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**Official Report
of Debates
(Hansard)**

Wednesday 30 March 2005

**Journal
des débats
(Hansard)**

Mercredi 30 mars 2005

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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Clerk: Susan Sourial

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 30 March 2005

Mercredi 30 mars 2005

The committee met at 1009 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr. Tim Hudak): All right, folks, we'll call the meeting of the standing committee on government agencies to order and welcome our members back. We had a very nice Easter session. The Chair did not bring any Easter eggs for anybody. That's the kind of Chair I am. I ate them all.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): They say Michael Prue has all kinds of candy from the Beaches Easter parade in his office. I just got some.

The Chair: He does? I will learn my lesson, then.

Folks, we have a couple of subcommittee minutes to get through. Then I suggest we do our—Jeff, nice to see you—intended appointees and then we'll do other business at the end, since we only have three intended appointees today. OK? Very good.

First, the report of the subcommittee on committee business dated Thursday, February 24, 2005. All members should have a copy.

Mr. Ernie Parsons (Prince Edward–Hastings): I would move acceptance.

The Chair: Mr. Parsons moves its adoption. All those in favour? Any opposed? Those minutes are accepted.

Second, the report of the subcommittee on committee business dated Thursday, March 10, 2005.

Mr. Parsons: I move adoption.

The Chair: Mr. Parsons moves its adoption. Any comments or questions on the minutes? All in favour? Any opposed? It is carried.

As I said, I will send other business to the end of our agenda, after the three intended appointees.

INTENDED APPOINTMENTS

MEL CATRE

Review of intended appointment, selected by official opposition party: Mel Catre, intended appointee as member, Council of the College of Physiotherapists of Ontario.

The Chair: We will proceed with our first intended appointee, Mel Catre. Mel joins us from here in Toronto and is an intended appointee as member of the Council of the College of Physiotherapists of Ontario.

Mr. Catre, welcome to our committee. Thanks for joining us today. As you may know, you're free to make a presentation about your skills and your interest in this particular intended appointment. Then each party will have up to 10 minutes for questions, and any time that is taken up by your presentation comes out of the government members' time. We do follow a rotation, so this means we begin any questioning today with members of the official opposition.

Mr. Catre, the floor is yours. Please proceed.

Mr. Mel Catre: Good morning, Mr. Chairman and members of the committee. I'd like to thank you for inviting me here this morning. I am hoping that I will be appointed to the Council of the College of Physiotherapists of Ontario.

I will briefly provide a bit of my background so that you may better evaluate my appointment to this council. I believe I would make a positive contribution, as well as represent the best interests of the community. By way of background, I was born in the Philippines, went to school there and earned my bachelor of laws degree and my master's degree in business administration. I worked as a partner in the law office of Catre, Cruz and Faylona in Manila and I immigrated to Canada in 1971. That's 34 years ago.

My first job was being appointed to the position of provincial prosecutor of Ontario, assigned at the city hall crown attorney's office. In 1974, I became self-employed and became an insurance agent, then was in management for many years until my retirement in 1999. Since then I have been doing paralegal cases and some insurance opportunities to keep myself busy, coupled with activities in the community and volunteering.

I believe I can be an effective member of the council because of my educational background and community experience as a volunteer for 15 years. For example, from the years 1986 to 1992, I served as a member of the board of directors of Ontario Place Corp., and also as an appointee by the council. I became a member of the executive committee of that board and other committees. In addition, I represented Ontario Place Corp. to sit as a director of the Canadian National Exhibition. It was a wonderful and rewarding experience.

From 1994 to 2000, I was appointed as a member of the advisory council to the chief of police of Toronto. To better understand policing, I personally volunteered and earned a certificate at the civilian police college con-

ducted by the Toronto police. In 1985, I was co-chair of the Scarborough race relations committee. Today, I am the chair of the Community Alliance for Social Justice, an umbrella association of various associations in Toronto.

This appointment, with your concurrence, will give further testament to my willingness to serve. Being a representative of the community, I will be able to articulate concerns that have to be addressed. I will actively contribute management skills acquired in school and years of experience and training. Also, my legal training and experience will permit me to actively participate in the quasi-judicial functions of the college.

The people of Ontario have the right to expect competent and professional care by those who work as professional physiotherapists. The community has the right to be treated with sensitivity and respect. I look forward to the challenges of this appointment. Thank you.

The Chair: Thank you, Mr. Catre, for the presentation and your interest. We begin any questions from the official opposition, followed by the third party, and then the government.

Ms. Laurie Scott (Haliburton-Victoria-Brock): Thank you for appearing here before us today, and welcome. I read through your application to serve on the College of Physiotherapists, and I noticed from your resumé that—I just don't see a connection of why this board. You have a lot of background in the community, and I thank you for your community involvement. But I just don't see the fit with this board in any background that you might have with physiotherapy. What connection do you have there, and how did you hear about the appointment? Why this board?

Mr. Catre: For the first question, I do not have any background technically in physiotherapy. I applied and I learned about this vacancy because seven months ago I sent my resumé to the office of the Minister of Health and the Ministry of the Attorney General. The one that answered just a few months ago was the office of the Minister of Health, asking me if I would be interested and why I should be.

I told him that I'm now a senior citizen, and if you have your kids sent to school and you're retired, the best thing for you to think of is your health. I think it would be a fit for me to work in any of the committees or departments of the Ministry of Health, because I'm interested in health at this time.

Ms. Scott: So you applied just on the Web site?

Mr. Catre: It was on the Web site all this time, the public appointments office.

Ms. Scott: To the Ministry of Health and the AG.

Mr. Catre: The AG, yes.

Ms. Scott: And did you talk to any of the ministers, or any of the ministers' staff, at any point?

Mr. Catre: No. I talked to them when they called me.

Ms. Scott: Who called you?

Mr. Catre: Mr. Dan Carbin.

Ms. Scott: What's his title?

Mr. Catre: I think he's assistant to appointments to public office in the office of the Minister of Health.

Ms. Scott: So you just put your name out there, that you were willing to serve on any board, yet your background—you're a retired lawyer, but you're working as a paralegal at the present time?

Mr. Catre: Yes, to keep myself busy.

Ms. Scott: Was there any reason, when you retired from law that you became a paralegal? Was there anything around—

Mr. Catre: No, it's less work and I'm just taking my time. I get a good pension, and I think I can live on it for the rest of my life. So the only thing missing is something to do that I like to do best, because I want to do it.

Ms. Scott: Physiotherapy's been in the news a lot lately about the delisting of physiotherapy services.

Mr. Catre: Yes, I read it on Good Friday.

Ms. Scott: And now they're going to cover some services. Do you think that's a good idea? Should they have delisted all the services?

Mr. Catre: I think so. I believe that they should, based upon what I read. I'm not technically conversant with that at this time, but as a community representative, it would be good for the community and the people to have that covered. There are exceptions in the new announcement last Friday. However, having said that, it is very good that they took off the delisting previously announced.

Ms. Scott: So you didn't agree with delisting physiotherapy services initially? You're happy that some are back?

Mr. Catre: I'm happy now that there is coverage.

Ms. Scott: There's going to be the age gap between 19 and 65, generally, with some exceptions, that isn't going to be covered with physiotherapy. Do you think that's good?

Mr. Catre: Maybe, maybe not. I'm not conversant with it, but when I get to see the presentations and I get to see the facts of the case, I'll make my judgment at the time. However, from the point of view of a community representative, I think it's good to have coverage.

Ms. Scott: Do you understand the long-term benefits of physiotherapy? It would actually decrease the costs to our health care system if physiotherapy were more accessible. Do you agree with that?

Mr. Catre: I agree with that too, because that's a cost. It's a question of revenue and expense. I think the government is aware that there's not enough revenue to pay for the expense, and they have to look for ways. Whether I agree with the substance of it or not—I do agree, but I do not have the facts with me. I see it, and if there's the rationale behind it that it should not be given at this time because of lack of revenues, then that would also answer some questions.

Ms. Scott: Do you know any physiotherapists? Do you know anything about the college of physiotherapists?

Mr. Catre: No, I don't know anyone.

1020

Ms. Scott: Did you do a little research before you came today of their role?

Mr. Catre: Just a little bit, yes, of course, on the Web site and some books and some legislation—the Physiotherapy Act and the professional health procedural code, things like that.

Ms. Scott: My caucus colleague would like to ask a few questions now. Thank you.

Mr. Tascona: You say you're retired now; you're not a practising paralegal?

Mr. Catre: No. I'm a practising paralegal, but only for good friends.

Mr. Tascona: Oh, OK. Do you have any opinion as a paralegal on the law society regulating your profession?

Mr. Catre: Oh, definitely. I've been there in the field and I think it should be licensed and controlled. It should be regulated. It's not regulated right now.

Mr. Tascona: OK. When you applied, were you asked to fill out a personal and conflict of interest disclosure statement, in addition—

Mr. Catre: Yes.

Mr. Tascona: You did?

Mr. Catre: Yes.

Mr. Tascona: We haven't been provided with a copy of that. Do you know where that information went?

Mr. Catre: I don't know. I don't have a copy.

Mr. Tascona: Did you have any conflict of interest for this particular job?

Mr. Catre: I don't think so.

Mr. Tascona: Did they do any criminal reference checks on you?

Mr. Catre: I hope so. I don't have any convictions or accusations. Not that I know of.

Mr. Tascona: It would have been in the form.

Mr. Catre: Yes, it should be there, but I haven't received it.

Mr. Tascona: That's all the questions I've got.

The Chair: Thank you, folks. To the third party.

Ms. Andrea Horwath (Hamilton East): Good morning and welcome. I just wanted to ask you some questions about the regulatory framework that you'll be asked to work under. Can you describe that at all to me? In your research, did you do any reading up on the various pieces of legislation that affect your role?

Mr. Catre: Yes. Basically, the council is a regulatory body of the physiotherapy associations and organizations of Ontario. They are there to develop, control and manage the affairs of the college of physiotherapy. They are also there to make sure that individual citizens have access to professional care. They have some quasi-judicial functions such as discipline, ethics and licensing registration and de-registration. They are governed under the Physiotherapy Act, and they use the Health Professions Act as part of their procedures and codes too. They have their own bylaws and registrations.

Framework-wise, structurally, I think there is a maximum of 17 members, but not right now. I think six to seven are from their own peers, physiotherapists elected according to the bylaws, and five or six citizen and community reps appointed in council. The rest, one or two, I think, are professors from one of the five

physiotherapy teaching colleges. That would be the whole framework.

Ms. Horwath: OK, good. Thank you. Do you have any personal experience yourself with physiotherapy?

Mr. Catre: None whatsoever. Sorry.

Ms. Horwath: All right. I wanted to ask you a little bit about your resumé and your community involvement. You talk about your role with a community organization on social justice. I'm just wondering if you could describe to me the kinds of work that committee does.

Mr. Catre: I'm very encouraged by that group. It is an organization of residents of different communities, mostly Filipinos. We had our first convention and consultation last October 30. The question was, what really are your problems in Canada?

We came out with four directions in which we have been discriminated against. In terms of education and foreign-earned degrees from the Philippines, there are a lot of doctors and nurses running around from the Philippines that should be working as such. We would like to find solutions to that. We also have discovered that we need advocacy groups to advocate issues and concerns. Also, there is discrimination by the police and, lastly, we would like to look at participation and access to different NGOs that are working in the area.

Ms. Horwath: Great. Do you deal at all with poverty issues?

Mr. Catre: Not this committee.

Ms. Horwath: Not through this social justice group.

Mr. Catre: No, not through the social justice group.

Ms. Horwath: It sounded like social justice was one of those groups that tends to focus on that area.

Mr. Catre: I agree, it should be, but that was not the focus and the issues—

Ms. Horwath: No, that's fine. I was just curious.

The other question I wanted to ask you was around, again, the delisting that occurred and then was partially backtracked on by the government at the end of last week. You mentioned in your comments previously that you felt that physiotherapy should be covered by OHIP, that it would be the best of all worlds if that was possible. Does that reflect your position?

Mr. Catre: Yes, subject of course to analysis—if there is enough revenue to pay for it. If I'm on the board, I would have to look at the revenues, I would have to look at a lot of things. I might end up on the other side of the equation. But based on community involvement and from the newspapers I've read—I'm not well-informed on it, and I have to be frank about it—it appears to me that it's a good move. The delisting was not a good move at the time and, fortunately, it has been reversed, effective April 1.

Ms. Horwath: Partially reversed.

Mr. Catre: Partially reversed.

Ms. Horwath: So those people between 19 and 64 who aren't covered by health plans and who aren't able to pay for physiotherapy won't be getting it. Can you tell me if you think that'll have an impact on the broader health care system?

Mr. Catre: I beg your pardon?

Ms. Horwath: Do you think it would have any impact on the broader health care system if people between the ages of 19 and 64 who can't afford it won't have access to it?

Mr. Catre: It will. But right now, there are exceptions to that. If they have been on disability—

Ms. Horwath: No, I know what the exceptions are. I'm asking specifically, do you think there will be an impact on the health care system in a broader sense if people between the ages of 19 and 64 who need physiotherapy can't afford it, and therefore can't access it? Do you think that will have any affect at all on the broader health care system?

Mr. Catre: It will, but not in a wide range at this time. I really don't know; I don't have the facts. For example, how many people are disenfranchised from that? I don't know. How much is the revenue? I don't know. Given that, I'll cross that bridge when I get there.

Ms. Horwath: So you don't have any opinion going in, in this new role where you'll be looking at all of these issues.

Mr. Catre: Not right now at this stage.

Ms. Horwath: I'm quite surprised to hear that, actually. What exactly, then, do you hope to accomplish as an appointee to this council? What is your goal in accepting this appointment?

Mr. Catre: My goal, like any senior citizen who comes in, is to participate and contribute ideas that I have acquired in all these years.

Ms. Horwath: Not so many on physiotherapy, just from your general—

Mr. Catre: From general things. I believe that if the board functions like the board that I've been on before, they present you with facts, they present you with presentations, you can ask all the things you want and make a decision from there. I would gladly do the same thing, if that's the process, and I think it is. I would be contributing my legal opinion and my management opinion—I know how to read financial statements from my master's in business. It would be beneficial for me personally to contribute. I don't want to be running around with preconceived ideas.

Ms. Horwath: I'm sorry. I missed the last part.

Mr. Catre: I don't want to be running around and be a member of a board or a council with preconceived ideas. I have to get the facts first.

Ms. Horwath: Those are all my questions, Mr. Chairman. Thank you very much.

The Chair: To the government side.

Mr. Parsons: Just a comment. I want to assure the candidate that this position you're being considered for is to represent the public on the board, and the lack of experience in the physiotherapy field or the health care field is not, from our viewpoint, a problem. You are to represent the general public, and we think you're amply qualified for that. Thank you.

The Chair: Short and sweet. Anything else? Great.

Mr. Catre, thank you very much for the presentation. As you may know, we move to concurrence as a vote on the intended appointees after the three interviews, so you're welcome to stay and relax and enjoy the show. We'll get to that probably in about an hour's time.

Mr. Catre: Thank you very much.

1030

VANCE BADAWEY

Review of intended appointment, selected by official opposition party: Vance Badawey, intended appointee as member, Regional Municipality of Niagara Police Services Board.

The Chair: Our next intended appointee is Mr. Vance Badawey. Mr. Badawey is of course no stranger, from the beautiful riding of Erie–Lincoln, the former mayor of Port Colborne in the riding of Erie–Lincoln. Would you agree it's the most beautiful riding in the province, Mr. Parsons?

Interjection.

The Chair: Second? Not bad.

Mr. Badawey has been here in attendance. He is an intended appointee to the Regional Municipality of Niagara Police Services Board.

You've seen how it works. You have time to make a presentation about your qualifications and your interest. Any time that you don't take up, the government will have a chance to ask questions as well. We'll do a rotation beginning with the third party. Mr. Badawey, the floor is yours.

Mr. Vance Badawey: Thank you, Mr. Chairman. I appreciate the opportunity this morning to be before you and to speak to you about my experience as well as my intent with the Niagara regional police services board.

My interest in this position began in 1994, upon being elected as a municipal councillor in the beautiful city of Port Colborne. Recognizing the consistent challenges of the service, it became very apparent that it could use a little bit of help from the local sectors to bring it forward with more accountability and credibility, especially in relation to finance and community policing.

During the term of 2000 to 2003, I was appointed to the board by Niagara regional council in my capacity as both mayor for the city of Port Colborne and regional councillor for the regional municipality of Niagara. Upon beginning my term on the board, it once again became apparent that there was a great deal of ground to be made in relation to establishing consistent protocols to address the province's adequacy standards regulations particular to deployment, and in-house challenges in relation to finance, community policing and morale within the rank and file.

The board immediately set an aggressive direction to establish accountable protocols attributed to finance, while reaching out and establishing further relationships with regional council's budget review committee and area municipalities within an expanded community policing program. I had the fortunate opportunity within this

short period of time to learn extensively about policing within the beautiful Niagara region; in particular, the true costs of adequate policing within Niagara, as defined under the province's adequacy standards regulations.

I understand that board members are bound by the Police Services Act, preventing a member from interfering with the operations of the service as established by the chief of police. However, I consider it the responsibility of the board to establish proper policies in relation to where both operational and capital dollars are allocated, in a manner consistent with what the taxpayers in any particular area throughout the province of Ontario expect in relation to a level of service for policing—essentially, accountable reporting by staff of where taxpayer dollars are being allocated, and in a manner relative to Niagara's law enforcement and education environment.

Taking into consideration communications with the general public, a great majority find that policing is effective in Niagara. However, I believe there is room for improvement in relation to: additional communication, interaction and education with the public; traffic safety presentations in area municipalities throughout the Niagara region; immediate implementation of law enforcement initiatives identified in the regional Niagara road safety strategic plan; preparing for the retirement of a great number of officers, in particular an unfunded liability relative to sick time in an amount exceeding \$14 million, recruitment efforts, and capacity levels at the Ontario Police College; the need to communicate more effectively with the federal government in relation to border security, in particular as it relates to jurisdiction and funding; a consistent reporting of monthly variances that takes into account and consideration escalating overtime; a deployment strategy that highlights adequacy standards while eliminating the spiralling effects of overtime on both operations and capital allocations; field services and support services, within a central traffic unit in particular, to jointly assume responsibility for traffic enforcement throughout the region; and finally, partnership opportunities with neighbouring law enforcement agencies, eliminating silo services such as the marine unit, video training, canine training, the emergency response unit and HAZMAT.

Upon entering the last provincial election, representing the Erie–Lincoln Liberals, I recognized and learned a great deal about the financial challenges of all levels of government. I therefore believe that accruing a greater return for our taxpayers' investment of their tax dollars is not always about throwing money at a challenge. It is in fact about being diligent within the available resources that exist both within and around our represented organizations.

The residual effect of this effort is synergistic efficiencies that benefit all levels of government from within their established mandate and all area jurisdictions that may be involved, including their established mandate, while assisting with identifying and prioritizing provincial police training and consistency requirements as

outlined in the ministry of community services and public safety's policing standards.

In closing, may I once again extend my sincere appreciation for your consideration and that of the committee in allowing me the opportunity to bring my experience, as outlined in my CV, to the board of the Niagara Regional Police Service.

The Chair: Thank you, Mr. Badawey, for the extensive presentation. As I mentioned, any questions begin with the third party.

Ms. Horwath: Welcome. Good morning. It's nice to see you.

I'm wondering if you could in a less formal way explain to me why you're passionate about this position, why you want to take this position on.

Mr. Badawey: There are a lot of challenges, Ms. Horwath. Niagara regional police have met with some volatile situations throughout the past two decades, starting from the top all the way down. Its rank-and-file morale has been low, finance has been somewhat of a challenge, and of course within the service itself throughout the region there has been a great deal of turnaround, a lot of change.

My interest starts from the local level. I see the importance of community policing; I see the importance of police working with youth, working with seniors, all demographics in all sizes of community throughout the Niagara region. It takes that need and that desire from everyone from all walks of life to get involved and bring that experience to the table at the board level.

I'm not a lawyer; I'm not an accountant; I'm not an engineer. However, I do believe that with the interest that I've had in the community, as outlined in my CV, given some of the challenges that they have been up against, not only would the experience that I bring assist, but also the passion of what I bring in terms of the experiences that I've been through with all demographics. With that said, a lot of the challenges can be met up front and head-on by myself and the team that I'll join.

Ms. Horwath: Just remind me: Did you ever serve on the board?

Mr. Badawey: Yes, I did.

Ms. Horwath: So you have some experience of the players.

Mr. Badawey: I served on the board from 2000 to 2003.

Ms. Horwath: One of the things I'm curious about is after your time in municipal politics and then your run for the provincial seat. An article in one of the press releases from the St. Catharines-Niagara Standard says—this is from you—“There's no question I do have an interest in coming back. It's just a matter of where or when.” Is this what you thought you would end up coming back as?

Mr. Badawey: One of the advantages—serving the community in general.

Ms. Horwath: So what encouraged you for this specific position? Is it because you had some experience already?

Mr. Badawey: I was aware of the fact that there were some openings that had come up, two in particular. I'd given some consideration to returning to the board, to bring what I had brought and to continue where I left off, to some extent, in terms of the finance and the different committees I sat on. Therefore, I took the opportunity to make application to the Public Appointments Secretariat on-line and was fortunate enough to be called and interviewed, and here I am today for the final step.

Ms. Horwath: In the briefing notes that we get, the ones that are provided from the bureaucracy here, we get a bit of an understanding of what's happening, particularly in these situations, because we're not necessarily aware of what your community is facing. There are a couple of interesting pieces that were provided, and I thought I would just ask you briefly about them.

One is the issue of the number of criminal charges against officers in your particular area. I'm wondering if you have any knowledge of that, whether you have any understanding of why that's happened, and if there's some plan in your mind, going into this position, to deal with that.

1040

Mr. Badawey: First of all, I'll premise my comments by stating that, as I'm sure it's somewhat of a sensitive matter in the service, I don't want to compromise the integrity of the investigations that are going on at the present time.

Ms. Horwath: I do read the papers. I do see what's happening within the service. Am I intimately involved or do I know more information than what I read in the papers? No, I don't.

Ms. Horwath: So you're going in with an open mind, trying to deal with the issues.

Mr. Badawey: Absolutely.

Ms. Horwath: It seems to me what I'm reading and what I'm hearing—and I have some friends who actually live in that area as well—is that there's an increasing demand on the service in the Niagara region, and I'm wondering if you're aware of or if you can inform us as to whether or not the service has taken advantage of the government's offer to pay 50% of the increased police staffing.

Mr. Badawey: First of all, yes, there is a problem everywhere in Ontario for policing in terms of both trying to recruit officers as well as trying to get officers through the college. That said, there's also a challenge in terms of the finances that are to pay for those officers. Has, in fact, the service to date taken advantage of it? In my time, I believe they have. I'm not sure if they are now, but there is no question that we need officers, and to get them is going to take a bit of revenue. If that revenue is available at upper levels of government, yes, most definitely they could take advantage of it.

Ms. Horwath: I come from municipal politics as well. I think we've met before in a different form.

Mr. Badawey: Hamilton; yes, we have.

Ms. Horwath: I know that the municipality I come from will be taking advantage, because they're in a

position of being able to find some dollars. Unfortunately, that's not the case with many municipalities across the province. So you're not aware, with this current offer, as to whether or not your service is or isn't?

Mr. Badawey: At the present time, I'm not aware if they are taking advantage of it or not, but again, with an opportunity to be on the board and the need for new officers, especially with the current demographic situation in Niagara, and I'm sure across the province, it should and, in my mind, will be taking part in.

Ms. Horwath: OK. Those were my major questions, Mr. Chairman. I don't have anything else.

The Chair: Ms. Horwath, thank you very much. To the government members.

Mr. Parsons: Mr. Badawey, I set aside the holiday weekend and read your resumé, and I think I speak on behalf of all our members when I say we feel that you're more qualified to be an MPP than Mr. Gravelle. That's a point of privilege, if you want to challenge it.

Mr. Badawey: I didn't say that.

The Chair: Was that a question, Mr. Parsons?

Mr. Parsons: No. The resumé is most impressive and, given your experience in the police services board in the past, I think it's an ideal appointment.

Mr. Badawey: Thank you.

The Chair: Mr. Gravelle, a rebuttal?

Mr. Michael Gravelle (Thunder Bay–Superior North): I agree with Mr. Parsons. I think you're highly qualified, obviously.

The Chair: Anything else, folks?

Mr. Parsons: That's fine.

The Chair: OK. Thank you very much. The official opposition.

Mr. Tascona: Thank you for coming here today. That leads me to a proper lead-in, because you were a Liberal candidate in the 2003 election?

Mr. Badawey: That's correct.

Mr. Tascona: I went over your resumé, and it is quite extensive in terms of what you'd name. How come you didn't include your Liberal candidacy in the last provincial election in your resumé?

Mr. Badawey: Actually, I did.

Mr. Tascona: You did? On what page?

Mr. Badawey: Last page, in the summary.

Mr. Tascona: Last page? Summary?

Mr. Badawey: You probably never got the summary.

Mr. Tascona: Summary of achievements; that was an achievement. Let's have a look here.

Mr. Badawey: Actually, it's in the actual summary.

Mr. Tascona: It actually isn't in the copy that I have.

Mr. Badawey: Mr. Tascona, it was a great opportunity, and I'm sure Mr. Hudak can testify to that as well. We had a great time running against each other, and for the most part I learned a heck of a lot in terms of the whole process.

Mr. Tascona: Yes. I'll get to that.

Mr. Badawey: I'm sure you will.

Mr. Tascona: Thanks very much.

So now you're running your own company. I did read that in your resumé. This is Vance Badawey and Associates, and the thrust of your company is to work on behalf of clients "to further develop corporate strategy, while nurturing government and business relations with partnering stakeholders.

"Currently, the client list of VB&A includes those involved in the energy markets, industrial/commercial development, residential development, brownfield development, waterfront revitalization, transportation, tourism and recreation, and aggregate investment." Who are some of those clients?

Mr. Badawey: Currently I have Canadian Niagara Power, the CoreTech group, some investment companies, numbered companies, Ontario limited companies. Essentially, Mr. Tascona, most of the work that I'm dealing with right now through my consulting firm is a lot of what, ironically, I did as a mayor and as a regional councillor. With my involvement with a lot of the different projects, they have taken me on board to help them along with a lot of the different things, the particulars with government, and just trying to smooth things over as they move along their developments. I did a bit of corporate development with Canadian Niagara Power, trying to work with different municipalities in relation to looking at possible partnerships, possible opportunities between the private and the public sectors, the municipal sector, MEUs etc.

Mr. Tascona: What about Queen's Park? Are you doing work with Queen's Park provincially?

Mr. Badawey: No.

Mr. Tascona: You're not a registered lobbyist for Queen's Park?

Mr. Badawey: No, I'm not.

Mr. Tascona: Any intention of doing that?

Mr. Badawey: No.

Mr. Tascona: So you're just staying local with respect to your—

Mr. Badawey: That's correct.

Mr. Tascona: OK. Are you going to continue to run your company if you're appointed to the police services board?

Mr. Badawey: Definitely.

Mr. Tascona: In February, the Welland Tribune and the Niagara Falls Review reported speculation that you might take over the chairmanship of the Niagara Parks Commission. You're quoted as stating that you would consider taking this post. Is that correct?

Mr. Badawey: Yes.

Mr. Tascona: How would that flow with respect to you being on the police commission? Are you going to have time to do that?

Mr. Badawey: How would that flow?

Mr. Tascona: Would you have time to do both, plus your company?

Mr. Badawey: I believe, Mr. Tascona, that that article was written and reported on about two years ago.

Mr. Tascona: Are you still interested?

Mr. Badawey: No.

Mr. Tascona: No?

Mr. Badawey: If I was interested, I would have made that clear to the Public Appointments Secretariat. However, I didn't, and because the position was given to Mr. Jim Williams two years ago for, I believe, a three-year term, I chose to take the position at the police services board in Niagara.

Mr. Tascona: You decided to run for the Liberals in 2003. You left the mayor's office knowing that you wouldn't be able to run again if you lost in the provincial election, right?

Mr. Badawey: That's not correct.

Mr. Tascona: No? You didn't run as mayor again.

Mr. Badawey: I chose not to run. I just didn't feel it was right to run for two positions at the same time.

Mr. Tascona: There's a conflict. The dates were overlapping there.

Mr. Badawey: I decided to step aside from the mayor's race. With all due respect for the candidates who were planning on running, I chose not to run in the municipal election and I chose to put my so-called eggs in one basket. Unfortunately, I wasn't fortunate to make it through.

Mr. Tascona: A little different than Mr. Arthurs, who ran in Pickering and kept both eggs in the basket.

Were you promised a political appointment if you lost?

Mr. Badawey: No, I wasn't.

Mr. Tascona: No? So how did you become aware of this? Did someone approach you from the Liberal Party?

Mr. Badawey: Actually, I was aware of being on the Niagara regional police services board in the past. I was aware that they had three provincial appointees. I was also aware that two of the appointments were going to be coming due within the years of 2004 and 2005. Upon those appointments being made vacant, I made application to the Public Appointments Secretariat to sit on the Niagara regional police services board and was called for an interview. Following that interview with Ms. Mary McDonald, I then received the paperwork to have the criminal checks done, as well as the rest of the paperwork. I filled it out and brought it back. I believe it was two weeks later that I was then notified to solidify my interest, which I did, and from there was asked to come before you today, and here I am.

Mr. Tascona: Do you believe police associations should be allowed to endorse political candidates?

Mr. Badawey: Do I believe police associations should endorse political candidates?

Mr. Tascona: Should be able to?

Mr. Badawey: Well, quite frankly, that's up to them. I don't think it's my place to say whether they can or can't.

Mr. Tascona: Well, it will be. You're going to be on the police services board.

Mr. Badawey: As I said, the police services association—which is the association, not the police services board for the rank and file—is completely different. If, in

fact, the police association wants to support a candidate or not, it is up to them.

Mr. Tascona: So that's a yes.

Mr. Badawey: That's your opinion. My opinion is that it's up to them.

Mr. Tascona: Minister Kwinter's opinion is that it's illegal to endorse political candidates. How would you consider it if it's an illegal activity?

Mr. Badawey: Then obviously I would have to abide by that.

Mr. Tascona: I have no further questions.

Ms. Scott: Thank you for appearing here before us today. You have an extensive resumé. In the past, you have been a municipal member. Now you're going to be a provincial member. Do you see any distinction between the two?

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Mr. Badawey: None at all.

Ms. Scott: There's been a recent community survey in the area?

Mr. Badawey: Yes, there has.

Ms. Scott: Are you aware of the answers, the 74% of the respondents etc.?

Mr. Badawey: Yes.

Ms. Scott: Can you expand a little bit more on the improvements of the delivery of the police services? I have a similar rural area that is served by a police services board. I don't have the border issues, of course. Can you expand a little bit more on what services or changes you'd like to see?

Mr. Badawey: I think it's twofold. In relation to the service itself and what police services offer, there is a security issue attached to that, including the border. We're sort of an anomaly in Niagara because we are surrounded by three bodies of water: the Niagara River and Lakes Ontario and Erie. For the most part, all of it somewhat borders water, as well as the obvious borders that we have in Niagara Falls, Queenston and Fort Erie. So there is an anomaly there in terms of some of the jurisdictional issues in relation to and relative to the federal government that we sometimes have to take a handle on, as well as the lakes. Safety is one. Demographically, there's no question that the tourists are coming to Niagara more frequently and they're spending a lot longer time. A lot of their time is being spent on the water. And there's no question that our residents are taking a lot of their time on the water as well. Again, there are security issues as well as water issues, in terms of safety.

The second part of that is the fact that policing, I feel, has to come more from the bottom up versus the top down. What I mean by that is it has to be more community-based. Our resources are very much stretched, especially financially, as I'm sure you can appreciate. I believe that to accrue a lot more support for the services that we sometimes can't afford, the buy-in from the community does go a far way. When I say, "buy-in from the community," I don't just mean the traditional buy-in from the demographic between the

ages of, say, 30 to 60; I mean from the ages of 12 to 80, where you involve more youth and police interaction, where you involve more of your Block Parent communities in the operations of the actual police service. Going even further than that, you also involve your seniors to interact as well with the youth, truly creating a lot more character within your community, especially as it relates to policing. Personally, Ms. Scott, I think policing can in fact be a catalyst behind that.

Ms. Scott: I agree with more community involvement and the things that you've just mentioned. You would have campaigned in 2003 on hiring 1,000 more police officers for the province. Do you still agree with that? You've got fewer officers than the 55 the region received from the Conservative government. Do you feel that the Liberal government should keep its promise and put more police officers out there?

Mr. Badawey: There's no question. There is a need for officers. I think, for the most part, there's also a need for more room at the police college. It's quite difficult when you have almost 130 officers who are going to retire in one year, not to mention the unfunded liability of the sick time bank. Just trying to replace those officers becomes quite challenging when you simply don't have enough room at the police college to get them in and out. It goes well beyond, again, just the dollars and cents. I think there's a lot of work that has to be done in relation to expanding the police college or colleges, in terms of both the Toronto and the Ontario Police College, as well as getting a bit more aggressive on the recruitment efforts.

The Chair: Just a minute left, Ms. Scott.

Ms. Scott: OK. I'm hoping that you'll be able to get the Liberal government to live up to the promise of 1,000 police officers.

Mr. Badawey: We'll do the best we can.

Ms. Scott: I see you went to university in North Dakota.

Mr. Badawey: Yes.

Ms. Scott: Did you play hockey?

Mr. Badawey: Yes, I did.

Ms. Scott: A hockey scholarship? Great. For how long?

Mr. Badawey: I was there for one year and then my knees gave out on me.

Ms. Scott: Thank you very much for appearing before us here today.

The Chair: Mr. Badawey, thank you very much for the presentation. You're welcome to stay. We'll move to the concurrence votes in about half an hour, after the next intended appointment, so please make yourself at home.

Mr. Badawey: Thank you, Mr. Chairman. Thank you, committee.

THOMAS COLE

Review of intended appointment, selected by official opposition party: Thomas Cole, intended appointee as

member, Kawartha Highlands Signature Site Park management advisory board.

The Chair: We'll now move to our third interview, who is being accompanied by the very able member for Peterborough, Mr. Leal. Maybe we'll bring up Mr. Leal at the same time. Welcome to Thomas Edward Cole. Mr. Cole joins us from Lakefield, Ontario. Mr. Cole is an intended appointee as a member of the Kawartha Highlands Signature Site Park management advisory board, a very interesting group. Mr. Cole, most importantly, is a graduate of the University of Western Ontario, which always will earn bonus points as far as the Chair is concerned.

Mr. Thomas Cole: Don't hold it against me, but my favourite alma mater is Queen's.

The Chair: Well now, that changes things considerably.

Mr. Cole, welcome to our committee. You're welcome to make a presentation about your interest in the position and your background. You've been here, so you've seen how the question sessions work. We'll begin with the government members, and any time that you take up will be taken out of the government members' time. The floor is yours.

Mr. Cole: Chair and members, thank you for the honour of being invited to appear before you. I think I should tell you a little bit about my background so that you can make a decision as to whether I'm not only competent but have the character for this position, which, as far as I'm concerned, is one of the positions that I've strived for, for several reasons. One is the fact that you get to assist the members of the public in formatting recommendations that are going to be sent up to the minister for his determination.

In 1999 or early 2000, an ad appeared in the local paper in the Lakefield area asking for applicants for the appointment to what was called a local stakeholders' committee, which was going to be formed by the then government to make recommendations as to what use this large tract of land was going to be put in the future, to determine the boundaries, what the conflicting interests might be and how they were going to be able to be made compatible in the future. I was fortunate enough to be appointed to that position by the then government. I had the privilege of working on that committee. The official term expired after we made the recommendation, but we continued on as a committee for a period, probably in excess of another year, until after the Honourable Chris Hodgson was able to come up with a bill, which is the current act that's been passed. I think it's an excellent statute.

I applied to be put on the management board during the term of the last government and was not appointed. I was approached by the former chair of that stakeholder committee, Sissy Tanner, who advised me that there were two board appointments coming available. She suggested that I should apply. She knows the way I feel about the area, because I was raised up there. In late 1959 to 1960, we built a cottage within the lake area and, with my ties

to the community, she knew that I should apply, and I did. That's why I've applied.

I can tell you that my parents lived in Peterborough. In the late 1950s, the province of Ontario, through the Ministry of Natural Resources, opened up a large amount of crown land for recreational purposes. My family was fortunate in getting a lot on Loon Call Lake. It was a water access lot only. We had to build a structure of the regulation size within two years and make application for the letters patent, which we did. I was fortunate enough, when I raised my family, that I was able to get a portion of crown land again, by lottery this time. Back in the 1950s it was by application; there wasn't a strong demand. Back in the 1980s, I got a crown patent for part of an island north of North Bay, and for nine years I drove up the highway from Lakefield to North Bay every weekend with my kids and my wife.

I practise property law primarily, but the firm has expanded and now we're doing a lot of litigation all across the province. I took land use planning as a law student at Queen's University as well as the law courses. What I've seen in my area is a tremendous demand that's been put on those people who live where what I call south of the 401, who will never have access to private ownership of lands because of the fact that the cost is unbelievable. It's beyond them. I know that, in my case, my grandfather bought property up on Mountain Lake in Haliburton right after the First World War, and my family was able to have some property up there. But the people down here south of the 401 will never have access to ownership.

The demand that's going to be placed on this provincial park is going to be tremendous because of the ecological concerns. There has to be some way that you can massage or get some kind of agreement between the users, so that there's not going to be a conflict. During the process of the recommendation formatting for the government, we saw the potential conflicts, and we felt that we made a recommendation that could be looked at in the future, and we're glad to see that it has.

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I don't know if any of you have read the report that was submitted to the government and our recommendations, but this was part of our formal recommendation. If I could, I'd like to read it into the record for Hansard. It's a vision statement that we as the committee produced for the minister to review, and it says:

"Our vision of the Kawartha Highlands is that of a natural legacy protected for future generations, ensuring that semi-wilderness, silence, solitude, dark night skies and remote characteristics are preserved.

"This protected area can provide for diverse recreational opportunities, providing they do not significantly compromise the ecological integrity and are sustainable. To ensure that this is the case, the area needs to be properly regulated and managed and the regulations enforced.

"It is also our vision that the public involvement in the development and management (stewardship) will con-

tinue now and into the future and, in particular, that significant provincial funds are committed to ensure that this vision is realized for the signature site.”

I would like to continue to be part of that process, and that’s why I’m here.

The Chair: Thank you, Mr. Cole. A very good presentation. We appreciate that. I think we start with the government members.

Mr. Parsons: Your resumé notes that you were the initial provincial government appointee to the stakeholders’ committee. When would that have been?

Mr. Cole: The appointment took place, I believe, in July 2000.

Mr. Parsons: You’ve had a long history, then.

Mr. Cole: I was part of the initial stakeholders’ committee. I was at the first meetings. We had many public information sessions. I think the report that was provided by the legislative research section said there were 57 presentations that we held throughout the area and in the city of Toronto.

Mr. Parsons: So this appointment that’s being considered is a natural extension of what you’ve started. We’re certainly comfortable with that.

Mr. Cole: I have a philosophy, and I don’t want to be too philosophical about this, but I believe that lawyers, if they’re educated at the cost of the province, have to put back, and I like to put back.

Mr. Parsons: We know a lot of lawyer jokes, but we’re going to refrain. We’re finished.

The Chair: He may trade politician jokes for every lawyer joke, though, so we’ll refrain. Thank you very much to the government caucus. The official opposition.

Ms. Scott: Thank you, Mr. Cole, for coming and appearing here before us today and for recognizing the good work that Chris Hodgson had done and the work with the initial committee.

Mr. Cole: He did a fantastic job in massaging the legislation that did not come to fruition. He was instrumental in bringing forward the bill that is the law now, but there was a previous bill which was not good legislation, in my opinion.

Ms. Scott: But you’re happy with Bill 100 now?

Mr. Cole: I think it’s a fantastic statute. It’s not all proclaimed yet, but we’ve got section 5. That’s a start.

Ms. Scott: Yes, there’s work to be done. I know it’s going to take a few more years.

Mr. Cole: It’s an interesting process, which is why I want to stay a part of this process, because it’s a whole new area of legislation. It’s a brand new bill, and we gave birth to it. I want to see it grow.

Ms. Scott: And you’re very familiar with the charter?

Mr. Cole: The charter? I don’t understand. I’m familiar with the statute, but if you’re calling the statute the charter—

Ms. Scott: Within the charter it says, “The park management plan and the ongoing management of the park will recognize the essential role played by the municipalities.”

Mr. Cole: I haven’t read that. I’m not aware of it. I’ve been out of this loop now for over a year.

Ms. Scott: I just bring that into play, and I’ll tell you why. The township of North Kawartha has not had a representative on the management advisory board since Janice Griffith, who was not re-elected in the last election. So North Kawartha doesn’t have representation on the signature board here. The township of North Kawartha had asked that Arnie Brown, who is an elected representative of North Kawartha, fill this vacancy. That choice was then endorsed by the stakeholder groups of the Kawartha Highlands, and I was wondering if you—

Mr. Cole: The stakeholder groups of the Kawartha Highlands, I think, is an ad hoc committee. There are different cottage associations that formed this ad hoc stakeholders’ committee, so that’s how I know it to be a stakeholder committee. It’s not a stakeholder committee that has any kind of political recognition, like the Conservative government did when they appointed the stakeholder committee. But they are stakeholders.

Ms. Scott: No, but there is a stakeholders’ group, and North Kawartha township had asked for Arnie Brown. I think they sent a letter to Mr. Leal, and so had Galway-Cavendish and Harvey, just for representation from North Kawartha to be on the board, because the charter said “will recognize the essential role played by the municipalities.” I didn’t know if you were aware of—

Mr. Cole: I wasn’t aware of the charter.

Ms. Scott: I didn’t know if you were aware of the Arnie Brown recommendation, also.

Mr. Cole: No, I was not aware of the Arnie Brown recommendation.

Ms. Scott: That had come through, and that’s why I’m asking the questions here.

Mr. Cole: I’m unaware of that.

Ms. Scott: That’s fine. They had recommended that they needed another representative from North Kawartha, so they recommended Arnie Brown and we had supported that. I know I had supported that, because that was a recommendation. As you know better than I, the signature site takes in half to three quarters of the whole township.

Mr. Cole: A good portion of it.

Ms. Scott: Right. So it’s really essential that the municipality be a member of that board for input, because you are developing access points etc. They’re involved in it. I didn’t know if you were aware, and I wanted to make you aware that that was the recommendation that had come for an appointment to fill the two vacancies. They have appointed Tom Flynn from Galway-Cavendish and Harvey in this round of appointments.

Mr. Cole: I know Mr. Flynn quite well.

Ms. Scott: Yes, the reeve.

Mr. Cole: We sat on county council together, and I appeared as counsel for clients before his council quite often.

Ms. Scott: The request had been that representatives from each municipality be involved, because it is a pro-

cess that's going on and will have a lot of municipal involvement.

Mr. Cole: I'm well aware of that. That's one of the reasons why I wish to be on the board, because I'm aware of the conflict between the municipalities.

I have no property in the provincial park. I don't own any property. I have no clients who have any conflict of interest. I see myself as being a completely impartial individual and able to resolve the issues.

I know there's going to be a conflict in the future with respect to where the access roads are going to be constructed. I know there will probably be a conflict as to when they award the contracts and make the recommendations as to where there's going to be a road built, maybe making a bid from North Kawartha, as opposed to one from the Kawartha-Galway-Harvey amalgamated area.

I also know that the minister is empowered to appoint the members he sees fit under the legislation. So if in fact Mr. Brown is a candidate who's suitable for appointment, it's up to the government or to the opposition to request the government to put him on as an appointee as well. There is power there.

Ms. Scott: I realize that. That's why I brought those things to your attention. I didn't know if you knew that. That's OK. It was just a matter of me wanting the municipalities to have a voice here.

Mr. Cole: I have absolutely no knowledge of Mr. Brown. Mr. Brown may be a candidate who's quite suitable for the board. That's not for me to say.

Ms. Scott: No, it's not for you to decide. I was just explaining the background of how the municipalities need the representation. It had been lopsided. They've appointed Mr. Flynn from Galway-Cavendish and Harvey, but they didn't appoint another replacement for North Kawartha. It was just their input on the board. That's where I'm coming from. Having said that, are you still interested in serving on the board?

Mr. Cole: Certainly. I was raised in North Kawartha. That's the lake that we built our cottage on.

Ms. Scott: You presently live in Lakefield.

Mr. Cole: I live in Lakefield. It's up the road. There are no conflicts. I've been in practice in Lakefield for going on 33 years. My reputation is that I am a fair individual. I'm feisty, but I'm fair.

Ms. Scott: You don't have a bad reputation; I'm not saying that. I'm just saying that is what the municipal imbalance was.

Mr. Cole: If you're asking me indirectly if I would withdraw my application if Mr. Brown were to take the position, the answer is no.

Ms. Scott: I see you want to sit on the board.

Mr. Cole: I would like to carry on and do what I started. I've got to leave a legacy too—32 years in the area practising law, with maybe another four or five. I'd like to leave having done something and given back to my area that's looked after me so well.

Ms. Scott: I know there are some appointments coming up again in the summertime, and I encourage the

present government to look at those so there is a balance, following the charter. Maybe we can get you a copy of the charter. I think it's freely available.

Mr. Cole: One of my concerns is that you're going to have to have a board that is going to be able to resolve some of the conflicts. You're from the area. You're from Kinmount.

Ms. Scott: I'm quite familiar. That's why I'm asking all these questions. That's why I want it to work.

Mr. Cole: You know the area, and I know the area as well. But I've had some training and background. When I first started my practice, I was appointed to the Peterborough county land division committee as a serving member. As a bencher, I was chair of unauthorized practice, and I was disciplining lawyers.

Ms. Scott: I have no dispute with your professional background. That's not the question.

Mr. Cole: So I know how to massage and solve the issues.

Ms. Scott: I don't question your professional background. I'm just bringing in the local flavour to it and the request.

Mr. Cole: I know the local flavour; believe me.

Ms. Scott: That is actually a point of contention. Because with the original committee, there was quite a conflict within the communities.

Mr. Cole: Excuse me, which committee are you talking about?

Ms. Scott: The original one you mentioned. Sissy Tanner was the chair of that. Was it called the local stakeholders' committee at that point?

Mr. Cole: I can assure you that there was no conflict within that committee. That committee worked unbelievably well.

Ms. Scott: Not within the committee; the committee's relation to the communities and the municipalities.

Mr. Cole: I know that there was a lot of political pressure that was put on the then government by a group that called themselves the Stakeholder Committee of the North Kawarthas. That's an ad hoc group that—

Ms. Scott: Anyway, there was a lot of discussion in the communities.

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Mr. Cole: Yes.

Ms. Scott: Do you feel comfortable going to the board without any of the baggage from the past? I want this to succeed.

Mr. Cole: I want it to succeed too.

Ms. Scott: I encourage new blood to get on the boards sometimes. There are a couple of former committee members on the board now.

Mr. Cole: There are, and they're excellent members.

Ms. Scott: I'm not disputing; I'm just saying there are. I'm just trying to get the mix right.

Mr. Cole: Yes, I'm aware of that.

Ms. Scott: That's why I brought the municipality mix in also.

Mr. Cole: I personally want to serve on this board to bring to a conclusion my vision, which I helped to draft, with respect to this park.

Ms. Scott: The advisory board, as it now sits, is working well, I hear.

Mr. Cole: Yes.

Ms. Scott: That's fine. We're just trying to make things work smoothly. There are those things in the community, and that's why I've asked you today.

Are you aware that the government has received an indication from park superintendent Dave Coulas that he would like a biologist to sit on the management advisory board?

Mr. Cole: I'm not aware of that.

Ms. Scott: I wanted to make you aware of the suggestions of the board member composition, and that's another recommendation. They wanted someone from north Kawartha to be able to represent that end of the—you know, when it's one half to three quarters of the—

Mr. Cole: With the greatest respect, I think it should be a function of the parties in opposition to pressure the sitting government to increase the board, if need be, to put those people on. I don't think you're going to be able to pigeonhole every little separate position, but diversity on a board is good.

Ms. Scott: And I have recommended those appointments, being a biologist—

Mr. Cole: If I was a sitting member, I would support the recommendation, whether I was NDP, Liberal, Conservative or independent.

Ms. Scott: That's what my points were.

How did you feel about access? Do you have any opinion about how many access points there should be?

Mr. Cole: I've got some things that I would like to see considered—this is not answering your question, because I haven't put my mind to it. But there are things I'd like to see, such as access to allow the migrating deer, when they start to winter, to cross Highway 28 in some fashion that they can get to two other areas they're occupying now. One is another provincial park, Petroglyphs Provincial Park, and the other is the crown game preserve. Those are huge areas for deer, and right now they're being slaughtered on the highway.

Ms. Scott: I know. There were 80 in the last few months. It's terrible. I guess we're looking at the municipalities having concerns about access and roads. Right now there's free access from Galway. Is the municipality going to be responsible for bringing up those roads if the access is going to be at two points or whatever?

Mr. Cole: Those are major issues.

Ms. Scott: I know those discussions are going on, but there's an act of fairness, because it's a large geographical area that we're talking about. I don't know if people are aware of the size of the park, but it is large and it is a very innovative provincial park. This is a first with the ministry and I think everyone is working to get it well so far.

Mr. Cole: Access is very important, so that you don't interfere with access by private landowners. It's a serious issue.

Ms. Scott: I've run out of time. Thank you, Mr. Cole.

Mr. Cole: I'd love to talk with you for hours afterwards.

The Chair: It sounds like it could go on for hours, as a matter of fact.

For the third party, Ms. Horwath.

Ms. Scott: Sorry. It's good for you guys to be aware of these things.

The Chair: Oh, it's entertaining.

Ms. Horwath: I don't think I'll be that entertaining, because unfortunately I don't have the intimate awareness of the area, although I have been up in the area, like so many other Ontarians, and definitely enjoyed it.

I'm going to stick a little bit more to the script, because I think the previous questioning really did bring out a lot of the issues. I want to ask you specifically about park management as a field. Do you have any experience at all in that field?

Mr. Cole: Not as a park manager per se, but I was able to receive what I call training or guidance when I was a bencher with the law society, where we went through an extensive program understanding and being taught the Carver model of governance. My belief is that as far as management goes, we have competent staff with the MNR, and you can't micromanage unless you have the expertise. If there is a biologist on the committee, that's fine and dandy, but when I talk about micro-management, I don't want a committee member trying to suggest to the MNR how they do their job. I would like the options given to me, as a management board: "Here are your options. You make the recommendation to the minister," because we're only a recommending body; we're not a decision-making body.

Ms. Horwath: I do know the Carver model as well, so I find that quite interesting. I'm wondering what you would consider to be some of the major issues, not with this specifically but just overall, in regard to south-central Ontario parks.

Mr. Cole: The major issue is providing access to those people who don't have access to recreational lands. That's number one. It has to be regulated. It has to be controlled so it's not abused, and it can't interfere with private ownership. For example, I see an issue that's going to take place during the hunting season. You cannot now discharge a firearm within certain areas, especially in municipalities. For example, the township of Dummer has passed a bylaw that you can't hunt in the township of Dummer using shotguns etc. In the cottage country up in the north Kawarthas right now, you can discharge a firearm behind your cottage door. And we all know the range of a firearm; it's dangerous.

There are going to be competing interests with hunters, and not just the hunters who have the lands and cabins, who have the land use permits; we now have a large number of day hunters coming into the area. I happen to be a hunter, and I happen to be privy to a hunting camp, so we have a large territory. But there are people who are coming on to private lands on a day basis. Crown lands are another issue. There are no rights to a territory for a hunter. With duck hunting, if it's open

and it's crown land, you have the right to hunt as long as it's permitted. That's a conflicting issue that's going to have to be massaged and somehow looked after.

Ms. Horwath: It was really, really clear that you have a great passion for this position because of your historical involvement in the development thus far. I'm wondering about two things: One, do you have any personal idea of when the rest of the bill is going to be enacted?

Mr. Cole: Mr. Leal hasn't advised me, and I haven't asked any questions of the members.

Ms. Horwath: I think you indicated in your previous responses that it will be a very challenging role to balance all the interests, and some of that actually came out in the previous questioning. You did make comments about being neutral: that you wanted to see the best result and that you saw your role as being able to bring parties together and come up with solutions. How can you do that? If there is that tension, that passion, where do you see there being the compromises?

Mr. Cole: I want to speak highly of the board appointing Mr. Tom Flynn. Mr. Flynn does a fantastic job for his municipality. But I also know that Sissy Tanner, who was not appointed to the board and was chair of the stakeholders committee—Janice Griffiths has a passion for her riding as well. I'm aware of the political conflicts between the two areas.

Somewhere through the representations and the options we're going to be given by the people with the knowledge—not just the political decision, but someone who has the knowledge and says, “You cannot put a road through that end because it's going to do this, that and the next thing.” The big issues are going to be that the municipalities with their municipal governments are going to want to try to get the most economic benefit they can for their locale. That's the nature of the beast of being a politician. That doesn't necessarily mean that's going to be best for the land of this park, as to how it's to be developed.

I know that the former government indicated there was all kinds of money available to build a welcome centre. Well, if that's the case and the money is still available, where it's sited is going to be a very important issue. It should not be based on a political decision.

Tom Flynn is a very forceful politician. He knows how to govern, quite frankly. There should be someone on the committee who is going to be prepared to say, “Look, your position is either too strong or too soft.” It may not just be Mr. Flynn; it may be others as well. Someone should be there who can forcefully stand up and say, “The route you're proposing is not right. Take it back and have a second look.”

Ms. Horwath: I guess the other question I had is, in your previous comments you talked very passionately about your vision and how you wanted to see your vision come to fruition; is that appropriate? Is it your vision, or is it a collective vision of a number of different people who have participated?

Mr. Cole: This vision was a collective vision that I read into the record. I have a vision. For example, and this may not necessarily come to fruition, what I see is

that we have a large tract of land and there are areas that may be suitable—and I am saying “may”—there may be areas where duck habitat can be enhanced, thereby making at least the hunters happy.

I want to see something to preserve and protect our deer across Highway 28. I think that's a major problem.

The access roads—I know that the cottagers are concerned about making sure that Anstruther Lake-Loon Call Lake road access doesn't become a major focal point to get people into the park; the same thing with the Pencil Lake area, Catchacoma Lake and the Catchacoma landing area.

As a cross-country skier, I would like to see little huts set up that people could rent to make access for weekend camping and that sort of thing.

These are just my own personal ideas. It doesn't mean they're going to be part of a park management plan. I don't have any “This is what is going to happen” sort of thing.

1120

Ms. Horwath: I was just clarifying. Things got a little passionate there, I thought.

Mr. Cole: No, I'm not that—

Ms. Horwath: That's great. Those are all my questions, Mr. Chair.

Ms. Scott: Can I just ask for a point of clarification? Do you have an interest in a hunt camp within the park, or was that outside?

Mr. Cole: No, absolutely not. My camp is south of Cosh Lake, which is about 35 or 40 miles due east.

Ms. Scott: So you don't have any family interests?

The Chair: I'm sorry, Ms. Scott, the time has expired.

Ms. Scott: I was just making a point of order of where the hunt camp was.

Mr. Cole: The answer is no.

The Chair: Mr. Cole, thank you very much for your presentation.

Mr. Cole: Thank you, Chair, and thank you, members. It has been a pleasure.

The Chair: Please stick around. We're about to move into our concurrence votes.

The interviews are now complete, so we'll move in the same order to our concurrence votes. We'll now consider the intended appointment of Mel Catre, intended appointee as member of the Council of the Ontario College of Physiotherapists of Ontario. Mr. Catre is still with us.

Mr. Parsons: I would move concurrence, Chair.

The Chair: Mr. Parsons moves concurrence. Any debate, comments or questions? Seeing none, all those in favour of Mr. Catre's appointment? Any opposed?

Mr. Gravelle: Can you see my hand, Mr. Chair? My chair is sinking.

The Chair: I see that. Mr. Leal actually occupied that chair at the beginning of the meeting and then hightailed it to the back of the room. So I think you'll have to have a discussion with Mr. Leal.

Sorry, Mr. Catre. On a more serious note, your appointment carried unanimously. Congratulations, and all the best at the Ontario College of Physiotherapists.

The next intended appointment is Mr. Vance Badawey, intended appointee to the Regional Municipality of Niagara Police Services Board.

Mr. Parsons: I would move concurrence.

The Chair: Mr. Parsons moves concurrence. Any comments, questions or debate? All those in favour? Any opposed? Mr. Badawey, congratulations. It carried unanimously. I think you'll know your way around the police services board. Congratulations, and all the best.

Our third intended appointment is Thomas Edward Cole, intended appointee as member of the Kawartha Highlands Signature Site Park Management Advisory Board—a very interesting board and an interesting debate, but badly in need of an acronym.

Mr. Parsons: I move concurrence.

The Chair: Mr. Parsons moves concurrence. Any comments, questions or debate?

Ms. Scott: I thank Mr. Cole for coming here today and certainly for his interest and his passion in the community and the success of the Kawartha Highlands Signature Site Park. You're right; an acronym is needed.

I'm saying this because the township of North Kawartha and the stakeholder group of Highlands had recommended an individual to represent the North Kawartha board, similar to the appointment made at the same time by Tom Flynn to represent the Galway-Cavendish-Harvey municipality. It's not his fault that the government chose to ignore those recommendations or the recommendations from the management advisory board for biologists for their group. I'm not supporting his appointment today because I think the government should have honoured the wishes that were brought forward for the appointees. It has nothing to do with Mr. Cole's ability or his passion for it. It's just based on those two recommendations that were submitted for the government to look at and what had been recommended by the local community and the advisory board.

The Chair: Any further debate, comments or questions on Mr. Cole's appointment? Seeing none, I'll call the question. All those in favour of the appointment?

Ms. Scott: Can I have a recorded vote?

Ayes

Berardinetti, Gravelle, Horwath, Oraziotti, Parsons, Smith.

Nays

Scott, Tascona.

The Chair: The motion is carried. Mr. Cole, congratulations and all the best on the board.

COMMITTEE BUSINESS

The Chair: Folks, we will now move to other business. Any other business for the committee? Mr. Tascona, and then Ms. Horwath after that.

Mr. Tascona: I've got two matters. The first involves the response that was sent to you on March 18, 2005, correspondence to yourself as Chair from Debra Roberts, director of the Management Board of Cabinet, Public Appointments Secretariat, with respect to the personal and conflict-of-interest disclosure statement that's to be completed by intended appointees to all agencies, boards and commissions unless the agency has its own security process. In that regard, it would appear that we're not going to be provided that information. What I would like to ask for is the inclusion for each potential appointee of a new form from the appointments secretariat confirming the successful completion of the screening process and outlining whether the individual agreed to a screening check and what checks took place. You could ask the Public Appointments Secretariat for that, since they've decided they're not going to provide us with a copy of the personal and conflict-of-interest disclosure statement. That would be my first request.

It's not mentioned in the letter, but when our government was in power, we did not appoint people who were in arrears on their child support. Perhaps we could get a confirmation that the current government is continuing that policy.

The final matter has to do with, under standing order 106(e), the power and the jurisdiction of this particular standing committee. I'd like to review the local health integration networks.

The Chair: Are those the three points, Mr. Tascona?

Mr. Tascona: Yes.

The Chair: Why don't we do these separately. I know Ms. Horwath has a different point to bring up as well, for other business.

First, Mr. Tascona referred to the March 18 response to my inquiry from Debra Roberts, director at the Public Appointments Secretariat. Mr. Tascona has asked for further information in response to the letter. Are there any comments, questions or additions on that particular point? Seeing none, we'll note Mr. Tascona's request through Hansard, when available, and we will send a letter on, accordingly, to Ms. Roberts.

The second point, Mr. Tascona, is with respect to anybody who is in child arrears, I guess, through the Family Responsibility Office and whether that's a disqualification from service on an agency, board or commission. Any comments or questions? I don't know if anybody would have knowledge off the top of their heads. Any further discussion on this issue? Why don't we likewise inquire on the point on child arrears?

The third point Mr. Tascona brings up is the local health integration networks, known as LHINs, the government's ability to appoint members to the LHINs and whether they can be reviewed by this committee.

Ms. Horwath: There's a question of LHINs. The advertisements that I've noticed don't include the salary of any of the LHINs appointees. Why their salary range isn't posted is also a curiosity.

The Chair: Any comments or questions on the LHINs? Seeing none, Mr. Tascona, you wanted us to

inquire about that? What was your request of the committee Chair?

Mr. Tascona: I think we're empowered to review agencies, boards and commissions. I think we should look at the LHINs. That would obviously include the operational nature, because that's under the standing order and, secondly, the appointment process.

The Chair: For LHINs?

Mr. Tascona: Yes.

The Chair: OK. This is clarification. There are two ways of going about this. Are you asking me, as committee Chair, to inquire about that, the government's intention, or are you asking the committee to review those appointments and the process, in which case we would need a motion to do so?

Mr. Tascona: What I would move, then, would be to review the operation of the LHINs as it has currently been set up, and also their appointment process. That would be my motion.

The Chair: We'll put a motion on the floor with respect to the operations of the LHINs as well as the appointment process. The clerk will make sure we have the language correct.

Would members like that written out before we enter into debate? You don't care? OK. We'll quickly get it around.

Mr. Tascona has moved that the committee review operations of the local health integration networks, also known as LHINs, as well as the appointments process to the LHINs. That'll be the motion on the floor. Any discussion on the motion?

Mr. Parsons: I quite frankly don't think we know enough to make that motion at this point. I'm going to vote against it on the basis that it's premature. I think we need to know more about LHINs before we proceed, so I will not support it.

1130

The Chair: Any other comments on the motion on the floor?

Ms. Horwath: I thought it was a very timely motion. In fact, I will be supporting it. It's kind of frightening to think that the government doesn't know what it's doing in terms of the LHINs when they were supposed to be implementing them on April 1. It's very scary that the government members of this committee have no idea and don't have any information about the LHINs.

I would have to say that I think it's very appropriate, particularly around the appointment process, for us to be having a discussion or debate about that. I will be supporting the motion. I hope, in the interests of the transparency that this government tends to always talk about, we have an opportunity for some of that transparency here at this committee in regard to LHINs and particularly in regard to the process for ensuring that those bodies are appropriately appointed.

The Chair: Any other debate?

Mr. Parsons: I'd like to react to the statement that we know nothing about LHINs, because I like to believe that I'm not as stupid as I look. There are days I wonder.

This is very much a work in progress. We are still receiving public input on it. We did not enter into it, as we have with any process, saying, "Here's the way it's going to be, folks. It's a done deal." We're certainly still getting some very good advice from community groups on it. It is not that we don't know what we're doing, but we still remain open to receiving input.

Mr. Tascona: I'm not going to deal with the intelligence issue. I've always respected Mr. Parsons and his judgment. But since he thinks this is premature, when will it be mature? When do you think we could do this, Mr. Parsons?

Mr. Parsons: I'm not prepared to give a firm date. It's not very far away, but I'm not prepared to give a firm date. I'm not withholding it from you. I don't have a firm date. I recognize that.

Mr. Tascona: You say it's premature, but there is going to be a point in time—we have the mandate under the standing orders to do that. As Ms. Horwath has indicated, it's March 30, and April 1 is the kickoff date. Maybe you want to not go on the record at this point in time, but I think you're going to have to consider this. If you're going to vote down this motion, you're going to have to consider when it's going to be something that you're going to allow to be done, because that's the mandate of this committee. You're operational April 1. To me, the prematurity argument doesn't really hold much water. That's my comment. If you want to say, "Let's do it in two months," or whatever, I guess we could look at that as another motion.

Mr. Parsons: My arguments swayed four other members, so—

Mr. Tascona: OK.

The Chair: Any further comment before I call the motion for a vote? I'll put the question. Mr. Tascona has moved that the committee review operations of the local health integration networks, LHINs, as well as the appointments process to the LHINs. All those in favour of the motion? All those opposed? The motion is defeated.

Any other business?

Ms. Horwath: Can I just ask, Mr. Chairman, that you make an inquiry as to whether or not we can expect to be doing interviews for LHINs at this particular committee? I would ask you to make that request.

The Chair: Yes. I'm going to get your advice or committee members' advice on this. Should that request go to the Minister of Health, should it go to the government House leader or both?

Ms. Horwath: Probably both would be appropriate.

The Chair: Any other comments on LHINs? Very well, we will write a letter to both the government House leader and the Minister of Health with respect to whether they intend that the committee review the appointments to the LHINs.

Ms. Horwath: My other issue with new business was, I was just wondering why the appointment of Mr. Mumtaz Butt was withdrawn from our agenda.

The Chair: This is Mr. Mumtaz Butt? We did receive a notice—

Ms. Horwath: Mumtaz Butt, Council of Registered Insurance Brokers of Ontario, complaints and discipline committee.

The Chair: To clarify, this is a letter to the clerk regarding the intended appointment of Mumtaz Butt to the Council of Registered Insurance Brokers of Ontario, complaints and discipline committee, which has been withdrawn. And your request is?

Ms. Horwath: I'm just curious as to why it was withdrawn. We called that person.

The Chair: Any comments or questions on this issue?

Mr. Parsons: I think once it's withdrawn, the individual is entitled to his privacy.

Ms. Horwath: So it was done by the individual as opposed to—

Mr. Parsons: I can't answer that. I don't know.

The Chair: Clerk?

The Clerk of the Committee (Ms. Susan Sourial): I believe so.

Ms. Horwath: Thank you.

The Chair: Any other business, folks?

Ms. Scott: Just a comment on Vance Badawey. He said he filled out a certain resumé and some information,

but we didn't get that in our file. I just wondered if maybe the clerk or legislative research or whoever is responsible—it seems he filled out a resumé that was different than the one we had.

The Chair: Can you be more specific?

Ms. Scott: We didn't have that he had put that down he was a candidate in 2000, and he said he had. We didn't have that information on the resumé that was given to us, but he said he had filled out the form and provided that information. There seems to be some lapse in information between what's submitted and what we're getting.

The Chair: Understood. So you're asking the Chair to inquire about that?

Ms. Scott: If you wouldn't mind, please.

The Chair: We'll look back at Hansard, at Mr. Badawey's comments before the committee. Comments?

Mr. Tascona: When are we meeting again, Mr. Chair?

The Chair: The next date is set for two weeks' time, which would be April 13—same place, potentially; same time, in all likelihood. Members will be duly notified of the committee's next meeting. Seeing no other business, we are adjourned until Wednesday, April 13.

The committee adjourned at 1136.

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