members' Integrity Act.

It is only the Premier who can ask the minister to step aside. We're seeing a huge change in the standards in this province, where this minister, who has absolutely broken the rules, is not being asked to step aside.

I'll leave time for the other members. Thank you.

**Mrs. Julia Munro (York North):** I would like to take the next few minutes to join the debate today. The important thing that people need to understand is really, what is a conflict of interest? Much issue has been made about this, and certainly the minister in question has spent a great deal of time in the Legislature saying that things have been explained to him by the Integrity Commissioner and he now understands, and it's time to move on.

But for us as members and for the general public at large, we need to have a better understanding of exactly what it is when we ask, what is a conflict of interest? In answering that question, I've looked at the information provided to us from Professor Michael McDonald of the

University of British Columbia. He defines a conflict of interest as “a situation in which a person, such as a public official, an employee or a professional, has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties.”

He defines three key elements to this definition:

“First, there is a private or personal interest. Often, this is a financial interest, but it could also be another sort of interest, say, to provide a special advantage to a spouse or child. Taken by themselves, there is nothing wrong with pursuing private or personal interests—for instance, changing jobs for more pay or helping your daughter improve her golf stroke.

“The problem comes when this private interest comes into conflict with the second feature of the definition, an ‘official duty’—quite literally, the duty you have because you have an office or act in an official capacity. As a professional, you take on certain official responsibilities, by which you acquire obligations to clients, employers or others. These obligations are supposed to trump private or personal interests.

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“Third, conflicts of interest interfere with professional responsibilities in a specific way, namely by interfering with objective professional judgment. A major reason clients and employers value professionals is that they expect professionals to be objective and independent. Factors like private and personal interests that either interfere or appear likely to interfere with objectivity are then a matter of legitimate concern to those who rely on professionals—be they clients, employers, professional colleagues or,” in this case, “the general public. So it is also important to avoid apparent and potential as well as actual conflicts of interest. An apparent conflict of interest is one in which a reasonable person would think that the professional’s judgment is likely to be compromised.”

Professor McDonald asks, “How do you determine if you are in a conflict of interest, whether actual, apparent or potential? The key is to determine whether the situation you are in is likely to interfere or appear to interfere with the independent judgment you are supposed to show as a professional in performing your official duties.”

He says, “A good test is the ‘trust test’: Would relevant others trust my judgment if they knew I was in this situation?” The question the House and residents of Ontario should ask is, does the Minister of Transportation meet the trust test? Do his actions meet the test of Professor McDonald’s definition of conflict of interest?

Let’s review how Mr. Takhar’s actions meet the test. What is his private interest? That one is easy. Mr. Takhar was the president and CEO of the Chalmers Group of companies until his election in 2003. His company is in the transportation business, making truck suspensions that he claimed were only exported to the US. We have since learned that Mr. Takhar first claimed he was, “never involved in the business, ever,” and then it was proven that he was the company’s president. His claim that the company only exported to the US was shown to be false, as he sells to Navistar in Chatham.

The Minister of Transportation, as a member of the executive council, had a responsibility to demonstrate that he had severed ties with his former business. His claim that he only went to Chalmers to discuss his daughter’s education remains dubious, and at the very least, he was very sloppy in his demonstration of public adherence to avoiding a conflict of interest.

Mr. Takhar’s private interest in Chalmers is very clear. Equally clear is his necessity of avoiding contact with the company to maintain his position in cabinet. His private interest only matters because his position in cabinet is an official duty. His position requires him to maintain objectivity and to maintain his official responsibilities. He must fulfill a responsibility to all Ontarians and work impartially with stakeholders who must have dealings with the ministry. As Minister of Transportation, he must supervise our transportation and transit systems. He holds a responsibility to make choices on behalf of all Ontarians, to decide impartially what is in the best interests of the people of the province.

The reason a minister must sever his previous relationship with his previous company or companies is so they will not interfere with his objective professional judgment on behalf of the people of Ontario. Businesses, unions, municipalities and individuals depend on an impartial minister to make decisions fairly. They need to be confident that a minister’s decisions are made using a version of the facts unimpaired by any chance of personal bias or gain. Any feelings that a minister’s decision is compromised by conflict of interest brings into question not just a minister’s decision on one issue, but all decisions on every issue.

Professor McDonald identifies trust as the “ethical heart or core of this issue.” Conflicts of interest involve the abuse, actual or potential, of the trust people have in professionals.

This is why we are debating this issue. This is why the Integrity Commissioner made the report he did.

**Mr. Tim Hudak (Erie–Lincoln):** I had a chance to address, earlier on, the amendment to the motion. I want to end this time allocation motion debate tonight by making an observation. It is incredible to note that only six members of the Ontario Liberal caucus have risen in debate to defend the Minister of Transportation: six members only. The House leader, for example, did speak. The House leader, though, spoke about the motion before the House and did not defend the minister. The member for Brampton Centre, who I respect a great deal, spoke about her respect for the Integrity Commissioner and how the Integrity Commissioner has given her advice, but did not defend the minister nor the Premier.

Of the so-called next realm of the leadership candidates when Dalton McGuinty loses the next election—the Attorney General, the health minister, the education minister, the finance minister, my friend from Hamilton, my friend the Minister of Public Infrastructure Renewal—not a single one rose to speak to this minister. Six members only: Sadly, one tenth of the Liberal caucus had faith in the minister and only one tenth had faith in the judgment of the Premier. Sad, but telling.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I'm going to speak on this motion that's before us this evening to put it in some context. I listened earlier this evening to the leader of the third party giving a lecture on procedure in the Legislative Assembly. I well remember a debate in the mid-1990s when his party—and he was a member of that cabinet—brought in the most draconian changes to the rules of the Ontario Legislature that I've ever seen at any time and really changed the kind of debate and the devices available to the opposition to deal with issues of public importance in the Legislature.

I well recall a major contentious issue in this Legislature, the social contract, where every contract you could think of in Ontario in the public sector in one motion was simply torn up, like that. The sanctity of the collective agreement, I was lectured by the New Democratic Party, was something that would have to be maintained no matter what, yet with one piece of legislation the New Democratic Party tore up every collective agreement in the public sector in this province. The only reason I raise that issue at this time is because members are wondering, I hear tonight, about the time allocated for debate on bills in committee. So members of the Legislature may wonder how much time was dedicated to public hearings on the social contract, the piece of legislation which abrogated every collective agreement in the public sector in this province. I ask members of the House rhetorically, do you think it was a matter of hours?

*Interjections.*

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Weeks. It must have been weeks.

**Hon. Mr. Bradley:** Weeks, some suggest. Not weeks. Days? Not days. Hours? Not hours. Minutes? Not minutes. Seconds? Not seconds. Zero time was allocated to public hearings.

How much time was then dedicated to third reading? Because now, in this session of the Legislature, we're really talking about third reading. Zero time was dedicated to third reading of the social contract, and that was a major piece of legislation.

So when I hear the leader of the New Democratic Party get up to lecture anybody on time allocation, on time permitted for debate, on time given for public hearings on major contentious issues, I have to laugh when he uses that particular argument. I just remind him of that.

In terms of time allocation where debate was actually severely restricted, nobody but nobody could touch the Conservative Party. They had more time allocation motions, they brought them in at an earlier point in time, and there was very little debate on major contentious issues.

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We have tried—here's where I want to give credit to the opposition. The official opposition House leader and the House leader for the third party have, in my view, conducted themselves honourably and I have been able to work out timetables with them on most legislation. You

will recall that before the Christmas break, we indicated that there should be some considerable time allocated for public hearings, for instance, on major issues when we came back in January, and we made sure that was there. Then we said that even when we come back for a truncated session in the month of February, we would have some additional hearings, some additional time for debate within committee and then within the House.

I think the government has been very reasonable in that regard. I know, as a member of the opposition—I was there a lot of the time—that there is a feeling that you must have even more debate than the government could ever contemplate. I understand that. It's a position the opposition truly believes in and it is something that keeps issues going.

In this particular case, on this motion, there have been three full sessional days of debate and another one tonight, which, in essence, can be utilized either to deal with this motion itself or, as members of the opposition have done, without objection from this side, to talk about the issue of the Integrity Commissioner's report.

I understand those things, but I become very concerned when I see how this came about. I've heard much about the new politics in the province of Ontario. I read an article in the Toronto Star about the new civility and that the leader of the official opposition was the one who brought it in. I've got to say that the new civility has consisted of a camera that is now—I'll put that down, because it's a prop.

**The Deputy Speaker:** Thank you.

**Hon. Mr. Bradley:** I'll give this to the Sergeant at Arms for now.

The reason I mention the camera—

*Interjection.*

**Hon. Mr. Bradley:** I say to the member from the Ottawa Valley that the reason I mention it is that when you get into politics and you're looking at the new kind of politics and then you send gumshoes, purported gumshoes and private detectives, which your own party people might be, to follow members of the Legislature to take pictures of them, I'll tell you, you're going down a slippery, slippery slope. One could only imagine what one would have found in the past following people with cameras. One wonders what you could find at any time. I would never advocate that. I think it's a major mistake for political parties to go down that path of following members of the Legislature with cameras to take pictures and then, of course, to give the pictures to one of the newspapers.

I'm one who believes that sin is shared. One of my favourite quotes from the Bible is John 8:7, which says, in essence, "Let him who is without sin cast the first stone." Many of us in the Legislature should follow that particular part of the Bible very carefully.

I have a memory of some of the things that have happened in this House in the past. I think it's a very dangerous step in the new politics to have members of the staff of the official opposition, or any party, for that matter, sneaking around behind members of the Legis-

lature taking photographs of them and then giving them to newspapers and making a fuss about them. That's a very dangerous path to go down and I would never advocate that, even though, as I say, I'm not one who says there is any party in the House that is without sin in these matters.

*Interjection.*

**Hon. Mr. Bradley:** The member is interjecting now, obviously over the objections of his leader, who said he didn't believe in interjections in the House.

But I say to the member that this is a very difficult path to go down. I understand the opposition. Listen, I've been in the House long enough to watch, and I understand, particularly those members who have been directly affected by calls from the opposition to resign. I understand that very much. I've always felt for those people when that happened, quite honestly. Not that this matters one way or the other, but I've never asked for a member's resignation in this House, ever, and I've decided I would not follow certain questioning. But that happens in the House, and I don't detract from that. Members of the opposition have to ask those questions. There's no particular virtue in my taking that stance, because it is necessary, from time to time, for the opposition to ask very tough questions. But I think we have to be very, very careful when we start following people around with cameras, and I hope that doesn't happen much in the future.

This is a useful exercise. The Integrity Commissioner has carefully assessed a circumstance, he has provided recommendations to this House, and the recommendations are contained in the motion before the House, the motion that will eventually be voted upon. I respect the Integrity Commissioner; I think he's a top-notch individual. I listen carefully when he speaks, and I listen with my mind when he actually writes a report for members of the Legislature. We can all draw from that report what we will. The opposition, naturally, is going to draw the worst possible scenario; governments tend not to draw that same scenario. I understand that.

We have had debate in the House. A government could say this is a waste of time and end debate after one day. We didn't think that was fair, and we tried to say to the opposition, "How long would you take on this?" They indicated that the debate would go on indefinitely. That's their prerogative. I'm not critical of the opposition for saying that. Again, that is their responsibility, that is their obligation. If they don't want to tell us how long they think the debate will go on, that's fair ball too. There's nothing wrong with that, and the public should know that, when we're dealing with three parties.

But there have been three full days and another evening to debate this issue. The opposition has put forward its case as forcefully and as comprehensively and as vehemently as it determines is necessary, and the government has put forward its particular view on this, both in question period, where both opposition leaders and parties have directed questions to the Premier and to others, and answers have been provided that may not be

satisfactory for the opposition. I understand that as well. I was in opposition. I can tell you that in opposition I seldom found the answers given by the government of the day to be satisfactory, but so be it. Somebody else can arbitrate on that.

It has been an interesting experience. I'm glad that the members of the assembly have had a chance to air their views. That's appropriate on an issue of this kind. It is called for that within 30 days the Legislature is to respond to a report from the commissioner, and the Legislature has decided to do that. The response—it depends what side of the House you're on and what interpretation you have, and I respect all of those views. I may disagree with them, but I respect all of the views that are presented in this House.

When you remember what the motion actually says—the motion accepts the report of the Integrity Commissioner.

*Interjection.*

**Hon. Mr. Bradley:** My colleague asked, "How will the opposition vote?" I can't presume that. I have a hope that they would confirm what the commissioner has said, but the opposition is under no obligation to vote in any particular way on this, and they will make their own judgment.

These are difficult times. I look at the leader of the official opposition in this circumstance, because I think he understands it, and perhaps some of the others on the government benches who come from the business field. We have to be very cautious that we don't completely discourage people from the business field from becoming involved in politics. I know that is not an excuse for any particular behaviour that takes place at any particular time. I'm not from the business field, but I respect people who come from all fields to this Legislature. I've worried for a number of years in politics that, with the rules and regulations we have—I guess they're necessary—are we discouraging people from the business field from coming into politics? And once in politics, are we discouraging them from leaving?

**Mr. Marchese:** In any field.

**Hon. Mr. Bradley:** My friend from the NDP is right in saying that that can be said of many people. It can be discouraging from time to time. I don't want to dwell on this unduly and be unfair, but when we start taking pictures of members of the Legislature as they're about their private business, about wherever they happen to be going, boy, that makes people start to say, "Do I really want to get into a game where they're taking pictures of me, where they have got their staff out taking pictures?" I don't know who they're hiring to do it; I presume it's staff.

I worry about that. I don't think it's as hard to—although it's difficult for some, it's easier to attract people who don't come from the business field. The people from the business field come from a different milieu, and they have to make some tough decisions from time to time in the House. My friend the Leader of the Opposition may think this is unfair, but the Premier or others,

in answering questions from him, will quote his experience in the private sector. It is a different circumstance that one faces in the private sector; I understand that. The Leader of the Opposition probably considers that unfair when the answer comes back in that way, but I go back to the general theme of, what are we doing to people from the private sector—in businesses particularly—when we are very, very onerous on them and where it's difficult for them to make that jump from business into government? That excuses no particular behaviour of any kind. I simply ask that question rhetorically.

I think the debate has been useful for the House. I know that governments don't like these kinds of debates, no matter who they are. I think it has been useful to canvass the issues, and I think that we have provided at least three days of actual debate on the motion, and another night where I noticed my friend from the NDP—Rosario; I can call him that because he's a good friend of mine—utilized it to talk about the issue itself, as opposed to time allocation. I have no objection to that. In fact, often, on that last day of debate on time allocation, we utilize it for that purpose. So it really means you have four full days on it.

I congratulate members on dealing with issues of this kind. They're never easy for governments and they're never easy for the House. I hope that when we leave this session, we can leave our recriminations behind, if not the conclusions that we reach.

**The Deputy Speaker:** Further debate? Is there any other member who wishes to speak?

If not, Mr. Caplan has moved government notice of motion 76. Is it the pleasure of House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2053 to 2103.*

**The Deputy Speaker:** All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Balkissoon, Bas	Lalonde, Jean-Marc	Rinaldi, Lou
Bountrogianni, Marie	Levac, Dave	Ruprecht, Tony
Bradley, James J.	Marsales, Judy	Sandals, Liz
Caplan, David	Matthews, Deborah	Smith, Monique
Colle, Mike	McMeekin, Ted	Smitherman, George
Delaney, Bob	Meilleur, Madeleine	Van Bommel, Maria
Dhillon, Vic	Milloy, John	Wilkinson, John
Di Cocco, Caroline	Peters, Steve	Wong, Tony C.
Duguid, Brad	Qaadri, Shafiq	Wynne, Kathleen O.
Flynn, Kevin Daniel	Racco, Mario G.	Zimmer, David
Jeffrey, Linda	Ramal, Khalil	

**The Deputy Speaker:** All those opposed will stand one at a time and be recognized by the clerk.

#### Nays

Arnott, Ted	Martiniuk, Gerry	Tory, John
Barrett, Toby	Miller, Norm	Wilson, Jim
Chudleigh, Ted	Munro, Julia	Yakabuski, John
Hudak, Tim	O'Toole, John	
Marchese, Rosario	Scott, Laurie	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 32; the nays are 13.

**The Deputy Speaker:** I declare the motion carried.

**Hon. Mr. Caplan:** I move adjournment of the House.

**The Deputy Speaker:** Is the pleasure of the House that the motion carry? Carried.

This House is adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 2105.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman  
Speaker / Président: Hon. / L'hon. Michael A. Brown  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Barrie-Simcoe-Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Halton	Chudleigh, Ted (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brant	Levac, Dave (L)	Huron-Bruce	Mitchell, Carol (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement t	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London-Fanshawe	Ramal, Khalil (L)
Elgin-Middlesex-London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	Markham	Wong, Tony C. (L)
Erie-Lincoln Essex	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Transportation / ministre des Transports
Etobicoke Centre / Etobicoke-Centre	<b>Crosier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke North / Etobicoke-Nord	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Energy / ministre de l'Énergie	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke-Lakeshore	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
	<b>Broten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nipissing	Smith, Monique M. (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Northumberland	Rinaldi, Lou (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oak Ridges	Klees, Frank (PC)	Thornhill	Racco, Mario G. (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Trinity–Spadina	Marchese, Rosario (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Vaughan–King–Aurora	Sorbara, Greg (L)
Oxford	Hardeman, Ernie (PC)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard (L)</b> Minister of Education / ministre de l'Éducation	Willowdale	Zimmer, David (L)
Parry Sound–Muskoka	Miller, Norm (PC)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Perth–Middlesex	Wilkinson, John (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Peterborough	Leal, Jeff (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	York North / York-Nord	Munro, Julia (PC)
Prince Edward–Hastings	Parsons, Ernie (L)	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York West / York-Ouest	Sergio, Mario (L)
Sarnia–Lambton	Di Cocco, Caroline (L)	Nepean–Carleton	Vacant
Sault Ste. Marie	Oraziotti, David (L)	Toronto–Danforth	Vacant
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	Whitby–Ajax	Vacant
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Cameron Jackson  
Vice-Chair / Vice-Président: Garfield Dunlop  
Wayne Arthurs, Caroline Di Cocco,  
Garfield Dunlop, Andrea Horwath,  
Cameron Jackson, Kuldip Kular, Phil McNeely  
John Milloy, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-Président: Phil McNeely  
Wayne Arthurs, Toby Barrett, Pat Hoy, Judy Marsales,  
Phil McNeely, Carol Mitchell, John O'Toole,  
Michael Prue, John Wilkinson  
Clerk / Greffier: Trevor Day

**General government / Affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-Président: Vic Dhillon  
Vic Dhillon, Brad Duguid, Andrea Horwath,  
Linda Jeffrey, Jean-Marc Lalonde,  
Deborah Matthews, Jerry J. Ouellette,  
Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-Président: Gilles Bisson  
Lorenzo Berardinetti, Gilles Bisson,  
Michael Gravelle, Tim Hudak,  
David Oraziotti, Ernie Parsons,  
Laurie Scott, Monique M. Smith,  
Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Justice Policy / Justice**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Bob Delaney  
Jim Brownell, Bob Delaney, Kevin Daniel Flynn,  
Frank Klees, Peter Kormos, Jennifer F. Mossop,  
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

**Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Bas Balkissoon, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

**Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Shelley Martel, Bill Mauro, John Milloy,  
Julia Munro, Richard Patten,  
Liz Sandals, Norman W. Sterling, David Zimmer  
Clerk / Greffière: Susan Sourial

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath  
Vice-Chair / Vice-Président: Tony C. Wong  
Gilles Bisson, Kim Craitor, Andrea Horwath,  
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

**Social Policy / Politique sociale**

Chair / Président: Mario G. Racco  
Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craitor,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

**Electoral reform / Réforme électorale**

Chair / Présidente: Caroline Di Cocco  
Vice-Chair / Vice-Président: Norm Miller  
Wayne Arthurs, Caroline Di Cocco,  
Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

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