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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 10 June 2002**

**Lundi 10 juin 2002**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 10 June 2002

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 10 juin 2002

*The House met at 1845.*

**ORDERS OF THE DAY**

BUILDING CODE STATUTE  
LAW AMENDMENT ACT, 2002  
LOI DE 2002 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE CODE DU BÂTIMENT

Resuming the debate adjourned on June 6, 2002, on the motion for second reading of Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement / Projet de loi 124, Loi visant à améliorer la sécurité publique et à accroître l'efficacité dans l'exécution du code du bâtiment.

**Hon John R. Baird (Associate Minister of Francophone Affairs):** I want to hear the rest of the speech Rosario Marchese was giving.

**The Deputy Speaker (Mr David Christopherson):** I'm advised that Mr Marchese last had the floor when we had this bill in front of us, but in light of the circumstance right now, we will move to the government members. Debate? OK. Over to the official opposition.

**Interjection:** We've spoken.

**The Deputy Speaker:** What about Mr Prue?

**Interjection:** He's spoken too.

**The Deputy Speaker:** I'm advised you've already spoken.

**Mr Michael Prue (Beaches-East York):** Perhaps I should seek clarification from the Speaker: I had spoken for about 20 minutes of the leadoff hour, and I'm given to understand that at some point in the debate—

*Interjection.*

**The Deputy Speaker:** I can't hear you. Would the government whip please be quiet. Sorry, say that again.

**Mr Prue:** I led off the speeches. It was to have been a one-hour speech, and there were only about 20 minutes on the clock. I'm back here today, but there have been some events that have unfolded. I am not exactly sure, but I understand I may have approximately 38 minutes left.

**The Deputy Speaker:** I'll check. Take your seat, please.

Member for Beaches-East York, I am advised, and have looked at the record myself, that indeed you did have time remaining when you spoke. But since then the

bill has been back in front of the House and rotation has continued. The last person who had the floor was the member for Trinity-Spadina, who at this moment is not able to resume the floor. Therefore, it goes to the government and, if they choose not to speak, to the official opposition.

Member for York West, you've already spoken.

**Mr Mario Sergio (York West):** I believe I have about 10 minutes left to speak on this bill.

**The Deputy Speaker:** I'm advised by the table that you do not.

**Mr Sergio:** May I ask the assistance of the table, please, to see if I have any time left?

**The Deputy Speaker:** That's already been done, and they're advising me that you do not. I wouldn't make these things up. I have to ask you to please take your seat.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: I don't mind consenting to give Mr Prue his 40 minutes if he wants.

**Mr Gilles Bisson (Timmins-James Bay):** I'm here now. It's OK.

**Hon Mr Stockwell:** I'm offering it now, 40 minutes if he wants it. I can't claim I'm going to be this generous in the future.

**The Deputy Speaker:** Member for Beaches-East York, the government House leader has offered. Do you want me to test the House on this or not? No.

**Mr Bisson:** On a point of order, Speaker: There was an agreement of the House leaders that when the rotation came back to my friend, he would be allowed to do the remainder of his lead. I'm here now, ready to go in regular rotation.

**The Deputy Speaker:** Well, if there are no speakers on the government side and none on the official opposition side, then I will recognize the member for Timmins-James Bay. Let's get on with this.

**1850**

**Mr Bisson:** I want to say at the outset of this debate, having run up from downstairs—it's amazing how quickly you can run from the north wing when you need to—in regard to this bill, the Building Code Statute Law Amendment Act, most members would agree that when builders, planners and developers are putting together projects you need to have a system that allows quick and speedy passage of the various permits that people need in order to go ahead and put their projects in place. I guess what kind of bothers me sometimes when the govern-

ment brings in these kinds of bills is that they try to make it look as if, “Oh, my God, up until the time the government came along, everything was terrible in Ontario. People were not able to build in this province until the Tories got here, so we need to bring this legislation in to fix this huge mess.”

For the record, there are many municipalities out there that are doing a very good job when it comes to making sure that the interface between the building departments and/or the contractors or developers out there is actually a very good one. I think it was last Saturday or Friday that I was talking to Lionel Bonhomme, who is a developer in our community and who talked about the city of Timmins and about how Timmins has very much improved its record when it comes to interfacing with the builders and developers. He was actually saying he had brought in a particular application for something he was doing and was quite pleased to see the city of Timmins turn that whole thing around in a period of less than two weeks. He said, “It really speaks volumes of the professionalism of the people who work at the city of Timmins in the building department in order to make things like that happen.” Certainly in Lionel’s case I can tell you there were many occasions in the past when Lionel was sometimes at his wits’ end in trying to deal with the city and, along with other developers, at times had a very hard time getting the type of permitting or the kinds of decisions they needed in order to move projects ahead. I’m pleased to see that the city of Timmins has really done a good job in cleaning all that up and that we now see in the city of Timmins a turnaround as quick as that which we saw in that particular project.

The reason I raise that is just to let the government know there are cities out there that are already doing a pretty good job. It’s not your legislation that’s going to make the situation any better. The point I want to make is that you try to portray this as being a bill that, if it wasn’t for you guys doing it, nothing would ever happen in Ontario. I just want to let you know that the city of Timmins is doing a fairly good job there as it is already.

Does that mean to say there’s nothing good in this bill? Of course not. There are some good things in this bill, and we need to take the time to make sure people know what they are and we make those particular rules work. But I just want to put out on the record at the very beginning that we shouldn’t get into this debate of, “Oh, my God, everything was terrible in Ontario until we brought in this legislation,” because, as my good friend from North Bay knows, there’s a lot of good work done by municipalities already. I would see this is a step in order to help those municipalities do things even better. So let’s put that into the context of the bill.

Second, this bill doesn’t impact on Ontarians with disabilities. We had a real opportunity in this bill, if we had so chosen, to say that if we’re serious about providing real access in regard to Ontarians with disabilities, this was an opportunity to put inside a bill mechanisms and real ways of making sure Ontario cities, towns and villages become much more accessible to the disabled

community in Ontario. We know that back a ways the government introduced an Ontarians with Disabilities Act. We argued at the time that it didn’t have a lot of teeth in it. Yes, it was a step in the right direction, but other than just saying, “Yes, we feel good and we want to do something nice,” when you look at the contents of the Ontarians with Disabilities Act, there wasn’t really a lot there to assist Ontarians with disabilities.

I know that my good friend Mr Prue, when he gets an opportunity to speak, is going to find himself in a position where he would like to see in this particular bill real, concrete steps made in order to deal with making sure Ontarians with disabilities have a mechanism by way of some of the changes in this bill to deal with some of the issues that are important to them. I realize that’s part of the Planning Act issue, but this would have been an opportunity to open part of the Planning Act to do that.

Mr Speaker, I wonder if you would just check for quorum, please.

**The Deputy Speaker:** Of course. Would the table please check for quorum?

**Clerk at the Table (Mr Todd Decker):** Quorum is present, Speaker.

**The Deputy Speaker:** Thank you. The member for Timmins-James Bay, please continue.

**Mr Bisson:** Thank you very much, Mr Speaker. I did think there was a quorum. I was just double-checking the ability of the table to count as quickly as I did.

So I will just say there was an opportunity in this bill to make sure that we really do something for the community in this province that is most in need of support, and that is Ontarians with disabilities. We could have, by way of this bill, also opened up the Planning Act in order to really give teeth to the Ontarians with Disabilities Act so that Ontarians who have disabilities could have dealt with some of the very basic issues in order to make a municipality more accessible.

I was proud, as you were, Mr Speaker, to be a member of the NDP government that did a whole bunch in the Planning Act when it came to making sure—just simple things, like when we go out and buy a bus on the part of the city that we go into buying low-risers. Now, I admit there were some difficulties in doing that, because the technology wasn’t all that developed and there were some problems with some of the models through the Orion bus line. But the point is, we had done a number of things like that, policies that said, “When you’re buying a bus, make it accessible. When you’re building a sidewalk, make sure to cut down the curb. Do the simple things you have to do when you’re planning in order to make sure the municipalities are made more accessible.” I think this would have been an opportunity for this government to do that. I just say it’s unfortunate that we didn’t do that with the disability issue.

The other main provision of this bill is the ability of municipalities to contract out the building inspections and plan review work toward what they call a registered code agency, an RCA. This is one I have some difficulty

with. If we want to develop a better environment within municipalities by way of rules to allow people who are developing etc to have less difficulty in trying to do developments, I think we can all accept that from all sides of the House. But what this basically is, this whole idea of developing a registered code agency, is nothing more than allowing—not allowing; it's not even a question of allowing. It's almost mandating municipalities to contract out much of the work that the planners are doing now within the cities.

I know my good friend Mr McDonald across the way, who sat on North Bay city council for a short while, would attest that the people who work for the city of North Bay, as my friend the former mayor of North York, Mr Prue, would know—

**Mr Prue:** East York.

**Mr Bisson:** East York. Sorry. I got the wrong—

**Mr Prue:** I don't look like Mel.

**Mr Bisson:** You don't look like Mel. I'm sorry. Let me get that real straight. No-o-o-body looks like Mel.

I would just say that there's a lot of good work done in municipalities, and what this bill's going to do, de facto, is force some municipalities to contract out work that is presently being done by their own building departments. I think that is really sad, because that's a bit of a slap in the face to the people who work in building departments. Those people are professional. Yes, at times they're a pain. I know. I've been in contracting for a while, and there were plenty of times when I was frustrated with building departments in various municipalities because they didn't give me what I wanted when I needed it. But you know, quite frankly, there were probably some good reasons why they rejected some of those plans. Sometimes we're trying to cut a few corners in order to make sure that we bring in the project as close to its cost and under as possible to make money for employers, and sometimes we tend to try to cut corners.

What this will do, I am afraid, by moving to these registered code agencies is that first of all it is going to be divesting from municipalities work that's now done by building departments directly over to these contracted-out firms. I think that's wrong, because I think it's a slap in the face to the people who work in building departments. It's almost like saying, "You guys"—or women—"are either too tough or you don't know what you're doing, so therefore we've got to give it to somebody else."

But here's the other thing that I'm really worried about. If you move to a registered code agency, there is going to be competition, I can guarantee you, within the building community in order to shop around to find the registered code agency that's the most user-friendly. Registered code agencies that are out there will go around not by way of direct advertisement, but certainly by way of talking it up within the building community: "if you come to us, we'll give you the least amount of trouble." I think that's really dangerous, because what you could be getting into is in fact a lesser ability on the part of those RCAs to really do their job, to make sure

that the codes are being followed by the province of Ontario, to make sure that building projects, once they're built, are projects that are quite frankly doing construction in a way that's safe for the people those buildings are going to serve.

What you're going to end up with is a sort of competition. Contractors are going to say, "Well, you know what? I can choose to go to two or three different registered code agencies, the people who will do all the approval of the plans." You can go to code agency A, but, "We know they're tough as heck. They watch everything. They dot every i and they cross every t in the building application." You can go to registered code agency B, and they're not so bad. But if you go to this other one, they're just really easy to get along with. They're not going to get caught up in all these technical things and they're just going to let you go through this process speedily.

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What's that going to do is lessen, I think, an onus to make sure that buildings that are built are followed to code. Why is that important? We have put those codes in place for a very good reason. You would know, Mr Speaker, as a former Solicitor General, that often building codes are developed out of coroners' inquests.

Let's say there's some sort of a disaster, like a fire in a building, and they go through the building after the fire and they do an inspection. They find out, "Oh, my God, this building burned down because of this particular system" that may not be a really good one and not properly installed or something that was put together and wasn't quite done right, and the building caught fire. Often what ended up happening was the coroner's inquest would catch that and then make recommendations to the province to make some sort of code to make building safer in the future so you don't have that same type of accident happen again. That's the reason we've put in place all these codes.

I say to the government across the way, you may see a code and you may see bylaws and regulations in building as an impediment to development, but you have to remember where they came from. They came from the disasters of the past. We said, "That didn't work; that was dangerous." There was a fire or there was a collapse or there was something that was unsafe for the public and far too often people died. They made up a code eventually out of the inquiry in order for it to not happen again. It's like learning out of one's mistakes.

Let me give you an example of somewhere where there's no code. I've travelled to many parts around the world. I've been to Asia, I've been to Africa, Europe, a number of different places, always fascinated to travel around the world. One of the places that I've always recommended my good friend the government House leader go to is Thailand. I visited Thailand about four or five years ago for about a month. Building codes there are almost non-existent. It's an everyday occurrence almost, and it really struck me, to pick up the Bangkok Times and find buildings that had collapsed. I thought,

boy, that is really strange. You pick up the paper and they'd have some picture of a building that collapsed somewhere. You would see that, oh, two, three times a week, every time you'd pick up the paper in Thailand. Finally, I started asking people questions: "What the heck is that all about? How come all these buildings are always collapsing?" What they said was that although there are some regulations and codes that are in place, the reality is that the graft within the system or the payola, as they would call it, made it such that many contractors cut corners and never followed the codes that were established in order to make those buildings safe, and that in fact, they were never inspected at all. They would basically get a building inspector, slip a couple of bucks underneath the table, and voilà, presto, here's your permit, and nobody ever came back and checked with you again. As a result, many buildings collapsed. Why did they collapse? The type of ground they were on, especially along the klongs that make up a good part of around Bangkok, is basically a swamp. That's the only way to explain it. What would happen is the way they would construct the buildings was such that there tended to be a fair amount of collapsing. So what ended up happening in that case is that people didn't follow code and unfortunately in the long run it ended up becoming a huge problem for the community of Thailand generally.

We have learned in Ontario, as have many other places around Europe and North America, that you need to have a system of regulation to make sure that building codes are built on the mistakes of the past so that if there was something that was unsafe as far as a construction method, we don't repeat that. If the code says water is to be installed a certain way or building of trusses or floor joists or whatever it might be are done in a certain way, it's based on some good engineering and also based on the things that we've learned in the past. That's what's inside most of this code.

I just say, yes, to many people there's a tendency to believe that code is a bad thing, that somehow or other it gets in the way of development. I understand that. I worked in the construction industry and ran jobs on a number of occasions and been frustrated myself. I can understand where people are coming from, but there's a good reason why most of that stuff is there.

I remember a particular job where a building inspector came into a motel unit that we were building and didn't approve an entire layout, groundwork in regard to plumbing that was done in the basement. I remember the contractor being very upset with the city of Timmins, prepared to do whatever they could to get at the inspector, because they felt the inspector was high-handed. But once you went back and really took a look—I was not a plumber, so I don't pretend to understand that stuff in detail, but a few of the journeymen who explained to me said, "Hey, there are good reasons why this is being turned down, because if this job went ahead the way that it is, the future owner would have problems with this for sure, five or 10 years down the road. The building inspector is doing this for a reason."

Now, was the general contractor mad? Of course he was, because it meant all that time and some of the material they put in the ground for two or three days had to be changed, had to be lifted, had to be redone, and it cost the general contractor more money. No question, the general contractor was really, really mad. But the journeyman that I talked to—and I tend to believe most journeymen are there because they know what they're doing—said, "You know, we told the general this was not a good idea. In fact, the general contractor should have done what we told him to."

So that is an example of where building codes are for the benefit and the protection of the public. And yes, building inspection departments in municipalities are there to police—I repeat, police—what happens in the construction industry in order to make sure you don't have shoddy work being done that future owners end up being saddled with. In that particular case, if this would have been allowed to go on, the future owner could have been faced with quite a large bill trying to fix something once the concrete was poured over it. So I say there's a good reason why all that stuff is put in place.

In the few minutes I have left, I just want to relate this back to a similar situation we've now seen with Ontario Hydro, when the government has moved to start setting up market disciplines, as they call it, in the hydro market. You would know that the inspection of electrical work that was done by electricians used to be done by electrical inspectors through what was, at the time, Ontario Hydro, what we now call Hydro One. In the past what would happen was, the inspectors used to come in, you used to pay for your permit in the beginning, and they would come back and check your job. They were available there. If you had any questions, they would answer them and they would come and do a final inspection on your job.

In this new system we have now that operates under market disciplines, contractors are mighty upset with the government. They're saying, "We're now having to pay for permits for everything." For example, I was talking to an electrical contractor who says that when you're going in to do maintenance on a commercial building or a retail building, you now have to buy a permit from this new agency, X amount of dollars for every six receptacles that you go back and fix—six plugs, plates or fixtures—where they never had to pay before. So first of all there's a huge ability to money-grab on the part of this new agency, and the contractors are really upset because it has increased their costs. In the case of places like the city of Timmins and other municipalities, they're having to pay for these permits where they never had to pay before, and the cost of that is very expensive indeed. It's adding to the overall cost that the cities are having to pay.

But here's the worst part. You would think that at least, with all this new revenue they have through the electrical inspection department, this independent agency, in fact you would end up in a situation where maybe you can get inspections done faster. You would think that was a positive thing, because the government says the

RCAs inside this bill are going to make for quicker and better inspections. Well, what's happened with the electrical inspection agency has been quite simple: you can't get hold of an inspector when you want.

I was talking to a woman who lives north of Kapuskasing. In the middle of February the stack on the hydro pole where the wires come into the building blew down in a windstorm. Her 200-amp service was knocked off line—and she has electric heat. She called the electrician to come in and fix it that day; actually, it was in the evening. The electrician came over, did the work that had to be done, and tried to get a hydro inspector. They said, “Oh, now that we have this new system, whereas you used to be able to get an inspector out of Northern Ontario Wire out of Kapuskasing every day, now you can only get one per week.” So this woman had to go without an inspection for a week, until the following week, until the hydro inspector came running through town again. Consequently, the contractor had to hook her up to a temporary generator in order to run her house in the middle of February.

Supposedly we're getting better service. I fail to see how that's better service when it costs the customer more money, costs the contractor more money, causes a huge amount of grief on the part of contractors and customers, and at the end of the day you don't even get better service. What you end up with is a system where the inspectors are available less often, and then they say, “If you opt into this program that we have at the new agency, you can self-inspect.” Well, you know what I say: that could be a very dangerous thing, this self-inspection stuff.

I worked in the mining community, where we didn't have any building code and we inspected ourselves. I can tell you, there was a lot of equipment in the mining community that, quite frankly, didn't meet the rigors of the electrical safety code. I would argue that parts of our plant did, but many parts didn't, because we knew we didn't have to follow code.

I just say, there are parts of this bill that might be positive, but you're opening up a whole area under these registered code agencies that I think could be very problematic. As the member from Niagara Centre said, This is privatization by way of the front door.

1910

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** I wouldn't want comments made by the speaker from Timmins-James Bay, and certainly comments made in the House last Thursday, to leave the wrong impression. This legislation provides choice for the municipalities in terms of the RCAs and being able to either appoint one or have the builder appoint one. But at the end of the day, all of the responsibility comes back on the municipalities.

Certainly the former speaker pointed out the advancement they have made in Timmins in being able to turn around applications in a timely fashion. A number of

municipalities do that, but there are many that don't, and don't have the capability. This provides an array of tools to help them. Whether it's a lack of resources or a lack of skills in a particular area, this provides an alternative way to provide that service to ensure that the people dealing with building permits and inspections and so on are very knowledgeable as far as the building code is concerned.

Through the consultations we had a year and a half ago—I was extensively involved in those, in the development of this bill, and we had extensive consultations with all sectors in terms of consumers, builders and building officials as well, who had comments and participated in helping us develop this bill.

It streamlines the approval process, and that of course makes it more efficient for the end user—the consumer—as well, and there are savings to be achieved there. It is something that I believe is generally supported by the industry, by municipalities and by building officials, so that they can also be recognized. For those who do good work and are very responsible and accountable, it only enhances their ability to do that in this particular industry.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and make some comments on the speech just given by the member for Timmins-James Bay. He covered a number of issues, but one that was of particular interest to me was his comment that this building-code-related bill could have been used to advance some of the ideas that persons in the disabled community have been looking for for a long time now.

I had the opportunity to understand more fully the barriers they face when it comes to many buildings here in Ontario, indeed in my own community. I did travel with someone in a wheelchair. I pushed that lady around through buildings and found barriers of doorways, washrooms, change rooms, stairways and lack of notice of where elevators are. It was quite an experience.

Some of these items cost very little. For example, public washrooms need not have doors at the main entry; they can simply put a curved wall inside whereby one cannot see in until they go around that curved wall and enter the full washroom. However, the ones that have existing doors make it very difficult for persons in wheelchairs to enter.

Some of the buildings we went to had automatic doors. Many of the buildings we see in our communities have automatic doors for the disabled. However, we went into many buildings where the outside pair of doors or many pairs of doors had an automatic situation going for them, but when you went to the second set of doors within the foyer, they were not automatic. It makes no sense, and it looks like we need to give guidance to many of the people who put our buildings in place and build them. I think the suggestion made by the member for Timmins-James Bay was excellent.

**Mr Peter Kormos (Niagara Centre):** New Democrats are going to speak to this bill. We're going to debate it—mind you, with some sense of futility, because guess what got served on me today: a time allocation motion shutting down debate on Bill 124.

Can you believe it? Again. These guys—I'm talking about the government, of course—couldn't organize a drunk-up in a brewery. They are so panicked about their legislative agenda—they're making promises all over the place, and now they are under pressure, because they're going, "Yikes." The government is saying, "We're going to have a hard time once again fulfilling our commitment to the private sector friends out there to whom we, the government, the Conservatives, have made such elaborate and grandiose promises."

Mind you, it's not that they don't receive comfort from the opposition from time to time. It's a good thing the member from Sudbury ain't here tonight. He'd be up on his feet wanting to pass this bill, second and third readings, unanimous consent, without any further debate. The member from Sudbury does that. You know what I mean. The member from Sudbury, who calls himself a Liberal when he's up in Sudbury, has done more to advance this government's agenda than any of the government backbenchers. The member from Sudbury is so enthusiastic, there's a little puddle around his feet. That's how excited he gets about this government's legislation. He's on his feet saying, "Oh, let's get unanimous consent. Let's pass government bill A, government bill B, government bill C, second and third readings, no debate."

*Interjection.*

**Mr Kormos:** It's not going to happen tonight, because New Democrats are going to debate this bill. It's all about privatization. We resist and object to privatization and we'll be resisting this bill.

**Hon Mr Stockwell:** First and foremost, it isn't about privatization. It's simply about giving options to municipalities if they choose to go that route. You bellyache about "one size fits all." We're offering an alternative. If municipalities want to go that route and use private sector help as far as inspections are concerned, they can. There are a lot of municipalities that don't have the skill sets out there to provide those kinds of inspections. Rather than having to hire up and cost the taxpayers a lot of money, they'll be given the opportunity of privatizing or contracting out that service. It's not unusual. It happens all the time, in all kinds of circumstances.

Swimming pools are a good example. Many municipalities operate swimming pools and they contract out the maintenance, repair and even the lifeguarding of swimming pools because they don't have the cost components built in to do those kinds of protective needs. It isn't always the same.

Second, you say you're here to debate. The House leader for the third party may be the most irresponsible House leader I've ever seen in my life. He sits in his place, and what's his job? His job is to hold up every bill for as long as possible, even if all sides are voting in favour of it. You have a warped and distorted view of the world shared by few. It's obvious that when you have this warped and distorted view of the world shared by few, you find yourself isolated and alone on many issues. That is true. But don't make the mistake that because you're isolated and lonely on these things, the whole

world is crazy. You might want to think for a moment that the whole world may not be crazy; it might be you, and you are, because you think this role of yours is simply to oppose every single bill.

If you want to have, say, two weeks' debate on Hydro, you can't. You insist on having three, four, five days' debate on a bill everybody is voting in favour of. This is your kind of warped and distorted view of virtually everything that comes before this House. That's why you are the House leader from hell. There's no point in negotiating with you. You just want to sit here week in, week out, talking about bills that nobody really cares about. They want to get them through, and you ignore the important bills.

**The Deputy Speaker:** The member for Timmins-James Bay now has up to two minutes to respond.

**Mr Bisson:** The government House leader is saying this bill is unimportant, that we should have no debate. I guess that's your point.

**Hon Mr Stockwell:** No, I didn't say that.

**Mr Bisson:** You can't have it both ways. Listen, the reality is—

*Interjection.*

**Mr Bisson:** You're accusing my House leader, for whom I have nicer words than you use. I don't think he's the House leader from hell. I think you are, quite frankly, at times.

*Interjections.*

**Mr Bisson:** It's not fair. OK. You can't have it both ways. The government House leader tries to say that we're holding up bills just for the sake of holding them up and they don't need to have any debate. When was the last time we had a debate in this Legislature of any bill for more than three days? The government has time-allocated everything. There is absolutely no incentive on the part of the government to do anything to the contrary, quite frankly.

I'll just give you one example. You've got the Hydro bill coming in. You know darned well it's a bill that we New Democrats obviously are going to debate for a fairly long time. It's something we oppose, something we want to stop, so of course you're going to time-allocate the bill. We're not surprised. But don't come in here and say that somehow or other we're not agreeing to having committee time. We'd love to have all kinds of committee time. We'd love to have all kinds of debate time. But you guys aren't interested because you want to privatize.

Back to the point: registered code agencies, RCAs, quite simply are a way—

*Interjection.*

**Mr Bisson:** The government House leader says that nobody has to privatize. Well, it's going to be pretty difficult for some communities not to. With all of the downloading that goes on down to the communities, there is less and less money for municipalities to do their job, so what you've got is municipalities that at one point will have to make a cost-savings decision. If they can off-load by way of downloading this, or I should say privatizing these services to the private sector, some will. All



I'm saying is, that's probably not a good thing in the end because those people are going to be beholden to the people who want the contracts, not the municipality. What that means, quite frankly, is that it could be a repeat of some of the disasters we saw in the past.

1920

**The Deputy Speaker:** Further debate?

**Ms Caroline Di Cocco (Sarnia-Lambton):** I'm sharing my time with the member for Ancaster-Dundas-Flamborough-Aldershot.

It's a pleasure to rise and speak on Bill 124, the building code. Just two comments regarding debate: I've heard the members of the third party speaking about not having enough debate, yet I believe that every single vote, every time we have to sit in the evenings, you have voted against it.

**Mr Kormos:** We're here. Where are you guys?

**Ms Di Cocco:** I don't understand why you vote—  
*Interjection.*

**Ms Di Cocco:** But you vote against sitting in the evenings. Nonetheless, I just wanted to point that out.

*Interjections.*

**The Deputy Speaker:** Please. Order from everyone on all sides. Just a reminder to members that comments are not directed right across to another member; it's through the Chair. It will help keep tensions a little easier this evening.

Sorry for the interruption. Please continue.

**Ms Di Cocco:** Thank you, Speaker. A very good ruling. I did have to point that fact out, that the members of the third party have voted I don't know how many times—I haven't counted—for not sitting in the evening from 6:45 to 9:30.

The other aspect I want to point out is that sometimes it isn't necessarily the length of the debate that ensures the quality of the debate. Too often there is very lengthy debate, unfortunately, but it isn't to the issues or to the bill that is in front of us.

One of the things I did was take a look at this bill. I wanted to just put this into the record as part of the explanatory note of what exactly this bill is about. Currently the Building Code Act, 1992, and the building code are enforced by the crown. That means a public body: municipalities, counties, boards of health, planning boards and conservation authorities. They're called "principal authorities"; that's the jargon they are given in the bill. Each of them has a chief building official and inspectors who have powers and duties under the act and the building code. So if the board of health is required to inspect a building that could be questionable as to the health and safety aspect, if you want to call it that, someone from the board of health is responsible to enforce that the building meets that level of safety.

The amendments to the act also permit the building code to be enforced by new entities now which are called "registered code agencies." One of the things that concerns me about this bill is that we are now again—the Liberals oppose this bill. They oppose this bill because of two reasons. It is really a different jargon about privatiz-

ing of these important health and safety functions. I know the honourable member, the Minister of Energy, stated it's to give options. But this is not just about giving options. It is about ensuring that we're—again, it's more privatization of aspects of health and safety that in our view have to be part and parcel of what public bodies have a job to do. That's their job, to protect the health and safety of the public. While we have to ensure timely review of construction projects, public safety has to come first.

The bill also places additional burdens on the municipalities, because who ends up paying the tab for outsourcing this work? It allows the municipalities and these public entities to outsource it, and then who is going to pay for it?

**Hon Mr Stockwell:** We pay for it anyway.

**Ms Di Cocco:** Well, when the board of health has a person on staff who does the inspection, they pay for the salary of that person. They don't pay for profit for that person, and it is still public dollars that are going—

**Mr John Hastings (Etobicoke North):** It's taxpayers' dollars.

**Ms Di Cocco:** Well, they are. They are still taxpayers' dollars that are paying for the outsourcing of the work.

There's a simplistic notion the government has that if you privatize or if you can outsource, somehow it's going to be done—they're going to do it for profit. You're still going to use public dollars, but it's going to be cheaper, it's going to be better, because it's being put into private hands. Somehow that all fits.

**Hon Mr Stockwell:** Then don't do it.

**Ms Di Cocco:** Then why do we have a bill if you say, "Just don't do it"?

*Interjection.*

**Ms Di Cocco:** I wonder about the intent of the bill. If the minister says this is just to enable these entities to privatize or to use private companies, then the question I have is, has anyone provided evidence that these entities, by doing this—that it is going to save money and protect public health and safety? Because that's the reason. Protecting of public health and safety would be the main reason that one would enact this type of legislation. If in the end, by giving these entities or these—what do we call them?—the crown, the municipalities, counties, boards of health, planning boards, conservation authorities, by giving them the option to privatize or to use private companies to do their job—all right?—if you're doing all of this—

*Interjection.*

**Ms Di Cocco:** Actually, you know, I've been asked to hurry, so I think I'll just kind of—

**Interjection:** Slow down.

**Ms Di Cocco:** —slow it down a bit here.

If you're going to do this, I would hope that the government has, again, some substantial evidence that by allowing this to happen, it's going to provide for better service, it's going to provide for more cost-effective service, and it's going to provide and ensure that public health and safety are maintained.

This is not about just picking up garbage. This is about a board of health inspecting whatever aspect of the building code is impacting on health. Again, I don't have any evidence and I haven't seen any kind of good argument to suggest it's going to make the health and safety aspect better. So I would suggest to the minister that currently, again, the municipalities and the counties and the boards of health and the planning boards and the conservation authorities enforce the code. Have all of these people decided that this is exactly what they need to make their work better? Have they come to the minister and said, "You know something? I think we would like to outsource all of this stuff so we can spend our money paying the private sector to do this job?"

**1930**

We've seen a lot of public dollars go into private hands in a way that is not transparent and in a way such that there is no accountability. I have to say that the current government is a master at allowing—well, they even allow public companies this cloak of secrecy and you hope that you don't see the light of day and therefore you're allowed to continue to do business in a way that is not acceptable with good business practices.

Anyway, I have to give my time to my member. I do so reluctantly, but the next member—

**Interjection:** No, no.

**The Deputy Speaker:** Order. Take your seat. That's what happens.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** It's difficult to follow a stirring performance like that, a quality performance, someone who's laid out and articulated so clearly so many of the difficulties associate with this bill.

I need to say I've got a sense of déjà vu around this bill; or maybe déjà voodoo, I'm not sure. The government talks about options and about what's good and what's not good. Bill 124 brings back a lot of memories for me, I can tell you. It all sounds so familiar: "We got the right look in our eye"; "We're doing this for your own good."

The farm folk up my way—I was talking to a guy the other day. He said, "You know, the difficulty is I used to believe government was well-intentioned but not very well-informed, but I've discovered that they're well-informed but not necessarily well-intentioned." I think that perhaps can be said. I hope it's not true about this bill.

I've got to tell the members opposite, I'd love to be able to stand in my place and say, "Look, we're looking for something that's going to strengthen the existing regimen, something that's going to protect consumers and citizens, new models that will work better, that this Building Regulatory Reform Advisory Group, BRRAG for short, has offered us their best advice." Doesn't that bring back memories?

Do you remember the Who Does What group? This government went out and recruited the very best, the brightest and the most well-informed. They met and they came up with some "new models" of how things could

work. In short, they got the very best advice they could before they proceeded to completely ignore it.

I wonder when I hear about consulting with municipal officials. There's some 90 recommendations that the BRRAG group—and Minister Coburn's work there, in an earlier incarnation, was very good. The report was very, very well done; it involved a lot of very knowledgeable people. But there are 90 recommendations that were made in the report that have been ignored. There are all kinds of things that have been included in the report, including this code agency stuff which was never specifically suggested. In fact, AMO, as I understand it, has their own list of 33 changes that they specifically thought were going to be implemented that weren't incorporated into this bill. So much for listening.

When governments listen, they not only need to listen, they need to hear what's going on in a real sense. I think that's certainly been missed here, as it was when this government dabbled in restructuring our municipality, Mr Speaker. Surely, even though we've been on different sides on some issues, you'll recall the farce of that restructuring: "We won't do anything without consulting with the people of Hamilton-Wentworth. We want a made-in-Hamilton-Wentworth solution." My goodness—

**Hon Mr Stockwell:** What did Agostino say?

**Mr McMeekin:** Well, you read some of his stuff about Flamborough in particular, I say to the honourable member opposite. I need to tell you we offered up three different solutions, all of which were set aside because this government wanted to get rid of those smaller, pesky, lower-taxing, service-oriented municipalities and replace them with a one-tier monopoly government.

**Hon Mr Stockwell:** Your tie.

**Mr McMeekin:** Thanks very much. Does that look better? Is that OK?

Why? We know why: because you wanted to off-load costs and you wanted to off-load responsibility and you wanted to off-load accountability and you wanted to continue to further your development of what I call your no-fault insurance: "Whenever anything goes wrong, it's everybody's fault but ours." That is frankly one of the real concerns that members on this side have.

My wife and I ran the original Chapters bookstore in Waterdown, Ontario, years back. We used to have a sign up that said, "Service, quality, price: choose two." Get it? Choose two. You can't have everything. But when you look at this bill in terms of service, quality and price, my real fear is that not one of those subsets has really been properly addressed.

I know some of the members on this side of the House have made comments about the code agencies specifically and the so-called change that will bring about. It wasn't that long ago that we in this House stood and debated the new Municipal Act. Do you remember that infamous memo of understanding that there would be no shift in responsibilities without consulting with municipalities?

**Hon Mr Stockwell:** Do you have anything to say about the bill?

**Mr McMeekin:** Listen to AMO, I say to the honourable member opposite. There are all kinds of concerns.

Is this in the spirit of that memo of understanding? No, it's not. It's clearly not in that spirit, and I think the members opposite know that. They know it in the sense that the tools that are needed for municipalities to do this really aren't there. They know it in the sense that the regulatory framework, the regime, is inadequate. It certainly shows in the context of fees that can be charged and the whole cost of that. There's no covering off of the recertification costs that are there and very little clear definition, I say to the honourable member opposite who was involved in the early BRRAG process, of how accountability is really handled.

When we offered up three different solutions around restructuring in Hamilton-Wentworth—the city centre plan, the Skarica plan and the three-cities model—on the off chance this government really could be taken seriously about wanting to consult and listen and, on the basis of what they heard, act, we saw what happened. All those things were set aside. All the best advice that was to be had was set aside. What did we see? We saw a major transformation in my community and frankly a destruction of so much that the people I have the privilege of serving in my several communities held to be self-evident and self-evidently precious.

The issue of transitional planning was handled as poorly as was the issue of transitional funding. We continue to this day with \$110 million of off-loading, to struggle under terribly difficult circumstances to make things happen.

We now see this kind of lack of planning and lack of transition around the Nutrient Management Act.

**Hon Mr Stockwell:** An excellent bill.

**Mr McMeekin:** Potentially an excellent piece, and if you have read the second report, as I know the minister—are you the Minister of Energy and the Minister of the Environment?

**Hon Mr Stockwell:** Both.

**Mr McMeekin:** And the House leader too. Those are three big jobs. Do you have a part-time job at Tim Hortons too?

**Hon Mr Stockwell:** No, at Chapters.

**Mr McMeekin:** OK. I always thought you were fairly well read.

But the whole transitional planning and cost process there, particularly in light of Justice O'Connor's recommendations, was simply blown out of the water the other day when we were in the general government committee. The committee made several specific recommendations that were word for word out of Justice O'Connor's report. We tried to get those integrated as best we could, with the understanding that this government was committed to implementing all the recommendations of Walkerton, part two. Well, we exposed the charade. It's easy with your crew. All those wonderful amendments that were made by the two parties on this side of the House—do you know how many passed? Not one single amendment, even though virtually all of them were

consistent with the process that Judge O'Connor had set out.

Even with the government opposite does the right thing, they so often do it so badly that it spoils the impact. Tax cuts are a classic example. There's nothing wrong with tax cuts as long as they're triggered and targeted. They ought to be targeted not at wealthy folk who don't need tax cuts, they ought to be targeted at people who can really use the relief and they ought to be triggered based on the overall state of the economy.

If you're going to do something, do it right. This bill isn't a good start.

**1940**

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Kormos:** I listened carefully to those comments from those participating in the debate. It's good to see the Liberals not seeking unanimous consent to have this passed at second and third reading without debate. Hopefully, the Liberals will carry on and continue to debate this, as they should, because it's bad legislation. It's about privatization.

I'm interested that the member for Ancaster-Dundas-Flamborough-Aldershot is going to have two minutes to respond because I want him to explain which of the Tory tax cuts the Liberals are going to roll back to restore funding to education, to health and to other public services. I want to know which of the Tory tax cuts the Liberals propose to roll back, because the fact is, at the end of the day those tax cuts were paid for on the backs of students, sick people, senior citizens—some of the poorest people in our society. That's who paid for the tax cuts. I believe that we've got to get more money, more resources, more investment back into health care. We've got to get more money, more resources, more investment back into public education. We've got to reduce tuition fees. We've got to give municipalities the resources they need to restore decaying infrastructure.

I want to know from the member for Ancaster-Dundas-Flamborough-Aldershot—and I know he's eager to tell me. I'm anxious with anticipation. I am trembling with excitement at the prospect of that Liberal member telling me which Tory tax cuts the Liberals are going to roll back to get those investments back into those public resources that we value.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I am pleased to have a chance just to speak for a few minutes on this bill, and many other things. I see my friend across the floor has spoken about nearly everything, tax cuts and everything else.

But I want to relate to the member who spoke, and he's right in a lot of things.

**Interjection:** Everything, right on.

**Mr Murdoch:** Well, he's not right in everything he says, but he's right in a lot of things. We do get people who go out and do reports for us. They did it and so did the NDP, and then we don't listen to them. Our problem here is we let the bureaucrats draft up the bills and then we don't have the guts to go back and say, "No, that

won't work." This happens a lot of times in this House. It's happened when I was in opposition. I've seen the other government do this. We're going to have to get some guts around this place and start to do this the way we want it done.

A lot of ministers have to listen to what he had to say over there. It did happen when we were downloading and in *Who Does What?* A lot of the things weren't done that we should have done, and this happens again with some of these bills, unfortunately.

I believe this bill should pass. I know there are some things and everything isn't perfect, but it's just a wakeup call maybe for some of our ministers that when they do get bills done, to listen to the people we do send out there. We do pick people, as you said, who know what's going on and they go out into the communities and find out what we want to have done and then, again, sometimes we don't listen to them, which is wrong. I agree with him on that.

But to get back to the tax cuts. We do need the tax cuts. Even though some people on the opposition don't think we need the tax cuts, they do help our economy. There are some times when they think the rich get them, but that's not true. You've got to listen to it. They're way off base when they talk about tax cuts. They were good cuts that we made in this government, and it wasn't on the backs of the poor. It helps everyone. Sure, maybe if you pay a little more, you get a little more back, but you also spend more, and that helps us in our economy.

**Mr Rick Bartolucci (Sudbury):** I'd like to comment on the speeches by the members for Sarnia-Lambton and Ancaster-Dundas-Flamborough-Aldershot. I think they have articulated what our position is. We won't be supporting this legislation the way it's written, certainly.

I would like to comment a little bit on what Peter Kormos, the third party House leader, said earlier with regard to me not being in the House. Normally, we don't do that, but I think I should inform the member, Peter Kormos, that I was talking to a doctor who was explaining to me the situation of an 86-year-old senior who required long-term care and wasn't getting it. That might not be important to Peter Kormos or the NDP, but it is very, very important to Rick Bartolucci and the Liberals. They may suggest that those types of things aren't as important as coming in here and listening to the bantering back and forth, but do you know what? When push comes to shove, I'll always spend the time fighting and advocating for the constituents I represent.

But do let me clarify the record. I have only once ever suggested that there be unanimous consent for second and third reading, and that had to do with Bill 135, the Heritage Hunting and Fishing Act. I stand firmly behind that. I believe the NDP was completely wrong in blocking this legislation. I think they did a disservice to those people in the north, in Sault Ste Marie, Timmins and Nickel Belt, ridings that are represented by the NDP.

I want to get back to the bill, because I believe that's important. Thank you for the latitude, Speaker. It is imperative the government make changes to this legislation.

This legislation isn't that far off from being right. But you have to bring it to committee and entertain the amendments the Liberals will be putting forth. Do you know what? If that happens, you may get support for the legislation.

**Mr Prue:** I listened to the comments of the members for Sarnia-Lambton and Ancaster-Dundas-Flamborough-Aldershot. Both of them had interesting things to say, although I must say that they did deviate from the actual topic from time to time to get into other areas.

But dealing specifically with this bill, they did have some fairly good comments when talking about the workers and their roles in the various building departments, health agencies, conservation authorities and the others who play such a vital role. I think that is what is being lost here: the vital role of these public employees and the dedication they have to their jobs. I commend the two speakers for at least broaching the subject, because it is, in fact, these very employees who go out to construction sites, who look at the plans, who can see the violations not only to the building code but to the various municipalities' zoning bylaws, planning acts and the fire code. This is particularly important in multi-residential developments, if and when they again take place in the province of Ontario. They are very important when they look at the conservation authorities, as are the conservation authorities' guys when the people are out there looking to make sure that people aren't building too close to the edge of the valleys or impeding the river streams.

I think what is important in all of their comments comes down to the fact that these people police the act. What is being proposed here is a privatization of those who police, and that is a very real problem I have. Even worse than the problem of privatization is the problem that people who are going to police the act will be there for the highest bidder. That is something that needs to be spoken to, and I hope when I get an opportunity to do so, Mr Speaker, that I'll be able to.

**1950**

**The Deputy Speaker:** One of the original two speakers has up to two minutes to respond.

**Mr McMeekin:** I'd like to thank all those honourable members of the House who have spoken on this bill, particularly the member for Bruce-Grey-Owen Sound, who has a reputation for telling the truth, not just what people want to hear. I appreciate his wise counsel and his very candid admission that so often members on that side of the House, inadvertently perhaps and sometimes wilfully, ignore what's being recommended by good people.

The question was asked about tax issues. We've been pretty clear on that. The \$2.2 billion in corporate tax cuts and the tax credit for private schools are among those areas that would be handled. But as important as or maybe even more important than that, we would start anew to forge the kinds of partnerships with the feds and municipalities that are real, partnerships that don't see you running away from the table every time there is a challenge around home care and the regulations around that.

We would work together to build a more prosperous economy. No one would have remembered the Good Samaritan if he hadn't had money. There's nothing wrong with prosperity. We need to be prosperous so we can look over the shoulder and assist all those who are having a tough time. We need to be able to share one another's burdens. That's the vision of the kind of society that we want.

This is the government that went out and borrowed billions of dollars so they could finance tax cuts and ran up a huge deficit—hardly the kind of managers that I'd want to brag about.

We would love to find a way to support this bill. If we could get control back in municipal hands, handle the liability stuff and incorporate the real recommendations and real concerns, we could do that.

**The Deputy Speaker:** Before I call for the rotation, may I get clarification? I understand there has been some research done on the earlier ruling and we have a fresh understanding. I look to the House leader of the third party to put his position forward.

**Mr Kormos:** I thank the government House leader for doing as one would expect. Of course, he was simply indicating or reinforcing what the agreement was. I regret that I didn't have the transcript of Hansard available for the clerks.

It's our intention, subject to your guidance, subject to any Conservative speakers, that I speak next and then Mr Prue will be following me in the NDP lineup.

**The Deputy Speaker:** Now I need clarification, based on the way you've worded that. You're going to speak in rotation. Is that correct? And then you're going to defer back to the member for Beaches-East York for the balance of the leadoff, or are we going directly to the balance of the leadoff?

**Mr Kormos:** I'll speak in rotation, sir, and then go to Mr Prue for the balance of his leadoff, subject to any concerns that might be raised.

**The Deputy Speaker:** That's why I want to be clear about exactly what's on the floor. What's on the floor now, for all concerned, is that the member for Niagara Centre will speak in the normal rotation and following that, based on the Hansard from last week that we now have, the member for Beaches-East York will then rise and complete the leadoff debate of the third party, as was unanimously agreed by this House. I look to the government House leader and the official opposition to see if they concur.

**Hon Mr Stockwell:** We don't have speakers, but I would only suppose that they wouldn't agree to that. Why don't we just say that Mr Kormos speaks and then, in rotation, Mr Prue gets up next? How about that?

**Mr Kormos:** Stellar.

**The Deputy Speaker:** I'm in the hands of the House. I'm very flexible as to how we want to proceed here.

**Hon Mr Stockwell:** Then let me proceed this way. I seek unanimous consent that Mr Kormos go and then, by rotation, Mr Prue be the next speaker for the NDP. He can use his 38 minutes he has left.

**The Deputy Speaker:** The House leader for the third party, you're OK with that?

**Mr Kormos:** Agreed.

**The Deputy Speaker:** Whip for the official opposition? Thank you.

Mr Kormos, you now have the floor.

*Applause.*

**Mr Kormos:** Thank you very much. I appreciate the support from that member.

Mention has already been made of the number of cabinet ministers in the chamber tonight. Gosh, I really regret that somehow there was the misperception that I was critical of a member for not being here. I indicated I was glad a member wasn't here, because I was fearful that, were that member here, the member would seek unanimous consent for this privatization bill to pass second and third reading in one fell swoop, like he's done before.

I understand why Conservative members would want to do that. They've got a legislative agenda that they're scrambling to meet.

**Mr Murdoch:** Really?

**Mr Kormos:** I'm told that they want to have this session all wrapped up, tied up with a bow, packaged neatly, postmarked, stamped, signed, sealed and delivered before the final day of June. It's remarkable. But they've got a little bit on their plates, so they're busily counting sessional days. The New Democrats have no interest in handing over sessional days to the government. It's not our job. The Liberals think it's their job. Liberals support motions to have two sessional days in one day. That accelerates things; it speeds them up. You can't say, "We're Liberals and we oppose Bill 58, the privatization of Hydro One, but we'll do everything we can to get the bill passed as quickly as possible." That's what happens, friends, when you support motions that create two sessional days in one calendar day. Think about it. That's what happens when you say, "I'm a Liberal and I want to seek unanimous consent to pass Tory legislation and I don't even want to debate it." Well, New Democrats are debating it.

Jeez, I remember a number of evenings—don't you, colleagues?—when New Democrats had to carry the debate. Nobody else wanted to debate it. There were the Tories. I understand why they were sitting on their hands. They wanted to accelerate the legislative agenda. But the Liberals were sitting on their hands too. They wanted to accelerate the Tory legislative agenda. Yikes. I was shocked and horrified. I was struck beyond belief.

I know there's a fellow named Jean Charest. One of the interesting things about Jean Charest is that—

**Hon Mr Stockwell:** Who is Jean Charest?

**Mr Kormos:** You know who Jean Charest is. He told me about how you could be a Tory or you could be a Liberal, because the nice thing about being a Liberal is you don't always have to be a Liberal. You can go Tory one day and Liberal the next. The interesting thing is that we're seeing this—what do they call that with the computer, the morphing? Is that morphing? We see this

morphing—I hope Hansard spells that right—between the Tory caucus—not all of them, but some of the outspoken ones—and the Liberals. I look and say, “Are you a Tory or are you a Liberal? Are you a Liberal or are you a Tory?” What’s a Liberal doing seeking unanimous consent to speed up Tory legislation? What’s a Liberal doing supporting Tory motions? What’s a Liberal doing helping Tories speed up the legislative agenda? Go figure. I don’t know. I’m trying to figure it out myself. So I was pleased to see the member for Sudbury running in here saying that they, speaking for the Liberals, finally oppose a government bill. It was a long time coming, wasn’t it? But we flushed them out. We got the dogs there. We were beating the bushes. We flushed them out.

**Ms Di Cocco:** On a point of order, Mr Speaker: I believe we’re on Bill 124, aren’t we? It doesn’t appear that the member is speaking to this bill.

**The Deputy Speaker:** I’m sure he will take your comments under advisement and speak to the bill. Thank you. Please continue.

2000

**Mr Kormos:** I appreciate the direction and guidance that the Speaker has provided me with for some number of years here. I value it. I appreciate other members of this House calling upon the Speaker to give me that assistance and guidance. I know that their motives are benign. I know that they’re eager to see the debate here focused. I think the interjection on the point of order was not so much concerned that I hadn’t yet addressed section 4.2 of the bill, as I intend to, but that I had been sharing—a very new age kind of thing—my concerns about where the Liberals are coming from. I was pleased; I’m elated that the member from Sudbury stood up and opposed the government bill. By God, it’s about time, member from Sudbury, and we’re all proud of you for being in the official opposition and opposing a government bill. Now debating it—that remains to be seen. We’ll look forward to that.

One of the reasons we debate things here is so that our constituents have a chance to know why we support a particular policy or why we oppose it. Folks at home want to know. That’s one of the disadvantages the Speaker has. The Speaker is muted but for his or her authority over the chamber. I knew a Speaker from Ottawa once who used to say, when he was out talking at public events, “I’m the Speaker, because I speak for the assembly.” I thought, “OK, if you insist.”

But the Speaker sacrifices his or her opportunity to speak in the Legislature, and it’s an admirable sacrifice. But Deputy Speakers have the best of both worlds, don’t they? They get to speak, they get to interject and they get to heckle, and they get to adjudicate from the Speaker’s chair.

Now, Mr Prue, from Beaches-East York, is going to be speaking. He’s got around 38 minutes left. One of the interesting perspectives—a government backbencher, I can’t remember who it was, talked about, “This bill is all about choices for little communities.” Come on, please; give me me a break.

I took a look at section 4.2, *inter alia*, and I discovered, as I’m sure everybody has who’s read the bill, that amongst other things, beginning with 4.2—catch this, Speaker; it’s going to be interesting to you—“A prescribed person”—that means a developer, a builder, and not some Hungarian guy on Park Street who’s building a home for his wife and his kids, you know, the kind of people I’ve talked about so often, although, in theory, they could. A developer or a builder “may appoint a registered code agency to perform all of the functions....” A registered code agency is the private sector, privatized, for-profit building inspector. It ain’t the little municipalities and it ain’t the little people who are going to be hiring these RCAs—Mr Prue coined the acronym. What they are is privatized, for-profit building inspectors.

It’s going to be the big developers. They’re the ones who’ve got the cash, le fromage, the cheese. And they’re not building little bungalows down on Golden Boulevard in east Welland; they’re building the big, huge high-rises. Didn’t enough people get burned during the condominium balloon here in Toronto? Man, oh, man. It wasn’t cutting corners; it was downright skulduggery and thievery. You had underground parking garage roofs—the concrete was collapsing. Oh yeah, turn a blind eye there. In fact, those developers, you’ll recall, were the subject matter of some significant legislative debate in the late 1980s, when names were named and investigations were launched, and the Liberals got burned—remember that?—because the Liberals were in the back pockets of some of those developers.

We’re concerned about public safety here, because that’s what building inspections are all about. It’s not about whether the trim is on straight, it’s not whether the paint job on the drywall has missed a couple of spots. The building inspector concerns himself with the fundamental structure of the building. You’re talking about public safety. Pick up any newspaper and look at the international page and you’ll see places in the world that have the type of building inspection that’s being advocated by this legislation, and that’s where you literally see buildings collapsing, shopping malls collapsing, hundreds of people dead or injured, the rip-offs, the payola, the grease. This bill is an attack on the integrity of a public sector building inspection system.

There are certain things that require remaining within the public domain. Public health and safety is one of them. How many more Walkertons does this government need? It’s talking about privatizing building inspection and treating it as if it’s just another little tool in the toolbox. Mind you, there’s going to be some attractiveness and appeal to it. The member for Beaches-East York—tell me if I’m wrong, member for Beaches-East York, because you’re right behind me there—talked about the fact that there may be some attractiveness to this proposition now that there’s been significant downloading on to municipalities and municipalities have been stripped of their cash assets as more and more has been downloaded on to municipalities by this government.

There are going to be some municipalities, just as some municipalities have contemplated the privatization—sell-off is what it is. When you're talking about public assets, privatization is nothing more than the transfer of wealth from public ownership to private ownership. That's what the sell-off of Hydro One is all about. It's about a huge transfer of wealth from public ownership by 12 million-plus Ontarians to private ownership, to what will be a very concentrated, small handful owning that huge public asset.

Privatization of public assets is all about the transfer of wealth. But it's also about putting lives at risk. Building inspection isn't about aesthetics. Building inspection isn't about convenience. Building inspection, the assurance of compliance with basic building codes, is about safety. It's about public safety. It's part and parcel of ensuring that the fire suppression system that gets installed, the transfer of water with the sprinklers, not only appears to be up there—because you look at it and say, "Yeah, there's the pipe, there are the nozzles and there are the detectors"—but that it works and that it works well enough to save lives.

I regret that the Conservatives are shutting down debate on this. At first blush, the Conservatives would have us believe this is just the most innocuous bill. I suppose for them, in terms of the history of privatization, it has become innocuous: if it moves privatize it, if it doesn't move kick it until it does and then privatize it. So one says, "What the heck. Why not privatize the building inspection process? It'll keep our developer friends happy." After all, this government's still hell-bent on privatizing Hydro One. Hydro One, remember that? Publicly owned. The public owns that, the people of Ontario. Yet the hand-picked government board of directors—Tory friends each and every one of them, not a stranger in the lot, Ms Clitheroe and friends—in charge of this publicly owned asset was in pursuit of the privatization agenda. They were the pre-privatization board; that's what they were. They saw fit to use public dollars to piece off the Tories to the tune of \$7,500 in that Dufferin-Peel by-election and the Liberals to the tune of \$5,000. Here's this hand-picked Tory board that knows who its political friends are. Seven and a half grand to the Tories, five grand to the Liberals. Once again, yikes. It's very interesting. Had it not been such an apparent Conservative win, had the Liberals not been destined to be defeated in Dufferin-Peel, I'm sure it would have been the other way around. You see, the privatization board of Hydro One was just taking care of business, making sure their political friends, whether they're the Liberals or the Tories, the Tories or the Liberals, six of one, half a dozen of the other—the morphing.

**2010**

So I feel kind of good about this debate, I say to my colleagues back here. We've forced the Liberals out of the bushes. We've got them to finally stand up and say they oppose Bill 124. The member for Sudbury came running in here: "Oh, we oppose it, we oppose it. No more unanimous consents for me today. We might even debate it."

It was funny. The other day he talked about the anglers and hunters bill, right? Bill 130? Have I got that?

*Interjection.*

**Mr Kormos:** Bill 135, yes. Here's the member, and he wanted it to pass second and third reading, yet he opposed the time allocation motion. He stood up during the time allocation motion debate—this is the member from Sudbury—and said, "You know, Speaker, I don't believe we should be debating this bill." Remember, he said that. The member from Sudbury said, "I don't think we should be debating Bill 135, but I'm going to oppose the time allocation motion anyway."

Wow. Some consistency would be modestly gratifying and it would be a little reassuring. But consistency? Whoa, pipe dreams. Please, what are you smoking? Seeking consistency? Sorry, you ain't going to find it. It's the flip-flop. Flip. Flop.

Dalton opposes the privatization of Hydro One, but then again, he oh so clearly supported it. As a matter of fact, there's a voice clip out there floating around, a couple of them, Dalton on tape, Dalton live in stereo, quadrasonic, Dolby, tuned, saying, "Well, we, the Liberals, think privatization of Hydro One's the greatest thing since buttered popcorn." And Dalton says, "As a matter of fact, your hydro rates are going to go up because they probably should." That's what he said.

Ah, please. I'm shocked. There's the leader of the Liberal Party telling Ontarians they should be paying more for their hydro and, to boot, that he wants to see it privatized. Go figure, Speaker.

**The Deputy Speaker:** Thank you. The members now have up to two minutes for questions or comments.

**Mr Bert Johnson (Perth-Middlesex):** I want to take this opportunity to express a few comments about the member from Niagara Centre's 20-minute speech. It was entertaining. He can be an entertaining speaker. But I didn't learn much about Bill 124. I would have thought that he would have been telling me all the faults and the drawbacks and the weaknesses and the potential pitfalls that might lie ahead in this bill.

It seemed to me that there were a few things that he also neglected to say. I didn't hear him say how his party supported the Liberals for two and a half years back in 1985. He seems to go on at some length about the similarity between Liberals and Conservatives, and when they have good ideas, then I'm pleased to be the same. But I didn't hear him go along about how his party was so proud and pleased to form a government in 1985 with the Liberals and those same people who apparently now are unloyal opposition because of some position that they take.

I was a little disappointed that I didn't hear those weaknesses and those drawbacks and whatever criticism there would be and suggestions. So I might look forward to that in a couple of minutes, when he gets an opportunity to make his remarks. I did miss hearing about all those corrections and positive things that should be added to or amended in Bill 124. I'll listen on.

**Mr Bartolucci:** I'd just like to comment on the comments made by Peter Kormos. The Liberals are still go-

ing to oppose Bill 124. It's nothing he said, certainly, because he said nothing about the bill. He chose in fact to try to attack my record with regard to supporting this government.

A clear check of the record would indicate to you that that doesn't happen very often, but it did happen with Bill 135. I have to tell you I support Bill 135. The member from Timmins-James Bay may not, the member from Sault Ste Marie may not, the member from Nickel Belt may not, but in my part of northern Ontario hunting and fishing are important.

Peter Kormos is a little angry because I sent his leader a letter on December 12 and I asked him for unanimous consent on Bill 135 because I thought it was an important piece of legislation. All of a sudden, because it was embarrassing to them because they had trouble with one of their members who doesn't support the legislation, who believed that there were flaws with the legislation at that time, there's this bandwagon effect.

The reality is that I represent the people of northern Ontario, I represent the people of Sudbury, and they're very much in support of Bill 135. So as long as the people who are watching tonight understand what Peter Kormos is trying to do, and I think people take it with a grain of salt—I'm here to debate 124. If he doesn't want to, that's fine. If he wants to talk about Bill 135, I'll be more than happy to talk about Bill 135 in Timmins and James Bay, in Nickel Belt, in Sault Ste Marie, anywhere in northern Ontario where the NDP represent them. I believe in the hunters and fishermen of northern Ontario.

**Mr Bisson:** I'm glad the member from Niagara raised the issue of Bill 135. That gives me the opportunity to say that yes, he was perfectly right. I remember. I was here in December when Mr Bartolucci, the member for Sudbury, sent a letter to my House leader wanting us to pass by unanimous consent, with no debate, the opportunity to push Bill 135 forward, and when we New Democrats said no, he was quite miffed at our caucus. He said, "Oh, what are you doing, not supporting anglers and hunters?" People have had an opportunity to see what this bill is all about. Number one, we have never said we don't support the bill. We did say that we felt this bill did nothing and that we had to do something in order to help anglers and hunters in northern Ontario. So we said no to unanimous consent last December and we said we wanted to have proper House time to have debate in this House, and we wanted an opportunity to bring forward amendments because we did not feel that the bill did what was purported in the title. The bill says this is about anglers and hunters, heritage hunting and fishing rights, but when you look at the bill, it says, "You have the right to hunt and fish provided you follow the law."

Mr Bartolucci, that means nothing. It means absolutely nothing. It means they'll still close down roads crossing northern Ontario. Anglers and hunters will still have the rules of MNR foisted on them. They're still going to introduce slot sizes. They'll still cancel the spring bear hunt. Yes, as a New Democrat, as a northerner, I stood up and I said no. I wanted an opportunity to bring

amendments, which I did. This government chose not to accept them and not even to have an opportunity to do amendments, but I did my job and I feel good about that.

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I say to the member for Sudbury, beware of supporting the government too often. One might be able to read you as maybe not being a Liberal, or being too closely associated with the Tories. I can tell you, in northern Ontario being a Tory is a very bad thing when it comes to being re-elected.

So I say that yes, as your New Democrat I'm proud of what we did on Bill 135. We will support the legislation, as we always said we would, but we wanted an opportunity to do amendments, and that is something we did.

**Mr Murdoch:** Maybe this gives me a chance to speak on Bill 135. I notice we've had quite a discussion about that. Maybe we didn't get enough time to debate it before, but we're certainly getting the time now. I think it's a bill that has to be put through, the sooner the better, so things like the cancellation of the spring bear hunt don't happen. That's why we need the bill.

It is a little strange to see the two northern people fighting on this one, but I'm glad to see it is supported from Sudbury. It would have been nice if it had been put through before we adjourned, I believe, at Christmastime last year. It would have been nice to see that put through. I understand that the member from James Bay and vicinity wanted to have some more amendments to it. I think the bill was good enough to be passed before Christmas. I think we should have passed it then, but so be it. It's going to get done, hopefully, in this session.

I notice the House leader for the New Democrats said we're on a crash course to get done, but that's one of the bills we'd like to see get done. I think our hunters and anglers all over the province want to see that bill get done. I think we have to strive to get that done, and I'm glad the member for Sudbury is supporting us on that.

You know something that would be nice in this House? I'd like to see the opposition support the government more often. I can remember when I sat in opposition the time I stood up and supported a bill of the government of the day, the NDP. It was a labour bill, and I remember I was the only one who did that; we had a recorded vote that time too. It was a bit lonely.

It's unfortunate, I think, that in this House the opposition always has to vote against the government. I don't think that's a good way to do it. I think you should debate all the bills, but I wish we could have some more co-operation in here in the future.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to respond.

**Mr Kormos:** I want to re-pledge this caucus, the New Democratic Party caucus, to that spirit of co-operation. I want to re-pledge this caucus to ensuring that bills receive thorough scrutiny. I want to pledge the New Democratic Party's caucus to ensuring that the public has a complete understanding of any bill presented here. I do that in a spirit of genuine goodwill.



I say to the member for Sudbury, I want to echo the words that my leader Howard Hampton said to him back in December. I was sitting here, Mr Hampton was beside me and Mr Bartolucci was passing by, and I heard Howard very clearly telling Mr Bartolucci, "Rick, why don't you just find your wife a nice Christmas gift, because Christmas is coming." I heard that and I say to Mr Bartolucci that in three weeks' time he'll be out of here like everyone else. He'll have time to spend with his family. He'll have time to spend with his constituents and he may reflect on the lost opportunities, the opportunities to have debated—

**Mr Bartolucci:** On a point of order, Mr Speaker: I want to make sure the member knows that my wife is very happy with the Christmas gift I got her, in fact the Christmas gifts that I got her, and it certainly wasn't because the leader of the third party—

**The Deputy Speaker:** Please take your seat now.

**Mr Bartolucci:**—said anything, because the reality is that conversation—

**The Deputy Speaker:** The member for Sudbury, I'm not going to go on. That's not a point of order.

**Mr Kormos:** To what depths will these guys stoop to steal my time? I don't believe it.

**The Deputy Speaker:** The floor is open for further debate.

*Interjections.*

**The Deputy Speaker:** If the official opposition does not have anyone to stand right now, we will move immediately to finishing the leadoff debate. But I see we now have a Liberal member. Please take your seat. You'll be next in rotation. Therefore, the Chair goes to the member for Hastings-Frontenac-Lennox and Addington.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am pleased to have the opportunity to speak to Bill 124, and I've had the opportunity as debate was going on this evening to review certain parts of the bill. I have had some conversations with constituents who have questions and concerns. I have spoken with municipal representatives who, while they would be of the mind that it is important to have legislation that will provide a better framework within which to work, have a lot of questions and uncertainty, and I would even suggest lack of support, for the bill in its present form.

My colleague from Ancaster-Dundas-Flamborough-Aldershot has already made reference to the fact that the Association of Municipalities of Ontario has made 33 recommendations for change within Bill 124. It has already been indicated in debate this evening that time allocation has been introduced on this bill and that precludes the opportunity for this Legislature or any member of the public to participate in further debate, to propose amendments or that there would even be any committee meeting on that. I'm so very disappointed at that news because I believe the Association of Municipalities of Ontario has brought forward some recommendations that should be considered.

I have to say that the government member for Bruce-Grey-Owen Sound has also stood in his place this evening and explained how it is that here we have a government bill and obviously members of the government believe it needs some modification, that it should be changed and amended. Yet we are not going to have that opportunity in this Legislature, nor are members of the public, who have in my opinion very valid issues with provisions within the document to bring those forward for public discussion and debate and for consideration by the government before the bill is passed into law. It's very important when we're talking about a bill that will impact functions within our communities that deal directly with the health and safety of people in our communities. This is a bill that will advance privatization within our communities. We're talking about privatization of services that consider the health and safety and well-being of people in our municipalities. That is an issue and an area that my constituents are not especially comfortable about.

We have had the opportunity since this government has come to power to witness various privatization initiatives—the privatization of Ministry of Transportation services. We've also had the opportunity to participate in hearings and understand from the auditor of the province that, (1), this initiative does not always save the taxpayers money and, (2), it doesn't always provide the best service for the taxpayers of the province. In my riding with respect to Ministry of Transportation services of clearing of highways in the wintertime, as an example, I've heard from constituents. I believe the Provincial Auditor made reference to the fact that he's not been able to see where the government can make a case that is more efficient or less expensive. In the committee I attended, in fact, the auditor very clearly indicated that it cost the provincial taxpayers more in some cases to provide these services for the Ministry of Transportation when the services were privatized.

Here we have a situation where municipalities will be given the opportunity to privatize a service, and there is certainly concern among my caucus about the impact that will have in terms of the quality of work that will now take place and if in fact a registered code agency might become recognized as one that is particularly easy to do business with.

I know the position of the government is that we need this bill so that we can expedite the building process in the province of Ontario. It's not our will on this side of the House to slow it down or to drag it out—

**Mr Bartolucci:** The Liberals. The NDP likes to block things.

**Mrs Dombrowsky:** Certainly it's the Liberal position that we don't want to make that process longer or more burdensome for people who are in that process. But we do believe it is absolutely essential for the well-being of people in our community that it is comprehensive.

Obviously we have a concern when the government brings forward a piece of legislation that is going to speed things along. I mean, we saw this at the Ministry of the Environment. The government in 1995 came in and

said, “You know, there’s all kinds of red tape at the Ministry of the Environment and we’re spending a lot of money on inspections that we don’t think are necessary.” This government, in a period of two weeks, I think it was, went in and cut staff at the Ministry of the Environment, and now the people of Ontario, certainly the people of Walkerton and I would suggest even members of the government recognize that doing things expeditiously, streamlining processes, is not always in the best interests of the public or the people we are intended to serve. I offer that example as a caution with this bill, that if we consider legislation and the government ultimately passes the legislation because it’s going to streamline, it’s going to expedite a process—obviously even the municipalities in this province, the association of municipalities, are not convinced that all of the provisions in this act will ensure and guarantee the safety of the people who will be affected. So for that reason Liberals are not able to support the bill.

While the intention of making the whole building code process more efficient and more effective is one that we do support, there is not the opportunity even in this Legislature for us to make all of those points. We now have notice that there will be time allocation. So the government is obviously not inclined, whatever points we raise in debate, to consider those points, points that don’t always come from Liberals, you know; they come from people in our ridings, constituents who are impacted by this legislation. I would suggest that the government would do well to listen to some of these points that are made that come from the grassroots. But we don’t have that opportunity now because time allocation will be invoked and that prevents any amendments to the bill as it is printed right here.

*Interjection.*

**The Deputy Speaker:** I’m sorry. Take your seat. That’s about the fifth time from the member for Etobicoke North. Please stop.

Sorry for the interruption. Please continue.

**Mrs Dombrowsky:** Thank you, Speaker.

I feel very comfortable in the position that our caucus has taken, that the Liberals have taken, in that this bill needs work. It needs much more work, and because time allocation will be invoked, that won’t happen. This is an opportunity the government has. We’re not prepared to support a bill that needs more work, and the people in the province deserve that attention.

Speaker, at this time I would like to move adjournment of the House.

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

All those in favour will please indicate by saying “aye.”

Those opposed will please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2035 to 2105.*

**The Deputy Speaker:** Mrs Dombrowsky has moved adjournment of the House. All members in favour of that motion will please stand and remain standing until all are counted. Please be seated. All those opposed will please rise and remain standing until all are counted.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 7; the nays are 28.

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

Mrs Dombrowsky has the floor again for the remaining time.

**Hon Mr Baird:** On a point of order, Mr Speaker: I’d like to recognize the presence in the gallery of Matt Macdonald, also known as “The Panther,” and Kiley Thompson, also known as “The Waffle.”

**Hon Cameron Jackson (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I’d just like to point out that my daughter, Lauren Jackson, is separating those two characters.

**The Deputy Speaker:** Neither of those is a point of order. Welcome.

You have the floor.

**Mrs Dombrowsky:** Because this government has given us notice that they will move time allocation on this bill, I move adjournment of the debate.

**The Deputy Speaker:** Mrs Dombrowsky has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying “aye.”

Those opposed, please say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2107 to 2137.*

**The Deputy Speaker:** All those in favour of the motion will please rise and remain standing until all are counted. Thank you.

All those opposed to the motion will please stand and remain standing until all are counted.

**Clerk of the House:** The ayes are 4; the nays are 32.

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

It now being after 9:30 of the clock, this House stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 2139.*

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