



ISSN 1180-436X

Legislative Assembly  
of Ontario  
Second Session, 39<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Deuxième session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Wednesday 12 May 2010**

**Journal  
des débats  
(Hansard)**

**Mercredi 12 mai 2010**

**Standing Committee on  
the Legislative Assembly**

Subcommittee report

**Comité permanent de  
l'Assemblée législative**

Rapport du sous-comité

Chair: Bas Balkissoon  
Clerk: Tonia Grannum

Président : Bas Balkissoon  
Greffière : Tonia Grannum

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE  
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 12 May 2010

Mercredi 12 mai 2010

*The committee met at 1304 in committee room 2.*

**The Chair (Mr. Bas Balkissoon):** We'll call the meeting to order of the Standing Committee on the Legislative Assembly on Wednesday, May 12.

**SUBCOMMITTEE REPORT**

**The Chair (Mr. Bas Balkissoon):** The first order of business is the report of the subcommittee on committee business. Mr. Naqvi?

**Mr. Yasir Naqvi:** Your subcommittee met on Wednesday, May 5, 2010, to consider the matter of the delayed release of certain members of the House from the March 25, 2010, budget lock-up, and recommends the following:

(1) That the committee meet on Wednesday, May 12, 2010, from 1 p.m. to 3 p.m. and on Wednesday, May 19, 2010, from 1 p.m. to 3 p.m. if necessary.

(2) That the committee invite the following witnesses to appear before the committee on Wednesday, May 12, 2010, to be available from 1 p.m. to 3 p.m.:

—Tim Shortill, chief of staff to the Minister of Finance;

—three OPP officers stationed at doors to the government, Progressive Conservative and New Democratic Party budget lock-up rooms.

(3) That the procedural clerk, research, provide the committee with a comparison study of other jurisdictions with respect to budget lock-ups and how they are handled.

(4) That the referral of the matter of the delayed release of certain members of the House from the March 25, 2010, budget lock-up take precedence over other current committee business, including the letter from the Speaker dated April 19, 2010, concerning provisions in legislation that mandate reviews by legislative committees.

**The Chair (Mr. Bas Balkissoon):** Mr. Miller?

**Mr. Norm Miller:** I would like to make a motion to amend the subcommittee report to include statements, either written or verbal, from members who were obstructed.

Due to the short nature of the subcommittee meeting and given that this is an actual investigation as ordered by the House, it is only fair that the complaint be heard. It is also in the best interests of the government that the actual complaint be laid out, and also in the best interests

of the Ontario Provincial Police and the Ministry of Finance staff. How can we expect them to answer questions effectively and find answers to this issue if they don't even know what the issue is?

I understand that the clerk has also received notice from the member from Wellington–Halton Hills that he would like to submit a statement, and I have his statement in written form that I'd like to be able to submit.

I also understand that the member from Renfrew–Nipissing–Pembroke and the member from Nepean–Carleton are here to give statements. I also understand that the NDP representative is in attendance and could make a statement.

So, in the interests of finding out what exactly happened on budget day, and to protect members in the future on all sides of the House, I move that we amend the subcommittee report to include the written report from the member from Wellington–Halton Hills and additional verbal reports from interested members in attendance.

I know that the member from Renfrew–Nipissing–Pembroke and the member from Nepean–Carleton are in attendance, and I certainly invite the NDP member to—the member from Halton is in attendance as well.

I so move that amendment, to allow those members who were directly involved to state what happened to them on the day of March 25, thereby laying the framework for those who have been called in by the committee to respond.

**The Chair (Mr. Bas Balkissoon):** Further debate? Mr. Prue.

**Mr. Michael Prue:** I would like to support the amendment that has just been made by my colleague Mr. Miller. Although I do not have anything in writing, I have spoken with Mr. Peter Tabuns, who is the member from Toronto–Danforth, who feels that he was obstructed on that day, and he would be prepared, if the committee so orders, to come and give a very brief explanation as to what happened to him on that date.

**1310**

I think it's important that we listen to those who felt that their privileges were denied before we go on to the other witnesses. I think it is only fair to the other witnesses who are going to explain the actions they took and the rationale for taking those actions, to hear first how those actions impacted the members, so it might more carefully focus them on the issue of why the members themselves felt their privileges had been denied.

I would hope the committee supports this motion and that we hear from those first who were alleged to have been obstructed on the day, and then we'd proceed to the balance of the business as the subcommittee set out.

**The Chair (Mr. Bas Balkissoon):** Further debate? Mr. Naqvi.

**Mr. Yasir Naqvi:** I think we all have reviewed the ruling by the Speaker, where the Speaker has very clearly outlined the facts surrounding the issue and has given very specific instructions to this committee as to the next step that should be taken. So I'm a little lost as to the necessity to have members speak.

As I understand, any member can speak at the committee if they are present. That's one clarification I would ask of Mr. Miller's motion: Is he referring to the members who are present today who will have the opportunity to speak, so that we can move on with the three witnesses who are present?

Again, I urge the members to look at the ruling by the Speaker. It is very clear; he outlines all the facts and gives very clear instructions to this committee in terms of determining what took place and helping the Legislature come up with protocols that will be helpful in future budget lock-ups.

If I could get clarification as to—were you referring to the members who are speaking here today, to speak to this issue?

**The Chair (Mr. Bas Balkissoon):** The motion is being copied to circulate to all of you so you understand it, but I'll have the clerk read it again.

**The Clerk of the Committee (Ms. Tonia Grannum):** "We amend the subcommittee report to include the written report from the member for Wellington-Halton Hills and additional verbal reports from interested members in attendance."

**The Chair (Mr. Bas Balkissoon):** Further debate? Ms. Jones.

**Ms. Sylvia Jones:** Yes, I just wanted to follow up on what Mr. Naqvi was talking about. In fact, this committee is not supposed to be dealing with the Speaker's letter yet. If you look at point 4 of the report of the subcommittee, it clearly says that budget lock-up issues "take precedence over other current committee business, including the letter from the Speaker." So we're not at the Speaker's discussion yet and the Speaker's letter. We need to resolve what happened during and prior to the budget lock-up and the presentation of the budget. I don't think it's unreasonable for us to—

**The Chair (Mr. Bas Balkissoon):** As the Chair, I'm going to just say that we're here because of the Speaker's letter to us, and the subcommittee met on the Speaker's letter. Let me just—

**Ms. Sylvia Jones:** Read point 4. It's not the Speaker's letter.

**The Chair (Mr. Bas Balkissoon):** Could we have that motion? It was the motion from Mr. Arnott, I think, to the Speaker, and that's really what we're dealing with.

**Ms. Sylvia Jones:** Exactly, but that is not what the previous speaker was referencing. He was talking about

the Speaker's letter; we're not at the Speaker's letter yet. We're talking about Ted Arnott's letter to the Standing Committee on the Legislative Assembly, and I don't think it's an unreasonable request to amend the subcommittee report to ask that the members who have taken time to attend have a few minutes to explain what happened to them on that March 25 afternoon.

**The Chair (Mr. Bas Balkissoon):** Unfortunately, none of us have the letter. What we have is the referral from the House. I can read you what the referral states in the minutes. It says that "the matter of the delayed release of certain members of this House from the March 25, 2010, budget lock-up be referred to the Standing Committee on the Legislative Assembly for its consideration." A debate arising with unanimous consent, the Speaker recessed the House for five minutes. Then the question had been put on Mr. Miller's motion; it was declared carried. That's all I have.

**Ms. Sylvia Jones:** I'm happy to provide the other members of the committee with the letter that was sent from Ted Arnott for circulation, but if we can't even agree on what the subcommittee meeting is discussing, I think we have a problem.

**The Chair (Mr. Bas Balkissoon):** I have to take the referral from the House. It's the issue of the delayed release of certain members. That's—

**Ms. Sylvia Jones:** Right. Not the Speaker's letter.

**The Chair (Mr. Bas Balkissoon):** No. So that's the direction of the House. Every member is entitled to have that letter, and under consideration of what we're dealing with from the House, reference to the letter can certainly be made. I won't prevent that, but I don't think the letter is a direction to us.

**Ms. Lisa MacLeod:** Chair?

**The Chair (Mr. Bas Balkissoon):** I have one other—just a second; let me make a list here now. Mr. Arthurs.

**Mr. Wayne Arthurs:** I'm just going to comment generally. One, we have members of the Legislature who are here today who are not probably normally or may not be subbed into the committee, based on our numbers, but my understanding is that any member of the Legislature who attends a committee has the right to speak at that committee; they're restricted in their voting. I can see, even in the context of us supporting the amendment, I'll say—I'll speak to that portion first—in supporting the amendment from that context because we have members who are here.

I would suggest, though, in part, that we hear from those who were asked to appear first, only because of the time constraints this committee is going to find itself under. It has two hours set aside, and Mr. Shortill and the OPP office were asked to attend the meeting. Because you've set aside two hours for the committee purpose, it might be advantageous to make sure there's time, given it's going to take some time just getting to the point of adopting the subcommittee report. So I would think, just out of courtesy, if we could have them make their presentations and then proceed with the committee activity.

In the context of written submissions, I certainly have no objection to the committee accepting written submissions from other members, and even putting a reasonable deadline on that so that members of the committee would have the chance to review it prior to next week's meeting, I presume.

**The Chair (Mr. Bas Balkissoon):** Ms. MacLeod.

**Ms. Lisa MacLeod:** I'm in favour, obviously, of the motion put forward by my colleague in the PC caucus. I think there needs to be some understanding here of what actually happened. I understand that the Speaker's letter precipitated the invitation to certain individuals who appear here today.

That said, your subcommittee met after those invitations had gone out. So, again, it's important that certain facts get into the record here today, and those facts are going to come from members of the opposition, who include the leader of the official opposition and the leader of the third party. I'm not sure what the government is afraid of finding out, but it's important that all members of the assembly who felt they were obstructed not be obstructed again in this committee. So I am urging all members of this committee to support this motion so that justice is not only done but, as they say, is also seen to be done. If it's not, I think we're going to have some really serious problems. I appreciate the hard work of the clerk and the research staff, but again, we must make sure that the cart's not going before the horse, here; that we get the facts on the record from those who were actually impacted.

You must remember that we also don't have a definitive time of exactly what time certain members were allowed out of lock-up. I certainly recall that day, and I'd be happy to put that on the record, but I think it needs to be on the record in a systematic way where all members, including Mr. Tabuns and Ms. Horwath, and other members of my party are able to do that in a meaningful way; otherwise, this committee is just a sham.

**The Chair (Mr. Bas Balkissoon):** Mr. Prue.

**Mr. Michael Prue:** I think it's quite clear. We have a learned piece here from Peter Sibenik, the procedural clerk of research. What he's saying is that in the past what committees have done is precisely what is being asked here. He writes, in part, "security arrangements in lock-ups; what happened in each lock-up on March 25, 2010, and why it happened." This is what we have to determine. We cannot determine that until we hear what happened to the individuals involved. It's all well and good to call the police officers; it's all well and good to call people from the finance minister's office, but they probably were not in attendance at that location, these individual officers, because they were in charge, rather than the people who were actually stationed there at the moment. The only people who can reasonably tell us what happened on that day are the people who were impacted.

1320

If this committee does not want to know how the members were impacted and if the government wants to

call its own members who say they were not impacted, that will say something, too. But that's what we need to hear: What happened in each location, when it happened, when they were freed and under what circumstances they were allowed to be freed from the lock-up. Then we have to make a determination from that and ask other questions like why this occurred—not that it occurred, but why it occurred. For the lawyers in the crowd, and I am not one, this is a matter of setting the evidence, what has happened, before we try to draw or judge conclusions on the basis of that, and how people reacted to that is precisely what happened.

If you don't call these witnesses that have been requested, and if the government has the option of calling any of their own members to say whether it happened or did not happen to them, then I don't think this committee can do full carriage of the justice of this case and cannot come to the proper conclusions. What we are going to come to will be tainted, truncated and minuscule in terms of what I think our role is: to gather all of the facts and to draw all the appropriate conclusions. That's why I think it is absolutely essential that we hear from those members who are present, that we read the written correspondence, that we invite any and all people who were impacted to give evidence.

I would also caution, though, because I have my colleagues here, that I don't think that if they are going to be making these statements—I know that they're here, anticipating, but if we determine that we are to proceed, I would suggest that they not sit at the table, because they cannot be part of the decision-making and give evidence. I think the line has to be drawn. But I don't blame them for sitting here until this committee makes that decision because, if not, the only way they're going to give some information is to sit here. I don't know how they're going to participate from that point on, having given evidence. You can't sit in judgment of your own evidence.

**The Chair (Mr. Bas Balkissoon):** Mr. Yakabuski.

**Mr. John Yakabuski:** I thank my friend Mr. Prue, and I agree with exactly what he's saying. If the committee is supposed to get the whole picture and if Mr. Shortill and Inspector Knox are going to be able to comment on the circumstances, they would be best served in knowing, from people who were actually there, people who were outside, who left the lock-up room and then were held for a substantive length of time before they could proceed to the House. I think they need to hear from people like myself, the written submission from Mr. Arnott, a verbal one from Ms. MacLeod, and possibly others, and Mr. Tabuns, if he can. Because if the committee is going to be asking Mr. Shortill and Inspector Knox questions, in fairness to them, they need to know what allegations are being made—not against them specifically but in the whole picture about how we were obstructed as members and had our privileges breached.

Quite frankly, the Speaker has agreed that our privileges were breached. Reluctantly, the government House leader has had to accept that and admit that herself. If they're going to be able to give proper testimony to this

committee, I think, in fairness to them, they need to know what has actually been said, because not myself or Ms. MacLeod have had the opportunity to speak. We didn't speak to the motion of privilege or anything else with regard to our experiences that day. I think that the deputants before the committee would be well served.

I also agree with Mr. Prue. Should we be allowed to give that address to the committee, I would certainly be more than prepared not to be sitting on this side of the table, questioning the same people who are then giving a deputation. I understand that. I think it's fair, and I think it's reasonable. But in the absence of that ability, then it would offer us no choice.

When Mr. Naqvi says that we can all speak before the committee, there's a significant difference between asking questions of a deputant at a committee and being able to give testimony yourself—a significant difference. I don't think we should, for a moment, think that we have the same privilege on this side of the table as we have in giving evidence. We are there also to answer questions by members of the committee, should we be giving evidence. I think that if the committee and its work are to be served properly, this motion should be supported. Of course, I won't be voting on it because I don't have a vote, I don't believe. It's up to the government members of the committee to decide if they want to allow this committee to do its work in the fullest fashion, or if they want to cut it off at the knees as has been done so many times in the past.

**Mr. Norm Miller:** I think that the request that's being made, as has been outlined by some of the other members here, is quite reasonable. I don't think it's going to be a time-consuming thing, to Mr. Arthurs's point. We're probably spending more time talking about it now than it would have actually taken for the members to state their case. I would hope that the government will be supportive of allowing the amendment. It states, "members in attendance," as well, right on it, so I think it's a reasonable request. Maybe the government can give me some indication if they think it's reasonable and whether they'll support it.

**Mr. Bob Delaney:** Chair, I'm not entirely sure what's so sensitive about a subcommittee report, which we've all read and routinely passed many times. I gather there is no objection to tabling any documents in the normal committee proceeding of any sort. I'm not sure why they should be included as an addendum to the subcommittee. I have heard no reluctance as to the calling of witnesses.

I would also suggest that we're all here to do the same thing, which is to listen, and that perhaps we could use the normal committee process and a little bit of bipartisan goodwill to get everyone heard and address this particular issue hopefully once and for all.

Perhaps we can just pass the subcommittee report as read, to start.

**The Chair (Mr. Bas Balkissoon):** Mr. Naqvi.

**Mr. Yasir Naqvi:** I think that Mr. Yakabuski made an appropriate point in his remarks, at the midpoint, saying that the Speaker has already found a prima facie breach

of privilege. The House leader has accepted that there is a breach of privilege. I think the issue around whether obstruction took place or not is resolved: There is obstruction that took place.

I think the real work for this committee now moving forward is to make sure that it does not happen in the future. That's what we really need to focus on. I don't think we need to sit around here to determine whether the obstruction took place or not because I think that's fairly well resolved at this point.

As Mr. Arthurs pointed out, there is already, under the standing rules, a process in place where any member of the Legislature can speak to the committee. We do not see any reason for members to come as deputants or as witnesses and give testimony. They already have a right to speak to the committee. That mechanism already exists. We do not need to augment that particular process.

I suggest that perhaps if a member, beyond just speaking at the committee, as they're entitled to do, wants to submit their version of facts in writing, we would be more than happy, of course, to accept that, and it will be circulated to all members and will be part of the record.

**The Chair (Mr. Bas Balkissoon):** Ms. Jones.

**Ms. Sylvia Jones:** My concern with not amending the subcommittee report, in follow-up to Mr. Delaney's comments, is it very specifically lists who would be appearing before the committee, and I would like the committee to have the ability to actually call witnesses as necessary to resolve the issue.

**The Chair (Mr. Bas Balkissoon):** Can I just interrupt you for a second, because I sat through the subcommittee meeting. There has been no decision by the subcommittee that this is the be-all and end-all list. This was our starting point, and we had agreed that after today's meeting there would be another subcommittee meeting to decide where we go as a next step. That was my recollection of the meeting—

**Ms. Sylvia Jones:** Perhaps the easy way to resolve that then—because if you read the subcommittee report as it stands right now, it is limited to who is listed—is the addendum "and other witnesses as necessary for the work of the committee to be completed...." Perhaps that would resolve my concern that we're not going to hear the full story.

1330

**The Chair (Mr. Bas Balkissoon):** That's a possibility, and I have to take an amendment from somebody, if that's the way you want it, on the motion that Mr. Miller tabled.

The next—

**Mr. Norm Miller:** Mr. Chair, on that point: My understanding is that the subcommittee can meet again and decide to do whatever it wants in the future. But I still think it makes logical sense for us to hear from those two or three members who are here and willing to make testimony. I don't think it will take more than 15 minutes for us to do that, and that lays the groundwork for the people we've asked to come before the committee. If the

government is not in agreement with doing that, I'd certainly like to know about that.

**The Chair (Mr. Bas Balkissoon):** Ms. MacLeod?

**Ms. Lisa MacLeod:** I guess I'd like to speak briefly to two points made, one by the member for Ottawa Centre and the other by my colleague sitting beside me, Mr. Prue. I think the issue is integrity of the process. My colleague Mr. Prue pointed out that we do sit around this table, and we are participants in the committee where we have an opportunity to question witnesses. He has spoken, I think, to the heart of the issue, which is those who believe we were affected—obstructed—on budget day should have the right to testify as witnesses and not as mere committee members or sitting here as MPPs who do not have official status on the committee. So it is an appropriate way. It's almost as if we would be questioning ourselves, and I don't think the integrity of the process is respected at that point.

Just to speak to Mr. Miller's motion: I think it's a fair motion, and I think we must deal with that first before any further amendments to the subcommittee report. I think it's important that there are members here. There is a draft circulated by my colleague from Wellington-Halton Hills, who has spent much time in this Legislative Assembly working in a capacity as an Acting Speaker and who knows the rules quite well. I think it's of value to add his letter to the public record.

In addition, again, I must reiterate what happened that day, and my colleague from Ottawa Centre acknowledges that there was obstruction—there clearly was obstruction. The member from Ottawa Centre has acknowledged that. When that occurred, the leader of the official opposition and the leader of the third party were effectively locked out of the chamber because they were stuck in lock-up. I'm sure that is unprecedented in Ontario's history. I think that, again, in order to speak to the integrity of the process, Mr. Miller's motion should receive all-party support; otherwise, I think that we have a real problem with the integrity of the process, and I think it's the only fair thing to do.

Again, I must reiterate that when the subcommittee met, a witness had already been invited—I respect that; I think they're the right witnesses to bring in—but there needed to be time to actually consult with the parties so that members who felt obstructed, whether that was Mr. Tabuns, Mr. Yakabuski, Mr. Arnott, myself or Ms. Horwath, should have the ability to speak to this committee as part of the record-setting, not just the question-and-answer period. We have a different role to play as members who have something to contribute to the committee other than just fact-finding, because we are part of that overall story. The only way that you're going to get the truth is if you let us speak and not muzzle us, which I think is what the government wants to do.

**The Chair (Mr. Bas Balkissoon):** Mr. Yakabuski.

**Mr. John Yakabuski:** To Mr. Naqvi's point: If that was simply the matter that had to be determined, we wouldn't be sitting here. There was obstruction. That has already been determined. Now we need to find out what

the nature of that obstruction was and how the affected members were impacted by it. The Speaker has ruled, and the government House leader has agreed. If that was what we were trying to determine here, if that was what we needed to determine, we wouldn't be having this committee meeting. This committee meeting is, in fact, to get all of the facts on the table about what happened there. This is not about whether or not the government is guilty; that has already been determined. Now we need to know, from the people who were directly affected, how this impacted them and their abilities and their privileges as members of the Legislature. That's what this is about. To not allow members of the Legislature who were directly affected the opportunity to testify before that committee is, in effect, muzzling not only the committee but those members, in the proper forum, from being able to articulate the circumstances and the events of that day.

I submit to the committee that the finding of guilty has already been determined. The government has pled guilty, under duress. Originally they tried to deny it completely, but then when the Speaker ruled, all of a sudden, "Yes, I guess we were wrong. We are guilty"—sort of like trying to get out of a hanging and get a life sentence or something, making a deal.

We've already determined who's guilty here. Now we need to know, and this committee has to know, the circumstances surrounding the events of that day.

**The Chair (Mr. Bas Balkissoon):** Mr. Arthurs.

**Mr. Wayne Arthurs:** Mr. Chairman, there's going to be a subsequent opportunity for the subcommittee to meet. I think that's what I heard you say. If that's the case, there's obviously opportunity for some further discussion subsequent to today.

Let me be clear: I'm not going to support this amendment, for two particular reasons. I am personally, at this stage, satisfied that every member of the Legislature has an opportunity to speak and be heard and be on the record in Hansard at this committee if they so choose. Secondly, as the amendment is written, it is restrictive, in accepting written submissions, to the one submission by the member from Wellington-Halton Hills. It certainly doesn't speak to whether or not there are additional written reports that might be considered.

Based on those three things—(1) your comments about the work of the subcommittee being not necessarily complete in the context of this full committee's role; (2) the opportunity for any member of the Legislature to present to or participate in a committee but not vote; and (3) that as I read this particular amendment at this time, it's restrictive in the context of the opportunity for written reports, save and except the one from the member from Wellington-Halton Hills, which is currently before us—I will not be supporting the amendment.

**The Chair (Mr. Bas Balkissoon):** Mr. Prue.

**Mr. Michael Prue:** Both the Speaker and the House told this committee what we need to do. What we need to do is to get to the bottom of all of the facts, which is why I want to hear all the witnesses. If the majority of this committee determines that we cannot do that, you leave

me three choices, as a member of the committee. You need to know these three: I can proceed under duress and do a partial job; I can walk out of the committee and not represent my party and the Legislature as instructed; or I can go back to the House on a point of privilege that my rights have been obstructed. I'm inclined to do the latter. I am inclined to go back to the House and tell the Speaker and the House, which have given us the mandate to do all things necessary to get to the bottom of this issue, that the majority of the committee is refusing to allow that to happen.

I don't know what the members opposite want to do. Those are the only three choices that I have. I do not intend to walk out of here, but I might have to. I do not intend to sit here under duress and not do my job. So I guess I'm looking at the third one, not wanting to do it, but that is the choice that is being forced upon me, given these circumstances. The circumstances are, I think I have to do all things necessary in my job to get to the bottom of the facts and report my findings, through this committee, to the Legislature and to the Speaker who empowered us.

Don't ask me to do a half-job. Please don't. I don't want to do a half-job. I want to do the fullest and best job I can, and I don't want to be obstructed in that by being told who I can call, who I can listen to or what testimony is relevant.

**The Chair (Mr. Bas Balkissoon):** Mr. Naqvi.

**Mr. Yasir Naqvi:** I keep trying to make a very simple point, and that is, every member has the right to speak to the committee and they can exercise that right.

Again, as Mr. Yakabuski said, it has been established that there were some delays for some members to arrive in the House. Now the issue is where that breakdown in protocol took place and how we're going to rectify it. I don't think we need to go back and establish that there were members who were delayed in getting to the House for the budget speech. That has been said again and again. You use the really nice analogy of guilty and not guilty and all that kind of stuff. Once that is all established, what we now need to work on is where the breakdown in protocol was. That's why we have invited three witnesses to come forward—and I'm very mindful of their time. That's what we had agreed on at the subcommittee level and that's why we are here: to listen to their version as to where the breakdown in protocol was.

1340

If the committee feels that we need to take next steps, then the subcommittee will discuss that and we'll determine what the next step is, but I think what we should focus on right now is the three individuals who are here, who have been requested to come to give their submission, so that we can then determine what the next steps are and whether we've got the answers we need or not. It's as simple as that.

**The Chair (Mr. Bas Balkissoon):** Mr. Chudleigh.

**Mr. Ted Chudleigh:** I'd like to confirm a couple of things. One, there has been a suggestion that there will be a subsequent meeting. I'd like you to confirm that, Chair,

that in fact, there will be a subsequent meeting, if the time is required. Is that your understanding?

**The Chair (Mr. Bas Balkissoon):** I will give you my word that that was my understanding sitting on the subcommittee meeting, that we would start with the two witnesses who are listed in the subcommittee report, and at the end of those two deputations, the committee would make further directions as to where it wants to go. I still stand by that because as of this morning, I spoke to the clerk—

**Mr. Ted Chudleigh:** The committee would make further directions. Is that going to be put to a vote?

**The Chair (Mr. Bas Balkissoon):** The second subcommittee report would have to be put to the committee again, yes.

**Mr. Ted Chudleigh:** So it may or may not happen. You don't have the authority to make it happen; the subcommittee would make it happen. That subcommittee report would have to be passed by this committee, and that may not happen. Given the resistance that we're having here today, indeed, it probably won't happen.

Secondly, if that meeting does take place, I guess the same situation would apply in that I would like to know if we have the right to call witnesses. It seems to me that there are some people who set up the protocol from whom we might want to know whether this protocol is the same as last year, whether it's the same as previous years, whether it was adjusted, who adjusted it, why it was adjusted and where that line of questioning might lead us. Again, that could only take place with the approval of a subcommittee meeting, which may or may not pass this committee.

**The Chair (Mr. Bas Balkissoon):** I can't prejudge the subcommittee and the committee; all I can tell you is that the subcommittee met—

**Mr. Ted Chudleigh:** Mr. Prue's third point is maybe good for all of us. If we can't get this far, the vice-chair of this committee needs to go back and get some further direction, because this ain't happening the way that you're proposing it.

**The Chair (Mr. Bas Balkissoon):** I have Mr. Delaney.

**Mr. Bob Delaney:** The point before the committee is an amendment to the report of the subcommittee. The discussion that the members have raised is perhaps pre-supposing the outcome of that vote on the amendment. I'll repeat the points that I made before: There is no objection to tabling any documents. I've heard no objection to hearing from any witnesses. Perhaps we might want to pass the subcommittee report. I'm not sure whether the members opposite have any objection to hearing what Mr. Shortill and Mr. Knox have to say, but perhaps we could hear from them.

**The Chair (Mr. Bas Balkissoon):** Ms. MacLeod.

**Ms. Lisa MacLeod:** Just a comment to the member for Ottawa Centre, who I understand is a lawyer: To be honest, you're trying to withhold the committee from hearing evidence. You're not going to get a thorough investigation or a fulsome response unless you hear from

the members who were affected as witnesses, not simply as just members of the committee asking deputants questions. That is the heart of this. I can't say it any more clearly than my colleague has, and I've stated before that the integrity of the process is to ensure that those who were affected are treated as witnesses regardless of whether they have standing in the Ontario Legislative Assembly or not.

Right at this point in time, it would behoove each and every single one of us who are sitting on the opposition sides, regardless of political party, to debate the merits of the motion, not what occurred on budget day, because they're two different issues. So I would urge you to support my colleague from Parry Sound–Muskoka on a very reasonable amendment, simply allowing members of this assembly who feel that they were obstructed on budget day to explain it.

There is critical evidence there. If you want to find out about timing, about who spoke to whom, and you're trying to find out about a breach that may or may not have occurred, through whom that might have happened, whether it was the OPP, budget official staff or the Premier's office, the only way you're going to get that is through information that members of this side of the House have, whether that is in the third party or in the official opposition.

The best way to get to the bottom of the whole incident is to speak to everyone, not selectively talk to people the government approves of. My understanding is that the government, in subcommittee, did not support calling in the OPP. Fortunately, that is here, and, of course, Mr. Delaney, we do want to hear from the OPP and we do want to hear from Ministry of Finance officials, but we do want to have our opportunity to preside in this committee as witnesses, not just as members of the Legislative Assembly.

This is a serious issue. It deals with parliamentary privilege. As my colleague from the New Democrats has stated, he feels that if you do not support this motion and you do not allow members of the opposition to speak, you will have breached not only his privilege but I believe everyone else's on the opposition benches. I'm not sure that's where you want to go with this committee.

I think this is a good-faith motion by my colleague from Parry Sound–Muskoka. He put forward a point of privilege. The Speaker ruled in his favour. That is why we are here today. We can continue to debate the merits of this amendment or we can get to the business of actually hearing from the people who were obstructed from going into the Ontario Legislature to hear the budget and to represent their constituents. That is, after all, why we were sent to this place in October 2007, and that is why we're going to continue to call for fairness in this committee to ensure that other members' privileges are not breached in the future. Please do not breach our privileges here in this committee and further obstruct us, especially those who were obstructed in attending the budget on time that day.

**The Chair (Mr. Bas Balkissoon):** Mr. Yakabuski.

**Mr. John Yakabuski:** To the points of the members of the committee opposite: Inspector Knox was not the officer we communicated with that day. That officer is not here before this committee. Inspector Knox would be well served by knowing what our position is, as the MPPs who were in fact obstructed.

Our communication was with the senior officer acting on budget day. Mr. Shortill wasn't there at our lock-up. If this committee is to have the best evidence ahead of it or presented to it in order to table some kind of a report on the incident, it has to be a little more than—I'm not presupposing the evidence of the submitters either, but it has to be a little more than the government and a mea culpa. The facts have to be on the table. The facts have to be known. All of the circumstances have to be known if we're going to make a reasoned judgment as to what happened, why it happened and how we ensure that it does not happen again.

For the members to imply that sitting here as a member of the committee, not a voting member but as a member of the opposition side, not members of the committee but able to speak as MPPs, as we all have that privilege at all committee meetings—to compare that to the weight of testimony given to the committee is simply not reasonable. The value and the credibility and the scrutiny—because you, as members of the committee—we would then be only deputants and not people on this side. The ability of you to scrutinize and to question us as presenters—you don't have that. That dynamic does not exist.

We've already spoken. I've probably used more than 10 minutes of speaking time already. We're looking for the opportunity to address the committee on the facts. We have not talked about the incidents of that day. We would like the opportunity to speak about the incidents and the circumstances of that day, because that is, in fact, why we are here—to talk about that day. We are not here to determine whether or not there was obstruction. That has been done. This is the time to learn here about the facts as I see them. As other members who may present to the committee—you don't have to agree with them, but we should have the opportunity to present them. You don't have to agree with the position of anybody who ever comes before any committee of this Legislature, but the opportunity to put them on the record is something that we should not have denied to us.

1350

**The Chair (Mr. Bas Balkissoon):** Mr. Hardeman.

**Mr. Ernie Hardeman:** I'm sitting here listening. I get somewhat confused, if I can say that. I'm not supposed to say that as sitting here on committee, one would get confused, but we want to hear the facts; we want people who have facts that are going to help us in this decision-making process to give those facts, and I think all parties would want to make sure that they had the opportunity to question those facts from the person giving them.

With the present structure, I can tell you that after I get through with this little presentation, I will not be giving the government side the opportunity to ask me questions

and for me to answer them. I would think that, on the evidence, they would want that ability to figure out, if there are differing stories, as to which one they are more apt to agree with, which has more credibility. Under the present structure, if the members of the Legislature are not allowed to give testimony and there is no questioning, there is no—what should we say—sorting through the facts as they're presented and coming out with the ones that are the most credible. I just, personally, can't understand why we're having a discussion of whether they can actually give testimony in front of a committee or whether they can just sit on the committee and take the next 20 minutes and speak about the facts as they see them and no one can question what they said. To me, that doesn't make sense.

The thing that I would really question—and in all the years that I've been here I don't think I've ever been at a committee where the first debate at the committee was about how we are going to proceed with where we're starting from and how we're going to arrive at the conclusion of the committee's work. It has always been in one subcommittee report. You decide who you're going to hear from, you decide where you're going to go and hear from them, and then the subcommittee report comes to the committee and the committee discusses whether that's the right approach to take the job from finished end. To say that I was a little shocked when I heard the Chairman say, "But this is only a subcommittee report to get us started. We'll be having another subcommittee report to carry this forward"—I don't know how anyone can vote for a subcommittee report that says, "This is how we're going to conclude this issue that is before us—well, no, not really. We're only going to take it a little ways because, some time in the near future, we may get together and decide again if we're going to go in a different direction because we don't like the results as they're coming out." I just don't believe that we could be sitting here having a subcommittee report before the committee that doesn't deal with the full facet of this whole debacle.

I also want to point out, and it has been mentioned here a couple of times, that there is no argument about what happened. I was told that I could not yet leave the room because it was not yet time because there were others who had decided when I could leave. I don't need to know that I was obstructed; I know I was obstructed. I just don't know whose fault it is. Who actually instructed that obstruction? I think that's what we're looking at. Who took it upon themselves to take my privilege away in this place? The people of Oxford county sent me here to do my job; somebody—and I won't point any fingers—but somebody decided I wasn't going to be allowed to do it the way the Legislative Assembly Act of Ontario allows me to do. I think that's what we need to find out, and I think all members of all parties should do all we can to hear as much as we can of the facts so we can come to a reasonable conclusion.

I don't believe that what is before us now, including the amendment put forward by my good friend—even

that amendment passed, along with this report, is not going to take me where I think we need to be, because I want to make sure that all the facts are out and that we can question and talk to each person who has a story to tell and find out where the facts lie in between all the story. I'm almost totally convinced that when we listen to 25 people, we will not have 25 people all tell us the same story. I have a feeling that, at some point in time, this committee will have to make some decisions based on all they've heard, so I want to make sure that each item they heard was thoroughly investigated to make sure that they can make the decision based on the credibility of each witness to find out where the story lies.

The other thing is that I think that it's very important that everyone, at some point in time—not as the three parties, but collectively—can come up with a report that says, "This is what happened," even if we can't come to a total agreement as to how it should be solved. I would like to think that, at the end of this process, everyone on all sides of the table will agree with what happened and how the instructions got to where they were to make this happen.

I just want to throw in a little wrinkle on the whole issue. I was talking to someone just after the Speaker ruled that there was a prima facie case of a breach of privilege—and that's why we're having these hearings. My question was: If the security had the right to keep me from leaving the House when I did, when I went into the lock-up and decided not to stay for the whole time, as I had agreed to do—I would have to go against my own principle, which was that I promised to stay, but I wasn't going to—would the security have forcefully kept me from leaving?

I'm not sure that in the standing orders there is anyone in this place who has the power to do that, but I think it's very important that the obstruction part is much broader than just at that moment when they didn't allow me to leave. I think this committee needs to deal with all of those types of things, and I think all honourable members—and that's why they call us honourable members—when we go in, may give our commitment that we will stay there until the time that is agreed upon so we will not divulge the information that we got in the briefing.

But does that agreement prevent me from doing that if I want to go against my own word? I'm not sure right now that the security would be totally convinced that they would have a right to tackle me, handcuff me and keep me in that room until the time I was allowed to leave. I think those are the types of things that may very well become part of this discussion, but it's ever more important that what we end up with is that we all agree, not only on what happened—I know what happened—but how it happened, under whose direction and who should be held accountable for what the Speaker said was a prima facie case of obstruction of my privilege.

**The Chair (Mr. Bas Balkissoon):** Mr. Miller?

**Mr. Norm Miller:** I think I have a resolution to this dilemma. If the committee hears first from the people who say they were aggrieved, then Mr. Shortill and Mr.

Knox will only have to speak once to the committee. If Mr. Shortill and Mr. Knox go first, then they may have to come back another day if what we add or say after them contradicts what they say to us.

I would point to that as logic as to why we should support the amended subcommittee report, get on with the business of hearing from the couple of members who want to speak and then on to Mr. Shortill and Mr. Knox so that we don't run out of time today.

**The Chair (Mr. Bas Balkissoon):** Mr. Naqvi?

**Mr. Yasir Naqvi:** First, I want to make a clarification as to what the member from Nepean–Carleton said, that there was an objection to the OPP testifying at this committee. That is not correct. There were different ideas that were discussed at the subcommittee meeting, and at the end of the day, the subcommittee members all agreed to the subcommittee report, which is present before us for the vote.

Therefore, I ask that we proceed with the vote as it was agreed on at the subcommittee level so that we can hear from our two witnesses today; then the committee and the subcommittee can determine the next steps.

**The Chair (Mr. Bas Balkissoon):** Mr. Prue?

**Mr. Michael Prue:** What my friend has just suggested flies in the face of parliamentary procedure. Subcommittees report to committee in every single case in this Legislature. The committee is free in every single case to make amendments, to change or to vote contrary to what the subcommittee has recommended.

It happens all the time. The subcommittee is a mechanism to report to the committee. It is the committee that determines where it's going to go. That's why this motion is being made.

1400

I want to speak to some of the other things that I think are not properly being said on all sides of this issue. First of all, we have been set up here today not just as your ordinary committee. We are being set up, as a committee, as a trier of fact. We are being asked to conduct a quasi-judicial tribunal, to get to the bottom of certain facts and procedures and to make recommendations, not unlike a quasi-judicial tribunal like the housing tribunal or what the immigration department or other people do.

We are supposed to listen to the evidence. There are different forms of evidence. The highest form of evidence is that which is given under oath. That's why I want to call the members who are sitting here who want to testify, to put them under oath and give the very best credibility I can to someone who is under oath. I cannot judge the statements they are making the same as I can judge when they're sitting here beside me. They are not under oath and they are not subject to cross-examination. You know that, Mr. Naqvi, as a lawyer. Surely you know that somebody who sits there and who is under oath is subject to cross-examination; someone who sits here, as a member of the Legislature, although they're free to speak, is not, and you know that. That's why I want to call witnesses and I want them to be put under oath.

Every single witness will be put under oath, and you know that too.

The thing is, when you hear the evidence from someone under oath, you can either believe it or not believe it, but that is the highest evidence. You know, from doing quasi-judicial tribunals, as this one is going to be, that if you get a letter from someone—from Mr. Arnott—that does not have the same weight. If it's an affidavit, it has slightly more, but it never has as much weight as someone who is in front of you, who can be cross-examined.

So I think if we're going to get to the bottom of it, we need to cross-examine the witnesses. We can't say what you have said, that by sitting here beside me, that's good enough, because I cannot cross-examine him, nor can you.

You cannot say that I'm going to take letters from people, because it has a definitively smaller amount of weight, and you know that, as a lawyer.

So it comes down to what the Legislature and the Speaker have asked us to do. They have asked us to conduct a hearing and to put witnesses under oath. That's what they have asked us to do, and I don't understand the obstruction of doing that.

If you can explain to me how you can get the same evidence from a member of the Legislature who is not under oath and not sitting there, tell me how it's done. If you can get the same information from something that is not subject to cross-examination, like this letter from Mr. Arnott, tell me how it's done. I don't think you can.

So that's the issue: Are we conducting a real inquiry, as the Legislature asked us to do, with all of the authorities we have, or are we not? Quite frankly, I told you, if we're not, I intend to take this back to the Legislature.

**The Chair (Mr. Bas Balkissoon):** Mr. Arthurs.

**Mr. Wayne Arthurs:** Sorry, Mr. Chairman, I have nothing further.

**The Chair (Mr. Bas Balkissoon):** I have no more speakers, so I'll take the motion that's—Mr. Miller.

**Mr. Norm Miller:** I don't know whether the parliamentary assistant can give an indication of whether he will support my amendment or not, but I'd appreciate it if he can.

**Mr. Wayne Arthurs:** I did speak earlier to the matter and indicated at that point that I would not be supporting the amendment.

**Mr. John Yakabuski:** Do you speak for the committee—

**Mr. Wayne Arthurs:** Until the vote is called, I guess we don't know.

**The Chair (Mr. Bas Balkissoon):** I have no more speakers, so I'm about to call the motion.

**Mr. Norm Miller:** Subject to standing order 129(a), I call for a 20-minute recess for caucus to discuss this.

**The Chair (Mr. Bas Balkissoon):** I have a request for a 20-minute recess. We'll recess for 20 minutes. We'll be back here at 2:22.

*The committee recessed from 1403 to 1421.*

**The Chair (Mr. Bas Balkissoon):** We'll reconvene the meeting. I have a motion to amend the subcommittee report, and the motion is by Mr. Miller. Does everyone have a copy of the motion?

All in favour of the amendment?

**Interjection:** Recorded vote.

#### Ayes

Jones, Norm Miller, Prue.

#### Nays

Arthurs, Delaney, Dickson, Mangat, Naqvi.

**The Chair (Mr. Bas Balkissoon):** The amendment does not carry.

I'll now take the subcommittee report. Ms. Jones?

**Ms. Sylvia Jones:** May I make a suggestion for an amendment to the subcommittee report that would read, after point 2: "That the committee invite the following witnesses to appear before the committee on Wednesday, May 12, 2010, to be available from 1 p.m. to 3 p.m." Then we have listed currently Tim Shortill, chief of staff to the Minister of Finance, and three OPP officers stationed at doors to the government, Progressive Conservative and New Democratic Party budget lock-up rooms. I would like to add an additional point that would say "and other witnesses as necessary for the work of the committee to be completed."

**The Chair (Mr. Bas Balkissoon):** I have an amendment by Ms. Jones and I'll have it read before I take the vote.

**The Clerk of the Committee (Ms. Tonia Grannum):** Number 2, bullet point—

**Mr. Norm Miller:** I'd just like to add some comments. Obviously, Ms. Jones has a different amendment than the one I put forward, again, wanting to be able to hear from those members who are here today. It doesn't specifically say that but it would allow for Mr. Yakabuski, who is still here, to be able to start the proceedings and get under way. So I will be certainly supporting this amendment to the subcommittee report, Chair.

**Ms. Sylvia Jones:** A point of clarification: The reason I'm bringing forward this amendment is that I am concerned that we are limiting our ability to have a complete overview of what happened on March 25, and it would be my hope that by adding this additional point for other witnesses, as the committee deems necessary, we would actually be able to have a complete overview of the budget lock-up and issues coming forward as a result.

**The Chair (Mr. Bas Balkissoon):** I'm trying to understand. Is your amendment for the other witnesses—that those witnesses make deputation ahead of Mr. Shortill and—

**Ms. Sylvia Jones:** No, it is not that specific.

**The Chair (Mr. Bas Balkissoon):** All right. I just need to clarify the wording.

**Ms. Sylvia Jones:** The wording I have is "and other witnesses as necessary for the work of the committee" to proceed, and it would, of course, be on other days because we are winding down our available time for today, so on other days.

**The Chair (Mr. Bas Balkissoon):** I'll just have the motion read by the clerk again.

**The Clerk of the Committee (Ms. Tonia Grannum):** Point number 2, bullet point number 3, "and other witnesses as necessary for the work of the committee to be completed, on additional days."

**The Chair (Mr. Bas Balkissoon):** Mr. Delaney.

**Mr. Bob Delaney:** A couple of questions of clarification: Is there any limit on the number of witnesses? Are you proposing that witnesses be summoned by the entire committee, a majority of the committee or any one member? That witnesses come for a single appearance or may be called back any number of times? Could you clarify some of those?

**Ms. Sylvia Jones:** Of course. Excellent questions. As is general protocol, I would assume that the additional meeting dates, if necessary, would be a discussion held at the subcommittee level. I would not want to limit the number of witnesses at this point because, of course, we haven't started our deliberations on what in fact occurred on March 25, so I would not want to limit who the witnesses are.

**Mr. Bob Delaney:** So would it then be hypothetically possible that you could call dozens, many dozens or hundreds of witnesses?

**Ms. Sylvia Jones:** The witnesses would, of course, have to be related to and have direct knowledge of the March 25 lock-up and subsequent blocking of members going into the Legislative Assembly—the chamber.

**Mr. Bob Delaney:** And could you define that perhaps a little more closely?

**Mr. John Yakabuski:** Excuse me, Chair. We have a motion on the floor, not a—this is ridiculous. The member is asking what conditions existed on the motion at the subcommittee? The only thing that has been amended is the motion of the subcommittee. For Mr. Delaney to be asking these questions is ridiculous.

**The Chair (Mr. Bas Balkissoon):** Mr. Miller tabled his motion. I allowed further debate. Ms. Jones—

**Mr. John Yakabuski:** A debate is not questions, Chair. If he wants to make a statement, then let him make a statement—

**The Chair (Mr. Bas Balkissoon):** He's asking for clarification.

**Mr. John Yakabuski:** —not sitting here asking questions of the person who tabled the amendment. That is out of order. If he wants to make a statement, so be it.

**Mr. Bob Delaney:** As a matter of fact, Mr. Yakabuski, it is in order.

**The Chair (Mr. Bas Balkissoon):** My understanding is that he asked for clarification, and Ms. Jones was answering his—

**Mr. John Yakabuski:** And he continues to badger the person tabling the amendment.

**The Chair (Mr. Bas Balkissoon):** That's your opinion.

I'll move on. Mr. Naqvi.

**Mr. Yasir Naqvi:** I was going to say that the member doesn't look that badgered. I think she's quite capable of defending herself too. I don't think she needs any help from anybody else.

I was going to ask for a five-minute recess so that we can consider this amendment to the motion. That's what I was going to ask. And can we see the motion in writing, please?

**The Chair (Mr. Bas Balkissoon):** Okay. I'll have it printed and circulated.

I have a request for a five-minute recess, so we'll—

**Mr. John Yakabuski:** Twenty minutes.

**The Chair (Mr. Bas Balkissoon):** I have 20 minutes, so we'll recess until 12 minutes to 3.

*The committee recessed from 1428 to 1449.*

**The Chair (Mr. Bas Balkissoon):** We'll reconvene the meeting. I have a motion by Ms. Jones:

"I move that the sub-committee report be amended by adding the following bullet point to item number 2:

"—and other witnesses as necessary for the work of the committee to be completed, on additional days."

Does everybody understand the motion?

**Mr. Ted Chudleigh:** Recorded vote.

**The Chair (Mr. Bas Balkissoon):** Mr. Naqvi, do you have a question?

**Mr. Yasir Naqvi:** I just want to take the opportunity to thank the OPP officer who came to this proceeding. Unfortunately, he was not able to testify, and that is regrettable. He is, I believe, retired and was on his vacation. He came to speak to this committee. It is regrettable that he was not given the opportunity to speak.

I ask that we call the vote, please.

**The Chair (Mr. Bas Balkissoon):** Okay.

**Mr. John Yakabuski:** Excuse me. Mr. Naqvi wants to make a comment. I think that allows us to make some kind of comment, too. What do you think, Chair?

**The Chair (Mr. Bas Balkissoon):** If you would like to comment, go ahead.

**Mr. John Yakabuski:** Thank you very much. I'm not sure what that was all about, Mr. Naqvi, but it was not our intention to delay the OPP officer in his duties, and we appreciate his appearance here as well. His appearance is very important to these proceedings. Had the members on the government side of the committee moved a little more quickly on our request, those deputations would have been heard today. We never asked for anything that was either unusual or untoward.

If you're trying to imply that the efforts that were made today to get the truth out are the reason that this officer was delayed, that's shameful. Don't try to imply that it was the actions of anyone on this side; it is the actions of your people, who failed to recognize the need to bring the truth forward in the best possible way, ensuring everyone got to speak who had something to offer this committee.

**The Chair (Mr. Bas Balkissoon):** Okay, I'll take the motion.

**Mr. Norm Miller:** Recorded vote.

#### Ayes

Jones, Norm Miller, Prue.

#### Nays

Arthurs, Delaney, Dickson, Mangat, Naqvi.

**The Chair (Mr. Bas Balkissoon):** That amendment is defeated. I'll now take the vote on the subcommittee report.

**Mr. Norm Miller:** Mr. Chair, since the government didn't want to support our reasonable amendment, I would request a 20-minute recess to discuss the subcommittee report.

**The Chair (Mr. Bas Balkissoon):** A 20-minute recess has been requested, but we're going to go beyond 3 o'clock, and we're only here till 3, so we will adjourn and reconvene next Wednesday, which is May 19, at 1 o'clock. Meeting adjourned.

*The committee adjourned at 1452.*





## CONTENTS

Wednesday 12 May 2010

Subcommittee report ..... M-97

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

#### Chair / Président

Mr. Bas Balkissoon (Scarborough–Rouge River L)

#### Vice-Chair / Vice-Président

Mr. Yasir Naqvi (Ottawa Centre / Ottawa-Centre L)

Mr. Bas Balkissoon (Scarborough–Rouge River L)

Mr. Bob Delaney (Mississauga–Streetsville L)

Mr. Joe Dickson (Ajax–Pickering L)

Ms. Sylvia Jones (Dufferin–Caledon PC)

Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton-Sud L)

Mr. Norm Miller (Parry Sound–Muskoka PC)

Mr. Yasir Naqvi (Ottawa Centre / Ottawa-Centre L)

Mr. Michael Prue (Beaches–East York ND)

Mr. Mario Sergio (York West / York-Ouest L)

#### Substitutions / Membres remplaçants

Mr. Wayne Arthurs (Pickering–Scarborough East / Pickering–Scarborough-Est L)

#### Also taking part / Autres participants et participantes

Mr. Ted Chudleigh (Halton PC)

Mr. Ernie Hardeman (Oxford PC)

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke PC)

#### Clerk / Greffière

Ms. Tonia Grannum

#### Staff / Personnel

Mr. Peter Sibenik, procedural clerk,  
Journals and Procedural Research Branch