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**Official Report  
of Debates  
(Hansard)**

Thursday 30 October 2014

**Journal  
des débats  
(Hansard)**

Jeudi 30 octobre 2014

**Standing Committee on  
Justice Policy**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

## STANDING COMMITTEE ON JUSTICE POLICY

## COMITÉ PERMANENT DE LA JUSTICE

Thursday 30 October 2014

Jeudi 30 octobre 2014

*The committee met at 1403 in committee room 1.*

### MEMBERS' PRIVILEGES

**The Chair (Mr. Shafiq Qadri):** Chers collègues, j'appelle à l'ordre cette séance du Comité permanent de la justice. Welcome, colleagues, to the justice policy committee, officially convened on Thursday, October 30. I appreciate all members responding to the call for this meeting on relatively short notice.

Committee business is now before us. Are there any—yes, Mr. Delaney?

**Mr. Bob Delaney:** Thank you, Chair. I have two motions to move, and I'll seek the indulgence of my colleagues. Would you like me to move them both—if you wish to have some time to discuss them, then both will be on the table—or would you like to do them sequentially?

**The Chair (Mr. Shafiq Qadri):** Mr. Tabuns.

**Mr. Peter Tabuns:** I have no difficulty with you moving both. As I've said previously, I'll ask for a 15-minute recess so I can consult with my folks.

**The Chair (Mr. Shafiq Qadri):** Fine. Any comments, gentlemen?

**Mr. John Yakabuski:** We're in concurrence with that.

**The Chair (Mr. Shafiq Qadri):** Okay. Mr. Delaney.

**Mr. Bob Delaney:** Okay. Then, Chair, the first motion reads as follows:

I move that, pursuant to standing order 111(a), the Standing Committee on Justice Policy report its observations and recommendations on the Ministry of Government and Consumer Services concerning the record-keeping practices of ministries and staff of the Ontario government.

**The Chair (Mr. Shafiq Qadri):** Your second motion, Mr. Delaney?

**Mr. Bob Delaney:** Thank you, Chair. The second motion reads:

I move that, pursuant to standing order 111(a), the Standing Committee on Justice Policy report its observations and recommendations on the Ministry of Energy concerning the tendering, planning, commissioning, cancellation and relocation of the Mississauga and Oakville gas plants.

**The Chair (Mr. Shafiq Qadri):** Thank you. Now, do I take it that you'd like the recess now, or would you like to make some comments, Mr. Delaney?

**Mr. John Yakabuski:** Perhaps we could have just a couple of quick questions?

**Mr. Peter Tabuns:** Yes. That would be useful for us.

**Mr. Bob Delaney:** Okay.

**The Chair (Mr. Shafiq Qadri):** Thank you. Mr. Tabuns, then Mr. Yakabuski.

**Mr. Peter Tabuns:** Reports to the Ministry of Energy and reports to the Ministry of Government—sorry. We're reporting back to the Legislature. Correct?

**Mr. Bob Delaney:** Correct.

**Mr. Peter Tabuns:** And why the Ministry of Government and Consumer Services in particular, in regard to record-keeping practices?

**Mr. Bob Delaney:** Because record-keeping practices are the domain of that particular ministry and not the Ministry of Energy. It's worth noting that, while record-keeping practices were not in and of themselves part of the committee's original mandate from the House, it was, in the last Parliament, the will of the majority of the committee, and of my good friends opposite, that we spend some quality time considering that. As the committee reports its findings, it should report them to the ministry which either has or will continue to enact changes and improvements.

**Mr. Peter Tabuns:** I'm assuming that that report to the Ministry of Government and Consumer Services will be a public report.

**Mr. Bob Delaney:** Correct.

**Mr. Peter Tabuns:** As will the other, to the Ministry of Energy.

**Mr. Bob Delaney:** Correct.

**Mr. Peter Tabuns:** So, in other words, they can be tabled in the Legislature as well.

**Mr. Bob Delaney:** Correct.

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Tabuns. The floor now goes to Mr. Yakabuski.

**Mr. John Yakabuski:** He has answered some of my questions—

**The Chair (Mr. Shafiq Qadri):** As he often does.

**Mr. John Yakabuski:** As he often does, and sometimes you do, Chair.

So are we talking about two separate reports here?

**Mr. Bob Delaney:** We can combine them into a report. The individual reports, of course, will be addressed to the applicable ministries. All we're trying to do is to make sure that each ministry receives a discrete document pertaining to the observations and recommen-

dations of the committee pertaining to issues within the purview of that ministry.

**Mr. John Yakabuski:** Because this is our first meeting in some time: Are these motions in keeping with the mandate motions of the committee?

**Mr. Bob Delaney:** In fact, what the two motions recognize is the original mandate of the committee, which was to make recommendations back to the Legislature on the committee's findings on the tendering, planning, commissioning, cancellation etc.—

**Mr. John Yakabuski:** Yes. Do we have a copy? Do we have that?

**The Chair (Mr. Shafiq Qadri):** Actually, Mr. Yakabuski, just let me intervene for a moment. Because we are essentially reconvening after the new session for the first time etc., we essentially have, at this moment, no mandate. However, if you notice in the motions, very strategically placed, it says, "Pursuant to standing order 111(a)." That's essentially the referral of this material to us.

**Mr. John Yakabuski:** Understood. I recognize that. I mean, they're two separate Parliaments; one died and one has been born. But we must have the record of the original mandate. I'd just like to be able to compare them.

**The Clerk of the Committee (Ms. Tamara Poman-ski):** Actually, I do have a copy of the original mandate from the last Parliament.

**Mr. John Yakabuski:** Okay.

**The Clerk of the Committee (Ms. Tamara Poman-ski):** I can get a copy for you—

**The Chair (Mr. Shafiq Qadri):** Do you want me to read it, to refresh everyone's mind?

**Mr. John Yakabuski:** Yes. I just want to make sure that it's in keeping with what the mandate of the committee was when we were first tasked, so that it's consistent—

**The Chair (Mr. Shafiq Qadri):** A perfectly valid request. We are currently locating the mandate.

So the previous mandate of the previous justice policy committee in the previous Parliament—would you like me to read the two pages? I'm happy to do that.

**Mr. John Yakabuski:** That's the whole thing? If you just pass it over, I can take a look at it.

**The Chair (Mr. Shafiq Qadri):** I'd be honoured to do so.

**Mr. John Yakabuski:** Thank you very much. Do you want a copy, Peter?

**Mr. Peter Tabuns:** I would.

**Mr. John Yakabuski:** Okay. I can give you this in a minute, if you want.

**Mr. Peter Tabuns:** Sure, unless the Clerk has another copy.

**Mr. John Yakabuski:** Okay. I appreciate this. But at each one of our meetings, there was also a much shorter—

**The Clerk of the Committee (Ms. Tamara Poman-ski):** An agenda.

**Mr. John Yakabuski:** That's right, on the agendas, which, from time to time—

**The Chair (Mr. Shafiq Qadri):** You would appreciate the shorter version?

**Mr. John Yakabuski:** —from time to time, Mr. Delaney would call a point of order if he thought I was drifting.

**Mr. Bob Delaney:** Only when you were actually present.

**Mr. John Yakabuski:** So that's the one that I wanted to compare it with as well.

**The Chair (Mr. Shafiq Qadri):** All right. The collective wisdom here is earnestly asking for a recess in order to locate this shorter version. So a 10-minute recess?

**Mr. Bob Delaney:** Do you want to have this as your recess, or do you want to have two in a row? It's up to you.

**Mr. Peter Tabuns:** Well, it would be useful for us to have that documentation. I would like a 15-minute recess, in any event, to go and talk with my House leader.

**The Chair (Mr. Shafiq Qadri):** Fine. So a 10-minute recess—

**Mr. Peter Tabuns:** Fifteen.

**The Chair (Mr. Shafiq Qadri):** —for the document, to be followed by a 15-minute recess further.

**Mr. Peter Tabuns:** Fine.

**The Chair (Mr. Shafiq Qadri):** Fine. Ten minutes.

*The committee recessed from 1412 to 1423.*

**The Chair (Mr. Shafiq Qadri):** Thank you, colleagues. We reconvene officially. Our able Clerk has distributed the short version, the précis version, of the mandate. It was on the agenda that there would be another 15-minute recess, I think, called by Mr. Tabuns. Mr. Tabuns, are you still going to call that recess?

**Mr. Peter Tabuns:** I need no further recess, Chair, but I do have a question.

**The Chair (Mr. Shafiq Qadri):** Thank you. Mr. Yakabuski, we just want to be clear that you're cool with not having this further 15-minute recess?

**Mr. John Yakabuski:** "Cool" would be the word, Chair. Yes, "cool" would be the word.

**The Chair (Mr. Shafiq Qadri):** Excellent. All right; fair enough.

So, Mr. Tabuns, you have a question. Please proceed.

**Mr. Peter Tabuns:** I just want to understand whether or not adoption of either of these motions would preclude further calling of witnesses before this committee.

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Tabuns. I will seek an answer.

For some kind of theoretical reasons, we'll rule on that once these pass—if they pass, should they pass.

**Mr. Peter Tabuns:** I actually, Chair, have to ask you to give us a ruling at this point because it may affect the way I vote.

**The Chair (Mr. Shafiq Qadri):** Thank you, Mr. Tabuns.

**Mr. John Yakabuski:** I concur.

**The Chair (Mr. Shafiq Qaadri):** And we have yet another concurrence from Mr. Yakabuski. Fair enough.

Mr. Tabuns, my comprehension of what's happening currently is that these motions would need to pass—should they pass—and then the subsequent motion, which you haven't officially presented to the committee—

**Mr. Peter Tabuns:** That's an amendment.

**The Chair (Mr. Shafiq Qaadri):** I'm sorry, an amendment—would be debatable.

**Mr. John Yakabuski:** We're just asking the question if—

**The Chair (Mr. Shafiq Qaadri):** Understood. If these motions pass—

**Mr. John Yakabuski:** My understanding is that Mr. Tabuns is simply asking the question that, do these motions, as they stand—would they, if passed, preclude us from calling other witnesses while the report writing is going on, or would we still be allowed to call witnesses while the report writing stage is going on?

**The Chair (Mr. Shafiq Qaadri):** Thank you. The question has been understood.

**Mr. Bob Delaney:** Chair?

**The Chair (Mr. Shafiq Qaadri):** The question has been understood, but not necessarily the answer.

Anyway, Mr. Delaney.

**Mr. Bob Delaney:** I understand the reason that my colleagues are asking the question, so perhaps I can provide a little bit of clarity on it. The two motions before us seek what is to be done. The motion that the government needs to introduce following the passage of these, as alluded to by the Clerk, will provide clarity onto the how. So the question raised by Mr. Yakabuski and Mr. Tabuns is a “how” question, but not a “what” question, and these two motions before us are, “What is it that we're going to do?”

**The Chair (Mr. Shafiq Qaadri):** I think, procedurally, we are not prepared to rule on something until it is actually presented.

So, with that, do we wish to offer Mr. Tabuns the floor to present his amendment?

*Interjection.*

**The Chair (Mr. Shafiq Qaadri):** Should it be the will of the committee to debate the motion? Yes, Mr. Tabuns.

**Mr. Peter Tabuns:** Mr. Chair, just going back: I need to know whether you would rule something out of order. I can count, and I have some certainty that I'd probably get two votes voting with me, but I have a great deal of confidence that there will be five votes against me. I want to know, Chair, whether you would rule a motion out of order in the future that would call for witnesses, or would you allow that motion to go forward and be voted on.

**The Chair (Mr. Shafiq Qaadri):** I would like to know, too, Mr. Tabuns.

*Interjections.*

**The Chair (Mr. Shafiq Qaadri):** All right. We will need a recess—10 minutes, approximately.

**Mr. Peter Tabuns:** Fine.

**Mr. John Yakabuski:** Can we do it in five?

**Mr. Peter Tabuns:** Give him 10.

**Mr. John Yakabuski:** Okay.

**The Chair (Mr. Shafiq Qaadri):** Ten minutes.

*The committee recessed from 1428 to 1439.*

**The Chair (Mr. Shafiq Qaadri):** Thank you, colleagues. So now, theory into practice: We will now deal with motion 1 as originally read by Mr. Delaney, which is the one that refers to the Ministry of Government and Consumer Services.

**Mr. Peter Tabuns:** Mr. Qaadri?

**The Chair (Mr. Shafiq Qaadri):** Yes, Mr. Tabuns.

**Mr. Peter Tabuns:** Mr. Chair, before you proceed, it is my understanding—and correct me if I'm wrong—that adoption of the two motions before us would not preclude, would not mean a ruling out of order of a future motion to call witnesses.

**The Chair (Mr. Shafiq Qaadri):** Correct.

**Mr. Peter Tabuns:** Fine.

**The Chair (Mr. Shafiq Qaadri):** If the Chair can make a connection, which you will no doubt be inspired to do.

**Mr. Peter Tabuns:** I will try to inspire you. I'll do my best to inspire you.

**Mr. John Yakabuski:** I'll work with you.

**The Chair (Mr. Shafiq Qaadri):** So we now have motion 1 before the floor. Are there comments, questions before we move to the vote?

**Mr. Peter Tabuns:** Sorry, this is the—

**The Chair (Mr. Shafiq Qaadri):** Motion 1, the one that refers to the Ministry of Government Services. Mr. Delaney, would you kindly move it again?

**Mr. Bob Delaney:** Just for clarity, Chair. The motion before the floor reads as follows: I move that, pursuant to standing order 111(a), the Standing Committee on Justice Policy report its observations and recommendations on the Ministry of Government and Consumer Services concerning the record-keeping practices of ministries and staff of the Ontario government.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Delaney. Debate, questions, comments? Otherwise we proceed to the vote. Mr. Yakabuski or Mr. Tabuns, the floor? Fair enough. Those in favour of motion 1? Those opposed? Motion 1 carries.

Mr. Delaney, motion 2, please.

**Mr. Bob Delaney:** Thank you, Chair. The motion before the floor reads as follows: I move that, pursuant to standing order 111(a), the Standing Committee on Justice Policy report its observations and recommendations on the Ministry of Energy concerning the tendering, planning, commissioning, cancellation and relocation of the Mississauga and Oakville gas plants.

**The Chair (M. Shafiq Qaadri):** Merci, monsieur Delaney.

Avant le vote, des questions? Débat? Pas du tout?

If not, we proceed to the vote. Those in favour of motion 2 as read? Those opposed? Motion 2 carries.

The floor is now open. Mr. Delaney.

**Mr. Bob Delaney:** Chair, I'd like to move the following:

I move that the committee consider its standing order 111 study on the Ministry of Energy and its standing order 111 study on the Ministry of Government and Consumer Services concurrently and that the committee combine its findings into a single report to the House;

That the committee consider the applicable oral and written submissions made to the Standing Committee on Justice Policy in the 40th Parliament during its consideration of these matters;

That the committee enter in camera meetings for the purpose of report writing and that two staff members from each party be permitted to attend in camera meetings;

That in the event a report has not yet been approved by the committee by December 11, 2014, the committee proceed to consider other matters before the committee;

That any member of this committee wishing to provide written recommendations to the Clerk of the Committee with respect to the outline of the report do so within one week after the passage of this motion; and

That any member of this committee wishing to provide written recommendations for the content of the report to the Clerk of the Committee do so within three weeks of the passage of this motion.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Delaney.

Comments? Mr. Yakabuski and then Mr. Tabuns.

**Mr. John Yakabuski:** Thank you, Chair. The last two paragraphs—“that any member of this committee wishing to provide written recommendations ... do so within one week after the passage”—that would be just an undertaking that we will be providing recommendations?

**Mr. Bob Delaney:** That would be the provision of the recommendations. The first clause—that would be clause number 5—is for all practical purposes the table of contents; in other words, one week to talk about the table of contents and three weeks from the passage of this motion with regard to the content.

**The Chair (Mr. Shafiq Qaadri):** I think what Mr. Yakabuski is asking—I’m not sure if that’s what you’re answering—is: Do you want the full comments finished within that time frame or simply express the intention to?

**Mr. Bob Delaney:** Finished.

**Mr. John Yakabuski:** Finished—within three weeks. We need to have our contents for this report in three weeks?

**Mr. Bob Delaney:** Yes.

**Mr. John Yakabuski:** And then that would be—

**Mr. Bob Delaney:** Remember, you’ve got a free week in there in constit week, too.

**Mr. John Yakabuski:** Yes, I realize that, but we would then be voting as to whether those contents would be part of the report?

**Mr. Bob Delaney:** At that point, you should provide your comments to the Clerk of the Committee, and then we can combine those findings into a report.

Did I answer that question fully?

**The Chair (Mr. Shafiq Qaadri):** Just a moment: Mr. Tabuns, you have the floor. Dr. Parker wants to say something, and then Mr. Delaney.

**Mr. Peter Tabuns:** I just want to make sure: Is there a preclusion of provision of a minority report? If we don’t accept this report as written by the committee, as voted on by the committee, I’ve assumed that a minority report could be tacked on, as is fairly common. I want to make sure this motion doesn’t prevent that from happening.

**Mr. Bob Delaney:** Absolutely, it does not prevent that. I cannot imagine any reason you would wish to disagree with the government, but in the remote event that you do—

**The Chair (Mr. Shafiq Qaadri):** Just to be clear, there is no such thing as a minority report—only in Hollywood. If there is dissent—

**Mr. Bob Delaney:** A dissenting report.

**The Chair (Mr. Shafiq Qaadri):**—then it will be dissenting opinion. That will also be captured.

**Mr. Peter Tabuns:** Fine: dissenting opinion. Good language. I appreciate it.

**Mr. John Yakabuski:** In the report?

**Mr. Bob Delaney:** Yes.

**Mr. John Yakabuski:** It would be captured in the report.

**The Chair (Mr. Shafiq Qaadri):** Yes.

**Mr. Bob Delaney:** So in the remote event that the two opposition parties—

*Interjection.*

**The Chair (Mr. Shafiq Qaadri):** Dissenting opinions received from each caucus individually, as I understand, will be captured in the report—

**The Clerk of the Committee (Ms. Tamara Poman-ski):** Can be—

**The Chair (Mr. Shafiq Qaadri):** Can be captured in the report—most likely, I would presume, in an appendix?

**The Clerk of the Committee (Ms. Tamara Poman-ski):** They’re at the end. They’re at the back.

**The Chair (Mr. Shafiq Qaadri):** They’re at the end, at the back, not necessarily in an appendix.

**Mr. Peter Tabuns:** But they’re where I always go first when reading a report.

**Mr. John Yakabuski:** Get to the conclusions, right?

**The Chair (Mr. Shafiq Qaadri):** Mr. Parker.

**Mr. Jeff Parker:** Thank you, Chair. Because the research officer nominally has the responsibility to assemble the recommendations of the committee, if you don’t mind, Mr. Delaney, I’d just like to clarify a few things about your timeline, given that it’s very specific. That would mean written recommendations on November 6, should the motion pass today. Now, from that date, would you then want certain elements drafted by the research officer, or would you be waiting until November 20, when recommendations are given, for these either to be assembled or edited in any form—consolidated? Just to get a sense of what you’re expecting here.

**Mr. Bob Delaney:** Could you ask the various things that you’re not sure of, and we’ll take a brief recess? Let’s make sure that we all understand what the motion truly does ask.

Were there any other things that you want clarification on?

**Mr. Jeff Parker:** The first thing is: Will you want certain sections, such as a summary of the witness testimony or those sorts of things, begun on November 6, once we have an idea of the elements that the members want included in the report?

**Mr. John Yakabuski:** There are two years of hearings on this thing. I don't know how we can do that.

**Mr. Jeff Parker:** The second thing is: When we get the recommendations, is the committee looking to have recommendations from all parties, perhaps ones that are from different perspectives, or will the committee be trying to edit it down to a single, coherent set of recommendations? The reason that's important is because if we get those recommendations on November 20, the next available time we will have to debate those recommendations as part of a consolidated draft, at the earliest, would be November 27, the next meeting, which would give us two weeks before the deadline. I'm just making sure that the committee has enough time to discuss these recommendations so that we are able to make the changes that you request and get you this document back by the deadline that we're trying to set on the motion here.

**Mr. Bob Delaney:** Okay. All right. Anything else?

**Mr. Jeff Parker:** I believe those are the two biggest things. I think the final thing, and Tamara can tell me if I'm stepping on her toes here: This simply has to be adopted by the committee on December 11, and not printed or translated or anything else? Because that adds another significant—

**Mr. Bob Delaney:** That is correct. It has to be adopted by the committee, but not at that time printed, translated and whatever else. Okay?

**Mr. Jeff Parker:** Okay. Thanks.

**The Chair (Mr. Shafiq Qaadri):** Mr. Tabuns.

**Mr. Peter Tabuns:** Given some staffing considerations that we're facing right now, and that is that people who have worked most closely on this file are off ill, I'd ask some timing changes: that, instead of one week to provide written recommendations, it be two weeks; and that the written recommendations—sorry, in the last paragraph—go from three to four weeks. And I have to ask: December 11, 2014—would the government be open to making that February 28, 2015?

**Mr. Bob Delaney:** Anything else?

**The Chair (Mr. Shafiq Qaadri):** Mr. Tabuns, are those theoretical questions or do you want those actually proposed as amendments—

**Mr. Peter Tabuns:** I propose them as amendments, but I've put them forward to ask the government if this is something that they're open to.

**Mr. Bob Delaney:** So before you actually propose them as amendments, why don't we take a brief recess to explore some of the questions that you've raised? Then we'll come back and determine whether or not it would be a good idea for you to propose them as an amendment or whether there's something in there that we can find to work on.

**Mr. Peter Tabuns:** I think you might find it as a friendly amendment.

**Mr. Bob Delaney:** Yes.

**The Chair (Mr. Shafiq Qaadri):** Five minutes? Ten minutes?

**Mr. John Yakabuski:** Five.

**Mr. Bob Delaney:** I think five should be fine.

**The Chair (Mr. Shafiq Qaadri):** Five minutes.

*The committee recessed from 1450 to 1459.*

**The Chair (Mr. Shafiq Qaadri):** Thank you, colleagues. The thread is where it is.

**Mr. Bob Delaney:** Chair?

**The Chair (Mr. Shafiq Qaadri):** Yes, Mr. Delaney?

**Mr. Bob Delaney:** During the recess, I discussed with my colleagues, and the government wishes to move an amendment to its motion. The amendment is:

I move that in clause number 6, the text shall read: "report to the Clerk of the Committee do so within four weeks of the passage of this motion."

This changes the timeline from three weeks to four.

**The Chair (Mr. Shafiq Qaadri):** Thank you. We'll need it in writing.

**Mr. Bob Delaney:** Yes.

**The Chair (Mr. Shafiq Qaadri):** So please write.

*Interjections.*

**The Chair (Mr. Shafiq Qaadri):** Do members need a copy of the amended motion or can we grasp the "three" to "four" changeover?

**Mr. Peter Tabuns:** We're good.

**Mr. John Yakabuski:** We're good.

**The Chair (Mr. Shafiq Qaadri):** Mr. Tabuns.

**Mr. Peter Tabuns:** I, too, have amendments, Mr. Chair.

**The Chair (Mr. Shafiq Qaadri):** We need to deal with this amendment—

*Interjection.*

**The Chair (Mr. Shafiq Qaadri):** Is it an amendment to the amendment or is it an amendment to the motion?

**Mr. Peter Tabuns:** What's been put forward by Mr. Delaney, I have no difficulty with.

**The Chair (Mr. Shafiq Qaadri):** Fine. So we'll deal with Mr. Delaney's amendment, the change from three to four weeks. Is there any further discussion, debate, issues? Mr. Parker.

**Mr. Jeff Parker:** Just to clarify: That would make it November 27 as the due date for recommendations. At the danger of pre-empting the committee's wisdom, should the final deadline of the report not change, December 11? That would give us exactly one week to consider the actual draft report, because I could not guarantee you the draft of it before one week after the 27th. Even that is a very tight timeline, depending on what other elements you ask for in the report, which means we'd have December 4 and that it is. Again, I may be pre-empting the will of the committee, but I want to be clear on scheduling.

**Mr. Bob Delaney:** We will do our best to expedite your work and to make your job as easy as we can.

**Mr. Jeff Parker:** I serve the committee.

**The Chair (Mr. Shafiq Qaadri):** Any further issues on this amendment, “three” to “four”? Seeing none, those in favour of this amendment? Those opposed? This amendment carries. The original motion is now “within four weeks.”

Mr. Tabuns.

**Mr. Peter Tabuns:** Chair, I move that the date of approval by the committee—I think that’s in paragraph 4—be changed from December 11, 2014, to February 26, 2015, which is a Thursday.

**The Chair (Mr. Shafiq Qaadri):** Twenty fourteen, I presume.

**Mr. Peter Tabuns:** It’s 2015.

**Mr. John Yakabuski:** February 2014 is gone. You can’t bring it back.

**Mr. Peter Tabuns:** Yes. It was a good month.

**The Chair (Mr. Shafiq Qaadri):** Thank you. So December—sorry, could you just—

**Mr. Peter Tabuns:** From December 11, 2014, which is a month and a half from now—revise that to February 26, 2015.

**The Chair (Mr. Shafiq Qaadri):** Thank you.

**Mr. John Yakabuski:** That’s a good amendment. That’s one that I think anybody could support.

**The Chair (Mr. Shafiq Qaadri):** Thank you—and again, please, in writing.

*Interjection.*

**The Chair (Mr. Shafiq Qaadri):** Do the members need a copy of this amendment, this proposal? Or can we absorb the fact—

*Interjections.*

**Mr. John Yakabuski:** No, and I’m sure the other side is equally as—

**The Chair (Mr. Shafiq Qaadri):** Agile?

**Mr. John Yakabuski:** —attentive. They’ve been listening, right?

**Mr. Bob Delaney:** We understand the intent and the letter of the amendment.

**The Chair (Mr. Shafiq Qaadri):** Thank you. Is there any further issue, question, debate, comments on this particular amendment by Mr. Tabuns? To be clear, it’s February 26, 2015.

**Mr. Peter Tabuns:** Recorded vote.

### Ayes

MacLaren, Tabuns, Yakabuski.

### Nays

Anderson, Berardinetti, Delaney, Naidoo-Harris, Potts.

**The Chair (Mr. Shafiq Qaadri):** Regrettably, the amendment is defeated.

**Mr. Peter Tabuns:** I didn’t see that coming.

**Mr. John Yakabuski:** Me neither.

**Mr. Peter Tabuns:** I have a further amendment.

**The Chair (Mr. Shafiq Qaadri):** Mr. Tabuns.

**Mr. Peter Tabuns:** That the committee call witnesses Laura Miller and Peter Faist to testify before the committee while the report writing process proceeds.

**The Chair (Mr. Shafiq Qaadri):** I understand that we do have this in writing, all ready to be distributed.

*Interjections.*

**The Chair (Mr. Shafiq Qaadri):** The motion has been distributed. Mr. Tabuns, would you like to make any further comments before we open it up for others to do so?

**Mr. Peter Tabuns:** I would, and I will be brief. The actions related to the clearing of records on computers in the former Premier’s office are of consequence to this committee and of consequence to its comments on record-keeping on the material that was provided to us. I think it’s incumbent upon us, as we have previously, to call these witnesses before us. As you will remember in the past, Mr. Chair, these witnesses ultimately did agree to come before this committee. I think it’s our job to complete that part of our interview.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Tabuns.

Further comments? Mr. Yakabuski.

**Mr. John Yakabuski:** Thank you very much, Mr. Chair. I want to thank my friend Mr. Tabuns for making this motion. I support it very, very strongly, and for the same reasons that he does.

I might want to add that it has been an issue that has been somewhat of a bone of contention between ourselves and the government side since the Parliament was convened in July. We have been consistent in our ask that we want this committee to finish its work, but it is beyond us how we can possibly finish that work if we don’t hear from these two key witnesses. As Mr. Tabuns indicated, with one of the motions that the government themselves have voted pertaining to record-keeping practices, how can we possibly make sound recommendations on those record-keeping practices if we’re not going to hear from the people who were most involved? They have the greatest understanding as to what happened with regard to the deletion of records in the Premier’s office. So from our point of view, this is a necessary amendment, and we will be supporting it fully.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Yakabuski.

Further comments? Mr. Delaney.

**Mr. Bob Delaney:** Thank you, Chair. The subject of this amendment is now the focus of an investigation by the OPP, which should pursue its investigation independently. This exact matter, having been previously debated and decided in the House—the government will not support this amendment.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Delaney. Are there any further comments before we proceed to the vote on Mr. Tabuns’s proposed amendment, as read?

**Mr. Peter Tabuns:** A recorded vote is all I ask.

**The Chair (Mr. Shafiq Qaadri):** A recorded vote.

Mr. Yakabuski.



**Mr. John Yakabuski:** To Mr. Delaney's comments that this is the subject of an investigation by the OPP: Why would we want to complete this report prior to the completion of that OPP investigation? That could change dramatically, it could change materially, the findings of this committee with respect to the gas plant cancellation and relocation.

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mr. Yakabuski.

We'll proceed to the vote. Any further comments?  
A recorded vote, as requested by Mr. Tabuns.

#### Ayes

MacLaren, Tabuns, Yakabuski.

#### Nays

Anderson, Berardinetti, Delaney, Naidoo-Harris, Potts.

**The Chair (Mr. Shafiq Qaadri):** The amendment falls.

If we are ready to proceed, we'll now vote on the main motion, as amended, unless there are further comments or questions.

**Mr. Peter Tabuns:** Just a recorded vote.

**The Chair (Mr. Shafiq Qaadri):** A recorded vote.

#### Ayes

Anderson, Berardinetti, Delaney, Naidoo-Harris, Potts.

#### Nays

MacLaren, Tabuns, Yakabuski.

**The Chair (Mr. Shafiq Qaadri):** The main motion, as amended, carries.

Is there any further official business before this committee?

**Mr. Bob Delaney:** Motion to adjourn.

**The Chair (Mr. Shafiq Qaadri):** Motion to adjourn? Thank you, colleagues. Adjourned.

*The committee adjourned at 1508.*





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