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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 25 October 2006**

**Mercredi 25 octobre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 October 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 octobre 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### TORONTO EXPO 2015

**Mr. Ted Arnott (Waterloo–Wellington):** We know the McGuinty Liberal government has broken faith with the people of Ontario, that they will say anything to get elected, that they have broken at least 50 of their election promises and that they have no plan for the province. Since the House resumed this fall, their answers in question period repeatedly contradict the truth, and they are entirely abdicating provincial leadership by blaming the federal government for all of their shortcomings.

But surely they will recognize the definite economic benefits that Expo 2015 would bring to the entire province if Toronto's bid meets with success, and surely they will work co-operatively with the city of Toronto and the federal government instead of pointing a finger of blame, which will only cause the bid to lose momentum.

According to today's press, Toronto Expo 2015 would generate 143,000 jobs in the city and \$13.5 billion in economic activity across the country. As the member for Dufferin–Peel–Wellington–Grey said, "The world's fair would be a huge boost for the city." Not only that, but hundreds of thousands of people coming to Toronto could be encouraged to visit attractions and communities across the entire province, like Elora, St. Jacobs, Glen Williams, Norval and countless other places to see and to experience.

Obviously, the taxpayers' interests must be guaranteed and all public projects need to be kept within a tightly controlled budget, but let them set aside their partisan differences, prioritize this challenge, share the responsibility and work together to send the strongest possible bid for Toronto Expo 2015. Let us recognize that the 21st century belongs to Canada, and let us show our best to the world.

#### GOVERNMENT'S RECORD

**Mr. Bruce Crozier (Essex):** Speaker, I appreciate this opportunity to tell you and my colleagues all the good things that are happening in and around the riding of Essex.

Family health teams are going to be established in Amherstburg, Harrow and neighbouring Leamington;

stand-alone angioplasty in Windsor to serve our residents; over \$8 million in new funding to expand home and community care in Windsor–Essex; a new satellite medical school at the University of Windsor with 14 additional spaces announced this year; soon a satellite dialysis clinic at Leamington District Memorial Hospital.

In education there is a moratorium on school closures; Harrow high school still open and going strong; over \$600,000 to help keep good schools open; \$200,000 for Harrow high school in the Lighthouse program; record investment in school boards in the riding, including millions for infrastructure, and two new schools as well.

Speaking of infrastructure, there is an \$80-million announcement for four-laning the Highway 3 bypass, something I worked on for 13 years; six-laning Highway 401; \$8.8 million for local municipalities for transportation infrastructure; and over \$14.5 million in funding for municipal infrastructure projects.

The member for Beaches–East York said I needed bolstering down there. Thank you very much, sir; I'm doing well on my own.

#### LONG-TERM CARE

**Ms. Lisa MacLeod (Nepean–Carleton):** I am pleased to stand in this Legislature today and congratulate my city, the city of Ottawa, for coming to the rescue of the McGuinty Liberals and providing some more long-term-care beds.

Just last night in this chamber, I stood and spoke to Bill 140 and the lack of adequate long-term-care beds in my city. I pointed out how rushed and inadequate this new Liberal bill was and how many more broken promises it failed to remedy.

When I brought this issue to the attention of the minister in the Legislature, I was hoping that he would be working on this problem for the people of Ottawa. It turns out that instead the city of Ottawa is coming to the rescue. As pointed out in the Ottawa Citizen on October 14, the lack of long-term-care beds in Ottawa "has led to cancelled surgeries, crowded emergency rooms and longer wait times for key procedures." The capital region is short 850 long-term-care beds. That is enough beds to fill a community hospital.

I am pleased to point out that the city of Ottawa will be opening up one bed at Carleton Lodge in my riding immediately and five beds at the Peter D. Clark home over the next three weeks. Six beds is a start, but the problem is far from solved.

If the Minister of Health and Long-Term Care had a real, concrete plan, the city would not have to squeeze a few beds from its already taxed system in order to bail them out. One has to wonder if this is the same approach that the Minister of Health will depend on to solve other health care problems in Ottawa and around the province.

If the minister is waiting for municipalities to bail his government out, then he should be honest about it instead of hiding behind rhetoric and blaming parliamentary ghosts from years past with this ineffective legislation.

#### MARIANNE'S PLACE

**Ms. Andrea Horwath (Hamilton East):** The McGuinty government is neglecting the situation in Guelph–Wellington, which is causing a tragic situation to unfold at Marianne's Place, a shelter for abused women and children escaping violence in the home. This shelter is run by Guelph–Wellington Women in Crisis, which is funded by the Ministry of Community and Social Services. It could close this very weekend.

Last night, shelter workers represented by CUPE rallied to draw attention to the plight of women and children who rely on Marianne's Place as their lifeline. Workers are fighting valiantly to maintain the collective agreement they currently have, but management wants to ignore their workplace safety concerns, cut bereavement leave and force concessions on wages and other issues. The board is threatening to close the shelter if the workers go on strike, which they have the right to do as of this Friday at midnight.

Why is the McGuinty government turning a blind eye to this potentially perilous situation? If the shelter closes, what happens to the women and children, and the tangible help and expert counselling they receive from CUPE workers? I shudder to think. Workers do not want to go on strike. Their union has tried everything within its power to come to a resolution. The McGuinty government has a role to play in ensuring that this urgent labour dispute is settled by tomorrow so that Guelph–Wellington women, kids and shelter workers remain safe and secure.

I call on the McGuinty government to show leadership that will keep Marianne's Place open. Do what needs to be done so that the workers can continue to provide services to women and children fleeing violent homes—services that are desperately needed in Guelph–Wellington and, unfortunately, across this province.

#### HOSPITAL FUNDING

**Mrs. Linda Jeffrey (Brampton Centre):** I rise today to inform this House of the progress and current status of both the Brampton Civic Hospital and the Peel Memorial Hospital. Last Friday, Ontario Health Minister George Smitherman and his parliamentary assistant, Dr. Kular, visited the site of our new hospital, scheduled to open in the fall of 2007, to announce funding for equipment and furnishings for the Brampton Civic Hospital.

This timely announcement of \$18.9 million will be used to help our hospital purchase such items as medical imaging equipment, lamps and articulating arms for the emergency room, in addition to things like sterilizers and washers needed for infection control.

**1340**

I was therefore disturbed to read reports in my local paper in which the leader of the official opposition idly speculated about the future of my existing hospital on Lynch Street. According to the Brampton Guardian, Mr. Tory asked, "What happens with Peel Memorial Hospital? Is it going to be closed?" Well, let me put the fears of the member from Dufferin–Peel–Wellington–Grey to rest and remind him of an announcement made in October 2005: Minister Smitherman announced the redevelopment of the Lynch Street site, with construction slated to begin in 2009-10. This capital project was one of several hospitals approved under ReNew Ontario, our five-year, \$30-billion infrastructure investment plan.

I'm proud that for the first time this province has a long-term plan for building and funding our hospitals that will bring much-needed stability and certainty to hospitals and better health care for Ontarians.

#### REPORT, OFFICE OF THE INTEGRITY COMMISSIONER

**Mr. Robert W. Runciman (Leeds–Grenville):** As the subject of the Integrity Commissioner's report released today, I want to indicate my respect for Justice Osborne and my acceptance of his findings. However, I believe there are issues fundamental to our role as legislators that are not referenced or commented upon by Justice Osborne.

Members of this assembly have special responsibilities. From an opposition perspective, it's critically important that we have the ability to exercise oversight of government functions. Justice Osborne's cautions seem to take issue with at least one avenue of opposition oversight without commenting on the implications. As an example, reference the plea bargain arrangement made with Karla Homolka. Had we, as legislators, known about the deal prior to its completion, Justice Osborne's interpretation of sub judice would restrict us from criticism. In other words, as legislators, we can't superintend until it's too late.

Perhaps the most serious issue surrounding the report is the conclusion that sub judice applies outside these chambers. He offers no support for that conclusion. Indeed, Erskine May, Montpetit and others indicate that sub judice clearly only applies inside the House and within its committees as a restraint on members' immunity. When members leave these chambers and comment publicly, they face the possibility of lawsuits or electoral defeat. Osborne is now saying members have less right to speak than the general public.

These are important and fundamental questions. I accept Osborne's findings, but to the extent his ruling suggests limits on the rights of legislators to exercise

oversight, that I will never accept. My conscience will be my guide.

#### CHILD CARE

**Mr. David Oraziotti (Sault Ste. Marie):** Today is the sixth annual Child Care Worker and Early Childhood Educator Appreciation Day. More than 120 municipalities are also marking this important day, and we join them in saluting these hard-working professionals. Child care workers are people who every day go above and beyond to make sure children across Ontario get the support they need to learn and grow. From education assistants going the extra mile to those working in child care centres supporting early development, child care workers are on the front lines making sure Ontario's children have a bright future. Through our Best Start plan, we've created 15,000 new child care spaces with our municipal partners since 2004, helping to make child care more affordable for Ontarians.

Ontario is working hard to support child care workers and early childhood educators, but the Harper government's cancellation of the landmark \$1.9-billion early learning and child care agreement with Ontario also cancelled 10,000 more child care spaces. While the NDP claims to be waging an all-out battle for child care, they chose to sell out Ontario families, voting to cancel the deal as well. Clearly, Prime Minister Harper has a responsibility to families and to hard-working child care professionals to stand up for Ontario.

On behalf of our government, let me extend a heartfelt thank you to all early childhood educators and child care workers in the province of Ontario.

#### PROGRESSIVE CONSERVATIVE PARTY

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I was a bit confounded when I read an article in Saturday's Toronto Star about the official opposition's secret meetings with some of the landowner associations in the province. I, myself, have had the opportunity to meet with many rural Ontarians. Like the rest of my party, I will continue to work with all legitimate organizations to ensure that farmers' voices are heard and their views considered when policy is formed.

The fact that the Tories voted against clean drinking water as some sort of awkward gesture to certain groups is a strange move. Rural Ontarians are as interested in clean water as all Ontarians. At least this explains—

**Mr. Robert W. Runciman (Leeds–Grenville):** On a point of order, Mr. Speaker: We did not vote against clean water. I'll call that a lie.

**The Speaker (Hon. Michael A. Brown):** The member will have to withdraw.

*Interjections.*

**The Speaker:** Will the member for Leeds–Grenville withdraw?

*Interjections.*

**The Speaker:** I will name the member for Leeds–Grenville if he does not withdraw.

**Mr. Runciman:** At your direction, Mr. Speaker, I'll withdraw.

**The Speaker:** The member for Stormont–Dundas–Charlottenburgh.

**Mr. Brownell:** Okay, I shall continue.

At least this explains why John Tory didn't register his vote in the House. He obviously feels being a leader means not offending any group nor committing to any policy that benefits the whole.

The truly baffling part of this article came in the form of a comment from the member for Oak Ridges, wherein he claims that if landowners formed their own party and put forward their own members, they would "split the anti-government vote." This confusing gaffe has all the hallmarks of a party blowing in the wind. There is no real leadership on that side of the House.

I would suggest the members of the official opposition take a page out of our book and try to work with all Ontarians to implement sound policy, instead of spouting hollow words they think their base might want to hear. Leadership means taking a stand on important issues. When will the member from Dufferin–Peel–Wellington–Grey realize this?

**The Speaker:** Members' statements.

**Mr. Brad Duguid (Scarborough Centre):** It was revealed this weekend that on October 5, two MPPs and two of Tory's senior staff held an election-planning meeting with Ontario Landowners. We think the Leader of the Opposition should come clean. The Landowners group has a law-breaking, inflammatory, hard right wing, Libertarian philosophy. I'm sure the good people in Don Valley West would want to know what values the Leader of the Opposition is trading for a few extremist rural votes.

Now we know why the Tory caucus voted against the Clean Water Act. There are deals being made in the backrooms with the Ontario Landowners Association and Mr. Tory's team. The group is against clean water, safe food and supply management. Randy Hillier thinks himself threatening the life of a cabinet minister is a joke.

I think the question people need to be asking themselves is, what else is the Leader of the Opposition cooking up behind closed doors? Are the Tories so desperate that they're willing to make an alliance with lawbreakers who think violence is a means to an end? They threaten violence because they don't like the law of the land, and they attack police officers on duty on the front line. They're against multiculturalism, public health and equal rights for all.

We believe there's no place in Ontario for spreading hate or endorsing people who do. We stand up for all Ontarians. We've passed the Clean Water Act. We've invested in our cities and our rural infrastructure. We've provided support to farm families in crisis.

My parents taught me to be careful who you hang out with, because you'll be judged by the company you keep. That's advice that John Tory should be taking right now.

*Interjections.*

**The Speaker:** The member for Kitchener–Waterloo, I need you to withdraw.

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'll withdraw.

#### VISITORS

**Mr. Mario Sergio (York West):** On a point of order, Mr. Speaker: I would like to bring to the attention of the House that today in the easy lobby we have a delegation from Siracusa, Italy, led by professore Vittorio Anastasi. I would like to welcome them here today.

**Ms. Cheri DiNovo (Parkdale–High Park):** On a point of order, Mr. Speaker: I wanted to introduce to the House a wonderful public school grade 5 class who are here from Queen Victoria in Parkdale–High Park.

#### WEARING OF RIBBONS

**Mr. John O'Toole (Durham):** On a point of order, Mr. Speaker: I would seek unanimous consent of the House to wear the white ribbon representing concerned citizens against child pornography.

**The Speaker (Hon. Michael A. Brown):** Mr. O'Toole has asked for unanimous consent to wear a white ribbon representing concerned citizens against child pornography. Agreed? Agreed.

#### REPORT, OFFICE OF THE INTEGRITY COMMISSIONER

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have today laid upon the table the report of the Integrity Commissioner, the Honourable Coulter A. Osborne, responding to the request of the member for York West concerning Mr. Robert Runciman, MPP, member for Leeds–Grenville.

#### VISITORS

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: I just rise to recognize Ontario's early childhood educators and child care workers on today, which is the annual appreciation day in their honour, and to hope that we can get to a point where they are able to maintain their jobs in a very dignified fashion.

#### MOTIONS

#### COMMITTEE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that the standing committee on social policy be authorized to meet at the call of the Chair on Monday, October 30, and Tuesday, October 31, 2006, for the purpose of considering Bill 50, An Act respecting the regulation of the profession of traditional Chinese medi-

cine, and making complementary amendments to certain Acts.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

#### HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, October 25, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1352 to 1357.*

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

#### Ayes

Arnott, Ted	Duguid, Brad	Patten, Richard
Balkissoon, Bas	Duncan, Dwight	Peters, Steve
Barrett, Toby	Fonseca, Peter	Peterson, Tim
Bartolucci, Rick	Gerretsen, John	Phillips, Gerry
Bentley, Christopher	Jeffrey, Linda	Ramal, Khalil
Bountrogianni, Marie	Klees, Frank	Rinaldi, Lou
Bradley, James J.	Kwinter, Monte	Runciman, Robert W.
Broten, Laurel C.	Levac, Dave	Sergio, Mario
Brownell, Jim	Matthews, Deborah	Smith, Monique
Bryant, Michael	McMeekin, Ted	Smitherman, George
Cansfield, Donna H.	McNeely, Phil	Sorbara, Gregory S.
Caplan, David	Meilleur, Madeleine	Takhar, Harinder S.
Chambers, Mary Anne V.	Miller, Norm	Van Bommel, Maria
Colle, Mike	Milloy, John	Watson, Jim
Crozier, Bruce	Mitchell, Carol	Wilkinson, John
Delaney, Bob	Munro, Julia	Wilson, Jim
Di Cocco, Caroline	O'Toole, John	Witmer, Elizabeth
Dombrowsky, Leona	Oraziotti, David	Wynne, Kathleen O.

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
DiNovo, Cheri	Marchese, Rosario	Tabuns, Peter
Horwath, Andrea	Martel, Shelley	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 54; the nays are 8.

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

#### ORAL QUESTIONS

#### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Robert W. Runciman (Leeds–Grenville):** My question is for the Minister of Public Infrastructure

Renewal. Minister, today there are disturbing reports that over the last several years more than 200 lottery insiders have won prizes in excess of \$50,000. Jeffrey Rosenthal, a U of T professor, says that it's "extremely unlikely" these insiders would hit the jackpot that many times. The story, which is going to air on *The Fifth Estate* tonight, suggests that two thirds of these insider wins may have involved deception. Minister, can you tell us when you became aware of this issue and whether or not you plan to investigate the matter to ensure that Ontarians are not being defrauded of their rightful winnings?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** There has been an allegation made, and I want all members to know that I take that very, very seriously. Ontario Lottery and Gaming is certainly committed to operating a business in a responsible and ethical manner and has some of the most stringent inside-win provisions of any organization of its kind in North America. Regrettably, *The Fifth Estate* has chosen not to share their data and their analysis with us so that we can have an opportunity to verify it. But, notwithstanding that, today I have written to the chair of the Ontario Lottery and Gaming Corp. and asked for a review and analysis and for that report to be delivered to me as quickly as possible.

**Mr. Runciman:** I appreciate the response. We are aware of the steps the OLGC says it takes to make the system secure. We've read their press releases too. The reports today suggest that those steps simply aren't enough. There's been lots of talk around this place in recent weeks about trust and the OLGC. Duncan Brown, the CEO, justified spending \$6 million to drop the "C" from the logo, and he said, "The rebranding initiative was around a need to fill an information gap, a risk to our gaming operation's integrity and reputation."

Minister, nothing could more damage the reputation of the OLGC than allegations of the kind made in the media today, and yet all the energies were focused on cosmetic changes rather than dealing with the operations. Given these allegations, do you believe it was more important to spend \$6 million to remove a "C" than to invest in security measures?

**Hon. Mr. Caplan:** In fact, Ontario Lottery and Gaming has significant internal controls, but also measures to protect lottery and gaming players, like freezing the lottery terminals when major wins are claimed and customer-facing screens that verify results directly to the customers. In fact, we have initiated self-ticket-checkers so that players themselves can check. But it didn't just stop there. One of the leading forensic audit firms in Canada earlier this year reviewed OLGC practices, and I would quote:

"In addition to our joint external financial statement audit conducted by KPMG and Grant Thornton, OLG takes the additional step of retaining Ernst and Young to audit the internal controls related specifically to our lottery and gaming system. The audit procedures performed by Ernst and Young are extensive and include a review of our insider-win policy. Ernst and Young has

found that internal control processes related to our lottery system are appropriate. Claimants subject to the insider-win policy are subject to additional scrutiny and interviews by OLG's prize office and, in addition, a review is conducted by OLG's internal audit department before payment is approved."

**Mr. Runciman:** We know the minister is spouting lines provided to him by Mr. Brown. I wonder if the minister asked Mr. Brown—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. Member for Leeds–Grenville.

**Mr. Runciman:** I wonder if the minister asked Mr. Brown why the OLGC spent \$425,000 to fight Bob Edmonds, a victim of fraud. Did he ask Mr. Brown why the OLGC never apologized to Mr. Edmonds? Did he ask how long they've known about these problems?

The reality is that this minister has no idea how effective the security measures are. He's taking the word of someone who's protecting his own backside, someone who recently rationalized a \$6-million expenditure on cosmetics rather than security.

Minister, if these allegations are proven true, whose head will roll, yours or Mr. Brown's?

**Hon. Mr. Caplan:** In regard to Mr. Edmonds, I certainly want to convey my regret at any hardship the claimant endured in resolving the matter with OLG, and rest assured that I take this incident very seriously. But the member does not need to look very far. In fact, OLGC began its legal ordeal with Mr. Edmonds under the direction of his seatmate, the member from Erie–Lincoln, who was the minister responsible for OLG at the time, in 2001–02, when the court case with Mr. Edmonds began. So I say to the member from Leeds–Grenville, if he has some criticism of the way that the matter was initiated and handled, all he need do is turn to the member who sits beside him in this Legislature and level that particular charge.

On the matter that is currently before the courts, I regret that I simply cannot provide any additional answers, but those are the—

**The Speaker:** Thank you. New question?

## ONTARIO ECONOMY

**Mr. Tim Hudak (Erie–Lincoln):** I have a question to the Minister of Finance. I'll call your attention to a quote in the *Sudbury Star* from last week:

"Ontario's manufacturing-based economy, reeling from widespread layoffs in the forestry and industrial sectors, has been sharply downgraded to rank last in economic growth among the provinces, according to an economic outlook by Royal Bank...."

Minister, your high tax and high hydro rate policies are chasing jobs from the province of Ontario. Some 100,000 well-paying manufacturing jobs have fled the province since 2005. The forestry sector is in crisis. We are the only province in this entire country of Canada to see a growth in the number of unemployed people in our

province. The typical working family in Dalton McGuinty's Ontario now pays some \$2,000 more per year in higher taxes, higher user fees and higher hydro. Will the minister admit that he's finally seen the light, and that in tomorrow's economic statement, he'll begin to lower the tax burden, starting with his so-called health tax?

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I'm glad that my friend is going to be here tomorrow to hear the fall economic update. I simply want to say to him today, by way of preface, that the Ontario economy continues to perform well, that we continue to create jobs. I should point out to him—I know he would want to correct the record if he were aware of this—that even in respect of hydro rates, industrial hydro rates in Ontario today are now as low as or lower than they were in 2002. This provides an added benefit for our manufacturers, all of whom are dealing with very strong competition from all over the world.

**Mr. Hudak:** I'm sure that working families will be shocked to hear the minister say that hydro rates have come down in the province of Ontario; in fact, quite the contrary.

The minister will recall—I'm sure he helped out with it—the Ontario Liberal financial plan that Dalton McGuinty said would help finance all of his campaign promises. When the minister reviews his own public accounts for 2005-06, he'll see that he has clawed in some \$5 billion more in revenue than Dalton McGuinty said he needed to keep all of his campaign promises, and Lord knows all those campaign promises are far from being kept; in fact, the majority probably broken. That's some \$2.7 billion more in revenue even without the so-called health tax.

Minister, please tell me there's a bone of sympathy in your body for hard-working families and seniors in the province of Ontario, and that you'll finally start cutting taxes in your economic statement tomorrow.

**Hon. Mr. Sorbara:** I'm not sure if my friend from Erie–Lincoln is as desperate as his leader is in the comments that his leader made earlier today at the economic summit in Niagara Falls.

I will say to him that those additional revenues that have come into the province have gone towards a historic new campaign in building a stronger health care system in hospitals in every corner of the province. Those new revenues have gone into the transformation of primary care, so that hundreds and thousands of Ontarians now have access to a family doctor. They've gone into the renewal of a school system that, not to put too fine a point on it, was crumbling when we took government three years ago. Those additional revenues have gone into a historic new program in infrastructure upon which a much stronger Ontario economy is being built, and I know that my friend would want to acknowledge all the benefits of those expenditures.

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**Mr. Hudak:** As I mentioned, when you look at the minister's own public accounts numbers—and the num-

bers are in; the proof is in the numbers—health care spending from 2003-04 to 2005-06 has gone up 12%. When you look at other spending, you take out health and education and debt interest, other program spending is up some 21%. Your priority in your spending has been in other areas than health care and education. I think the minister knows that.

They say it's a health tax. It would be just as accurate to say it's a trillium-redesign tax. It would be just as accurate to say it's a juicy-advertising-contracts-for-Liberal-friends tax. It's just as accurate to say it's a dropping-the-“C”-in-the-OLGC tax, or you could just call it your own version of the GST, the Greg Sorbara tax.

Let's face it, Minister, this tax has nothing to do with health care but runaway spending of the Dalton McGuinty government. It's high time—starting tomorrow. You've seen the light. Start reducing taxes starting tomorrow.

**Hon. Mr. Sorbara:** At least my friend from Erie–Lincoln is entertaining, if not accurate, and I think for that, at least he should—

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** Mildly entertaining.

**Hon. Mr. Sorbara:** “Mildly entertaining,” says the Deputy Premier, and I guess I would have to agree with that.

You know, I have done some examination of what the John Tory Conservative Party is proposing for Ontarians. They are proposing to close hospitals as they extract billions of dollars in health care, they are proposing to take your tax dollars and invest them in private schools, and they are pretending that they are going to increase expenditures, lower taxes and balance the budget. I've got a bridge to sell to my friend from Erie–Lincoln and his leader, Mr. Tory.

**The Speaker (Hon. Michael A. Brown):** New question.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Deputy Premier. Today, while the Premier was spending his time with the business elite in Niagara-on-the-Lake, I met with working women and men who have lost their manufacturing jobs under the McGuinty government's watch. Working families, those men and women who work hard every day, want to know this: How is it that Ontario, once a manufacturing powerhouse, has lost 118,000 well-paying, community-sustaining manufacturing jobs under the McGuinty government?

**Hon. Mr. Smitherman:** To the Minister of Finance.

**Hon. Mr. Sorbara:** I'm going to resist the urge to reflect back on 1990 to 1995, when the province lost so many thousands and thousands of manufacturing jobs. But I will say to my friend that if he would just look at the statistics, he would see that this province, over the course of the past three years, has created some 250,000 new, high-paying jobs. Most of those, I tell my friend the leader of the third party, are full-time jobs and very well-paying jobs.

I want to say to him, acknowledge without equivocation that manufacturers right across the continent are under pressure. They're under pressure in Canada and Ontario because of the high value of the Canadian dollar, because of competition from emerging markets. I want to tell my friend the leader of the third party that, in Ontario, we continue to be able to sustain these pressures and see a growing, strengthening economy.

**Mr. Hampton:** This is incredible. We're losing manufacturing jobs at rates of a couple of thousand a week in this province, and the Minister of Finance wants to hark back and blame the wannabe leader of the Liberal Party, who happened to be around in 1990.

This is about today, Minister. This is about thousands of working women and men losing their jobs today. Some 118,000 manufacturing jobs, good jobs, community-sustaining jobs, have gone under the McGuinty government's watch. What people are asking is, does the McGuinty government have any plan at all, any plan to stop the bleeding of manufacturing jobs, any plan at all to restore manufacturing jobs in this province? Do you have any plan at all?

**Hon. Mr. Sorbara:** I would simply direct my friend's attention to the automobile strategy of this government. With the benefit of \$500 million in taxpayers' funds, we have been able to generate some \$7 billion in new investment. That means thousands of jobs in the automotive sector, both jobs that have been preserved and new jobs that are being created in new plants with Toyota, Honda and others.

I would point out as well to him the fact that every economist worth his or her salt says that the best way to strengthen an economy is to invest in post-secondary education—our government has invested some \$6.2 billion—to invest in research and development, and application of that research and development in new, high-paying jobs. That's exactly what we're doing.

**Mr. Hampton:** The minister says the McGuinty government has a plan. What we've heard is announcements from the McGuinty government that there might be some new auto sector jobs in 2009, there might be some new jobs in 2010. The reality is, jobs are being lost now, today: NRI tire recycling plants in Toronto, 425 workers, as they exit the auto parts sector. Tomorrow I expect we're going to get some more announcements out of the pulp and paper sector, as companies are headed into further trouble.

Here's your record: You voted in favour of a resolution calling for a comprehensive job strategy and then you did nothing. You tell workers in communities like Thunder Bay, Oshawa, Windsor, St. Thomas, St. Catharines, Sarnia, Chatham that what's happening is just a little bit of contraction. Minister, 118,000 high-paying manufacturing jobs is not a little bit of contraction.

I want to know this: When is the McGuinty government going to come up with a plan to address the job loss now? Stop talking about 2010—

**The Speaker:** The question's been asked. Minister.

**Hon. Mr. Sorbara:** I don't know where my friend the leader of the third party has been over the past three

years. If he looks at the tax credit investments that we've made in the film industry, urged by your former member from the Danforth riding—and she left, I think, in despair at where her party was going. If you look at the investments we have made in the forest industry—is there pressure in the forestry sector? Absolutely. Will the investments that we've made, including almost \$900 million in support for that industry, save and protect and strengthen that industry? You bet your bottom dollar. That's part of the plan. I can't imagine why the member, who seems to have been here for three years, has missed it entirely.

## HEALTH CARE

**Mr. Howard Hampton (Kenora–Rainy River):** I think we recognize that we'll hear more talk and no action from the McGuinty government on jobs.

To the Deputy Premier: Yesterday you claimed you didn't know about Cleveland Clinic Canada, an American profit-driven private health care corporation that opened up in Toronto. But on September 29, the Toronto Star reported that your assistant, David Spencer, "says his office is aware of Cleveland Clinic Canada." And on March 17 the National Post said about Cleveland Clinic Canada that Jenna Leblanc, a spokeswoman for your ministry, said, "We monitor private clinics very closely."

Deputy Premier, why did you tell reporters you didn't know anything about Cleveland Clinic Canada when clearly you do? And why did you allow this profit-driven private health care corporation from the United States to set up in Ontario in the first place?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** The discussion I had with the news media related to the services being provided at the Cleveland Clinic, and this is clear. The first bill that our government brought in was called the Commitment to the Future of Medicare Act, which the honourable member voted against. The bill has been successful in preventing the Copeman clinics from coming to Ontario and in turning Lifeline back at the borders. It establishes in law very clearly that Ontario will not tolerate a circumstance where people are asked to pay a fee in order to access an insured service. I stand in my place and say to the honourable member that if he has any evidence to the contrary, if he has any evidence that the Cleveland Clinic is operating in such a fashion, charging people a fee to access an insured service, then I ask that he send it along. And I ask him one more time: Why didn't you support the protection involved in the Commitment to the Future of Medicare Act?

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**Mr. Hampton:** Because the evidence grows every day that the McGuinty government's protection of medicare act was completely phony. Here is the proof: Yesterday you said Cleveland Clinic Canada was fine by you because, according to you, it doesn't let people with thick wallets "pay their way to the front of the line" for publicly funded health services. But we called the Cleveland

Clinic to find out if you were right about that or if you were just making things up the way you usually do. The clinic told us that for \$900 someone could buy—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order.

The leader of the third party.

**Mr. Hampton:** We called the clinic. They told us that someone with a thick wallet can pay \$900 and buy an MRI from a Toronto hospital and get to the front of the line. They told us, "This can be done within 48 hours so you don't have to wait on the OHIP list." Doesn't this sound like two-tiered health care to you, Minister?

**Hon. Mr. Smitherman:** The only answer that I will offer to the honourable member in exchange for the information which he offers is that in the absence of my own verification of it, I do not take it at the face value that it was presented.

**Mr. Hampton:** Minister, maybe you should do some research. You might find out some helpful information.

The McGuinty government promised to shut down private MRIs. Now it's apparent that someone with a thick wallet can get a private MRI in 48 hours, while other people who don't have thick wallets wait and wait and wait. The Cleveland Clinic also told us that for \$2,500 we could jump the queue and get ourselves an executive physical with all the bells and whistles, including services covered by OHIP like blood tests, ECGs, pap smears and X-rays. Deputy Premier, that really does sound like two-tier health care. It's clear that your government, or at least your officials, have known about it. It's clear that the McGuinty government has allowed it to happen. Now you're hoping to pretend that you don't see any of it, that it's really not happening under your very noses. You promised to end the privatization—

**The Speaker:** The question has been asked.

**Hon. Mr. Smitherman:** The circumstances that the honourable member outlines relate to the possibilities for the purchase of third party insurance related to employment. This circumstance was created by a regulatory change brought in by that member's party while in office.

#### NATIVE LAND DISPUTE

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. We are now approaching the 240th day of the crisis at Caledonia. In this fiscal year, we are approaching a full seven months of impact on the OPP budget. It's my understanding that there are always 124 OPP officers at Caledonia on a daily basis. Minister, can you inform this House how much the Caledonia crisis is costing the OPP budget to date? I don't want some phony answer; I'd like the actual cost, if you could. Thank you very much.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. I just want to say before I respond to the specifics that I really want to commend the OPP for the job that their men and women are doing. They're in a

very difficult situation, and they're performing in an exemplary manner. I want to commend them, as I said; not only them but their command officers and the commissioner.

Having said that, the OPP has a global budget. In that global budget, the commissioner has a responsibility to allocate it as the commissioner sees the requirements demand. I have said, the Premier has said, and we have said from day one, that if there are any extraordinary costs attributed to that, we will certainly address them. You have to understand that it isn't a simple matter of just checking the time clock, because officers are there on an annual basis, and we're looking at the incremental costs. When we have that information, we will—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Mr. Dunlop:** Minister, I only asked you a question that a responsible minister of the crown should be able to answer and provide to the citizens of Ontario. How much money is it costing the OPP? I don't think that's a hard question.

Perhaps you can answer this other question. I understand that the Management Board of Cabinet is considering a request from the OPP to establish a permanent 72-officer detachment in Caledonia. Can you explain the details of this and how much that detachment will cost the citizens of Ontario as well?

**Hon. Mr. Kwinter:** The member is really saying things that he has no knowledge of. There has been no request to me for a new detachment at Caledonia. As a result, there was no presentation made to Management Board. You're just dreaming this up. So I can't respond to it because there has not been a request for that at this time.

#### AFFORDABLE HOUSING

**Ms. Cheri DiNovo (Parkdale-High Park):** My question is for the Deputy Premier. The federal-provincial housing agreement requires Ontario to pay its share of funding for affordable housing projects. Families and children are sleeping in shelters and on couches in cramped apartments because you're hoarding the money in the bank pending your squabbles with Ottawa. Across Ontario, there are 122,000 households waiting for affordable housing. When will you stop your jurisdictional squabbles, live up to your responsibility and keep your 2003 promise to build 20,000 units of affordable housing?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** To the Minister of Finance.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I want to tell my friend that we're right on schedule with the campaign commitments and that affordable housing is getting built.

The second thing to tell her is that we have received funding from the federal government under trusts established in the last federal budget. As is normally done for

accounting purposes, we have accounted for those as additional revenue and have put the funds in the contingency fund anticipating additional expenditures. Those expenditures will be made in due course on housing.

I just want to tell my friend that if she wants to be really helpful on this matter rather than just political, she could simply assist us in our call for the federal government not to try and pretend that the money for housing honours its commitment on the Canada-Ontario agreement, which will cost Ontario—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary?

**Ms. DiNovo:** If the government wants to be helpful, they will come through on their promise to build those 20,000 units. They're not anywhere close; 1,635 by your own reckoning have been built. You are sitting on \$400 million to \$1.1 billion, depending on which accountant you believe, while people are going without housing. The wait is five to 10 years, and we are dealing with 67,000 households in Toronto alone. Two people die a week on our streets in this city while this government sits on \$400 million, at the very least.

The question again, for which I did not receive an answer, is, when are they going to build the 20,000 housing units promised?

**Hon. Mr. Sorbara:** I know my friend the Minister of Municipal Affairs and Housing will want to comment on this.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** First of all, as this member well knows, because she asked exactly the same question during estimates, currently we have 6,524 units of affordable rental housing stock in place. We also have in place nearly 5,000 units for housing allowances. We have over 1,000 home ownership units and northern housing units that are already in place and either built, constructed or in the approval process.

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The matter with respect to the housing trust has absolutely nothing to do with our commitment to build housing in this province. We're going to build 15,000 new units, and we're going to have a minimum of 5,000 housing allowance units. For the first time in 10 years, this government is taking action on the housing front that is so direly needed.

## WATER QUALITY

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** My question is for the Minister of the Environment. It's been almost a week, and I'm still shaking my head—bewildered, in fact—at the lack of regard for the health and well-being of Ontarians displayed when the NDP and Conservative caucuses voted against the Clean Water Act last week. It's simple: A vote against the Clean Water Act—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. I can wait.

Member for Ancaster–Dundas–Flamborough–Aldershot.

**Mr. McMeekin:** We obviously touched a sensitive nerve over there, Mr. Speaker.

A vote against the Clean Water Act is a vote against clean water. Instead of listening to environmental experts like Dr. Rick Smith, the executive director of Environmental Defence, who stated, "This act is an important step forward in ensuring that the protection of Ontario's source waters is a priority in every watershed," the members of the Conservative caucus chose to stand shoulder to shoulder with Randy Hillier of the Ontario Landowners Association, who argues, "Landowners have been good stewards of the land," adding that it is cities which pollute the water. Then he added, "That's where the danger (is), not my six acres."

The members of the Conservative and NDP caucuses seem confused. Minister, can you shed some light on this around the burden of—

**The Speaker:** The question's been asked.

**Hon. Laurel C. Broten (Minister of the Environment):** I want to thank the member for the question, and for being an incredible advocate for his community and a great champion of the environment, unlike the members opposite. I too am incredibly disappointed that the members opposite have chosen to turn their backs on clean water. They obviously don't want Ontarians to have some of the best-protected drinking water in North America.

To speak specifically to your issues, farmers and rural property owners are among the best stewards of water in the province, and they have done a great deal over the past number of years to ensure that our water is protected and safe. But the Clean Water Act is about preventing contamination, preventing depletion. It is one of the single most important recommendations Justice O'Connor made coming out of the Walkerton inquiry. We will not turn our backs on communities. We will ensure that communities right across the province, rural and urban, have some of the best water, that they will work together as a collective in those communities—

**The Speaker:** Thank you. Supplementary?

**Mr. McMeekin:** I'll drink to that.

Minister, I'm glad to hear you recognize that the Clean Water Act will create a number of new protections for the Great Lakes, since 70% of Ontarians receive their drinking water from the Great Lakes. Perhaps members of the Conservative and NDP caucuses will now begin to focus on what's best for Ontarians, instead of standing shoulder to shoulder with the Ontario Landowners Association, which states in its founding declaration, "Using taxpayers' dollars, our governments support and promote urban cultures of every form and variety. However, when it comes to the independent, peaceful rural culture in Canada, government support is stifling, suffocating and controlling."

Our government knows that the Great Lakes and the channels that feed them are very important. Minister, a vote against the Clean Water Act not only seems to be a vote against clean water, it also seems to be a vote against the Great Lakes—

**The Speaker:** Thank you. The question has been asked.

**Hon. Ms. Broten:** I'm pleased to have a chance to speak about the Great Lakes, because the Great Lakes are important to those of us who live in rural Ontario and to those of us who live in urban Ontario. The Clean Water Act acknowledges for the very first time that the Great Lakes are a source of drinking water for the majority of Ontarians. Again, for the very first time, as a result of significant dollars being provided to communities right across the province—\$120 million in the science and \$7 million in early implementation as a down payment—communities across the Great Lakes are now working together to ensure that the Great Lakes are kept clean and not depleted, and will continue to serve us well for generations to come as a source of clean drinking water. That's what our government has delivered in the form of the Clean Water Act. We only wish that the opposition parties had joined with us to ensure the protection of the Great Lakes.

#### MENTAL HEALTH SERVICES

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Children and Youth Services. Yesterday, we heard from the Strong Communities Coalition about the gap in funding for health and social services in the GTA/905. In fact, Dr. Colin Saldanha, a family physician in Mississauga, told us of the failure of the system in the case of a 14-year-old patient in dire need of treatment for drug and alcohol abuse. In Peel there is a frustrating wait of up to six months for services, and yet doctors tell us that, upon presentation, these youth need a plan of care within 24 to 48 hours.

In 2003, your leader promised to help families struggling with mental illness. Minister, what plan of action do you have to address these unacceptable wait times for youth and children?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm happy to address the question from the member for Kitchener–Waterloo. I'm also quite aware of the fact that there is more to be done to support children and youth mental health. But I also need to acknowledge that that sector is now receiving \$38 million per year more with our government than they received in the past. In fact, the \$25-million increase they received in 2004-05 was the first increase to that sector in 12 years. We are coming from far behind. We have a lot of catching up to do. There's a lot of work being done to support that sector. Certainly, we want to make sure that children and youth have proper access to the services they need.

**Mrs. Witmer:** Mr. Speaker, through you to the Minister: I'm sorry to say that since your leader made that promise to help families with mental illness, the gap has widened. In fact, when I first got the information today, there were not—as I learned at the last moment from Children's Mental Health Ontario, there are more

than 8,300 children on the waiting list for mental health services today. I was appalled to see the increase over the three-year period. Family and Children's Services of Guelph says, "There are an unprecedented number of children and youth who are going untreated. Waiting lists for community-based services and residential treatment are unacceptable." This is from Guelph family services.

Minister, what plan of action do you have to address these unacceptable increasing wait times for children and youth?

**Hon. Mrs. Chambers:** As I've said, the sector is currently receiving \$38 million more per year than it was receiving when we came into government. That's a significant increase. We are working very closely with this sector. With regard to the people who were here at Queen's Park this week, I should say that the regions of Peel, Halton, Durham and York have received an increase of 37.5% since 2003-04. So in those regions we are investing in children's services to the tune of almost \$394 million.

Is there more to be done? Absolutely. But do you know what? Like I said, we are coming from far behind. I wish we could turn the years back, the calendar back, to before these kinds of situations—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question.

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#### WATER QUALITY

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Deputy Premier. On the anniversary of the Kashechewan water crisis, the fundamental right—and I repeat the fundamental right—of Ontario's First Nations people to safe, clean drinking water continues to be elusive. After years of boil-water advisories, mismanagement, multiple reports—glaring deficiencies—First Nations communities still face a serious health hazard when it comes to their own drinking water.

My question is simply this: If safe, clean drinking water is a fundamental right, as your Minister of the Environment likes to say, why are we still getting skin infections and disease in those communities as a result of using the drinking water?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** To the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** We're going to continue this debate, I guess, with the third party. As he knows, and as First Nations leadership knows, it's a federal responsibility to ensure that the people of First Nations have clean, safe drinking water. We have just passed the source water protection act, the Clean Water Act, that's going to protect the sources of that water.

The Minister of the Environment and I have been pushing the minister of aboriginal affairs for this last year, and he has responded in that he understands that safe, clean drinking water is a top priority for INAC. I

will be meeting with him on this issue next week in Ottawa.

It is the position of the government that the federal government has to keep its responsibility, and we work closely with First Nations on this. As you know from the letter we received yesterday, we've been asked to intervene on their behalf when it comes to Ottawa's responsibility.

**Mr. Bisson:** These are citizens of the province of Ontario and they have a right to clean drinking water, as your minister stated when she passed the particular legislation you refer to. We, as New Democrats, opposed it because it didn't include all citizens of Ontario.

We still have boil-water advisories in communities like Constance Lake, Moose Deer Point, Kingfisher, and the list goes on. I'm going to say to you again, your indifference in saying that it's a federal responsibility is not going to do anything to fix the problem. Our own government invested close to \$50 million to put water and sewers in the very communities that are in my riding and in the ridings of other members of this Legislature. If we could do it, why can't you be part of the solution instead of just finger pointing at the federal government?

**Hon. Mr. Ramsay:** I'd like to correct the impression that the leader of the third party gave yesterday when he referred to a letter from Nishnawbe Aski Grand Chief Stan Beardy and said that the grand chief had written to the Premier in regard to this particular situation. What the grand chief had written the Premier about was the Clean Water Act, Bill 43.

As the Minister of the Environment wants to remind me, yes, First Nations communities are included, and that's the important part. We are protecting the water sources for all Ontarians under the Clean Water Act. That is part of that. The third party doesn't seem to want to understand that, but all Ontarians' source water is protected under the Clean Water Act.

#### RENEWABLE ENERGY

**Mrs. Carol Mitchell (Huron-Bruce):** My question is for the Minister of Energy. This past summer, you announced your very comprehensive 20-year energy directive to help keep the lights on in Ontario for the next generation. This included very aggressive targets for energy conservation as well as usage of renewable energies going forward. The riding of Huron-Bruce is fast becoming well known as a haven for renewable energy sources in the province, and several wind farms have already been established, with a high probability toward a higher amount in the near future. What other renewable projects is this government bringing online in its commitment to cleaner sources of power and cleaner air?

**Hon. Dwight Duncan (Minister of Energy):** I want to thank the member for Huron-Bruce for all the good work she has done to bring renewable energy not only to Ontario but to her constituency. Huron-Bruce has some of the best wind opportunities in the province, with one

wind farm already up and running and four under construction. These projects are the result of the McGuinty government's commitment to renewable energy, something that neither opposition party ever did in their mandate. Since taking office, we have had two successful RFPs that are bringing on over 1,300 megawatts of clean, renewable power: the Kingsbridge wind project in Goderich, which is up and running; the Hamilton digester gas project, which was opened in July of last year; the Leader wind projects in Kincardine; and the Umbata Falls project in Marathon. Not only are these projects delivering cleaner power to over 300,000 homes, they represent a capital investment of \$2.5 million—

**The Speaker (Hon. Michael A. Brown):** Thank you. Supplementary.

**Mrs. Mitchell:** Minister, I do want to say that I'm very proud of this government's commitment to renewable energy and how Huron-Bruce is doing its part to bring renewable energy on stream so that Ontarians can benefit from cleaner sources of energy. Unlike the members of the House opposite, who like to dismiss renewable energy such as wind, I'm very glad to see that we see the value in it and that we understand. Minister, what additional steps is this government taking to ensure that renewable energy sources are sustainable for the immediate and long-term future in small communities across Ontario?

**Hon. Mr. Duncan:** Beyond the RFPs and the Niagara tunnel project, which the Conservative government didn't move on in eight years—eight long, painful years. It's under construction now, sir, and it's going to bring on cleaner and more renewable electricity. We've also done net metering to allow small generators, such as farmers, to produce renewable energy and receive credit for the excess electricity that they produce.

We've introduced the standard offer contract, which will allow hundreds of small, local, renewable energy producers to get into the energy market. Over the next 10 years, this program will help add up to 1,000 megawatts of renewable energy to Ontario's electricity supply—enough to power 250,000 homes. It will help ease the strain on our system, reduce air pollution, promote reliability, protect the environment and create new, high-skilled jobs.

I was in Fort Erie just two months ago to open the first wind farm manufacturing operation in a closed automotive parts manufacturer. Ontario is going from—

**The Speaker:** Thank you. New question.

#### TOBACCO SMUGGLING

**Mr. Norman W. Sterling (Lanark-Carleton):** I have a question for the Minister of Health Promotion. Minister, over the past three years your government's increased taxes on tobacco products have raised the price of cigarettes by approximately 20%. If history proves itself, it's reasonable to expect that as taxes increase, smuggling and the sales of illegal cigarettes also increase. During estimates, we found that your ministry has 140

employees, on average receiving over \$80,000 a year, most of them involved with policies. Minister, do you have any studies or statistics on the sale of illegal cigarettes in Ontario?

**Hon. Jim Watson (Minister of Health Promotion):**

First of all, I take exception to, once again, the Conservatives attacking the public service in this province. You had eight years of beating up and name-calling and calling into question the integrity of the public service. I stand by the 140 dedicated men and women in the Ministry of Health Promotion and the great work that they are doing in the province of Ontario.

Secondly, when it comes to raising taxes on tobacco, I remind the honourable member that during his time in office, they raised taxes November 29, 1996; February 14, 1998; November 6, 1999; April 5, 2001; November 1, 2001; and June 18, 2002. Maybe the honourable member was absent during those votes, but that took place under his watch.

We made a commitment, as a government, to raise the tax to the national average, base year 2003. We're committed to that. We brought in four increases, not the six that you brought in.

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**Mr. Sterling:** My question was whether you had any studies on illegal cigarettes, and you avoided that. I assume you have none.

It's not one of my favourite companies in the world, but Imperial Tobacco released a study saying that illegal cigarette sales make up almost 23.5% of cigarette sales in Ontario. You, Minister, have attacked the credibility on this particular study, but you have no evidence to the contrary.

Let me quote from a news release put out by Physicians for a Smoke-Free Canada:

"Because of the governments' ... failure to monitor the usage of illegal cigarettes, Imperial Tobacco's report is the most extensive survey available...."

"The irony ... is tobacco companies who are providing this information" are the "source of embarrassment and shame to governments."

Minister, does your claim that Ontario's consumption has fallen by 18.7% since 2003 allow for the increasing sales of illegal cigarettes—

**The Speaker (Hon. Michael A. Brown):** The question has been asked.

**Hon. Mr. Watson:** First of all, I am not going to quote a report from the tobacco industry with any credibility. That's like asking Colonel Sanders to give a comment on the survival of chickens in Ontario: It just doesn't make any sense. It wasn't a study, number one; it was a poll, and the member should get that straight. There's a world of difference between a study and a poll.

The second point is, the McGuinty government is proud of our track record with the Smoke-Free Ontario Act. I would ask the honourable member to explain to the people of Ontario why exactly one half of his caucus was either not there for the vote on the Smoke-Free Ontario Act or actually voted against it.

Some 16,000 people will die prematurely as a result of smoking and smoking-related diseases. I stand proudly with this caucus and this government on the side of health care providers, hospitality workers and those people—

**The Speaker:** Thank you. New question.

#### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Public Infrastructure Renewal: I too want to ask you about those over 200 incredibly lucky Ontario lottery retailers who have won prizes worth more than \$50,000 each in the last seven years. The statistics indicate that they beat odds of a trillion trillion trillion trillion to one. That's odds of one quidecillion to one.

Why wouldn't that phenomenon in and of itself have rung alarm bells in the OLG, rather than waiting for the CBC to blow the whistle?

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** The OLG, in fact, has some of the most stringent security measures in North America.

I didn't have a chance earlier to talk about the May 15, 2006, Ernst and Young report: "The insider win policy provides the utmost integrity of the OLG in the conduct of lottery games by ensuring that there is no perception of an unfair advantage by an OLG lottery winner who is closely affiliated with the Ontario Lottery and Gaming Corp."

What is really a shame here is that this member implies that some of the hardest-working and most honest Ontario residents—namely, our convenience store owners and retail clerks—are somehow perpetrating some kind of fraud on Ontarians. I know, from meeting thousands of these hard-working Ontario families, that nothing could be further from the truth. This member should stand up and apologize.

**Mr. Kormos:** Minister—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. I need to be able to hear the supplementary.

**Mr. Kormos:** Minister, don't be silly. These are statistics that indicate an exclusive group of but 200 beating odds of one quidecillion to one—that's a trillion trillion trillion trillion. It is also speculated that up to two thirds of these winnings amongst this handful of retailers could be the result of deception. Rather than auditors on retailer, why don't you announce today that you will ask the Provincial Auditor to audit OLG to ensure that Ontarians are getting the winnings they're entitled to?

**Hon. David Caplan:** In fact, one of the leading forensic audit firms in Canada has been retained and has rendered an opinion about the security measures—internal controls—at OLG.

What I find particularly disturbing is this member's characterization of hard-working Ontario families, convenience store owners, retailers, clerks—small business

people who, day in and day out, contribute to this province. This member is painting them as somehow committing some offence and perpetrating a fraud on Ontarians. The only thing deceptive here is this member's characterization of these hard-working Ontarians, and I stand with these hard-working families as they work, day in and day out, to contribute to the economy and the prosperity of Ontario, and to make Ontario the kind of place where you want to live, work and raise a family.

#### HEALTH PROMOTION

**Mr. John Wilkinson (Perth–Middlesex):** My question is for the Minister of Health Promotion. On August 18, I was pleased to welcome you to my riding of Perth–Middlesex, where you attended a performance of the Stratford Festival of Canada and took part in the Club Smart Car Cross-Canada Relay, which raised money for the Bruce Denniston Bone Marrow Society. Minister, your visit brought good news to my riding.

On the following day, August 19, you announced funding for VON Perth Huron through your ministry's communities in action fund. The grant was for \$21,515. As their website states, VON Perth Huron "continues to seek creative and innovative ways to respond to the rapidly changing social and health needs of Canadians in this new millennium." Minister, how does the communities in action fund grant that you announced complement these needs, especially for seniors in North Perth, in the northern part of my riding?

**Hon. Jim Watson (Minister of Health Promotion):** I want to thank the honourable member for Perth–Middlesex for his invitation to his riding. I enjoy going to his riding, because the community there is extremely active and involved when it comes to physical activity. We're particularly pleased with the \$21,000 grant to the VON Perth Huron, which is going to allow it to expand its SMART program. SMART stands for Seniors Maintaining Active Roles Together, which was established to help older adults in Mr. Wilkinson's community who have functional limitations to get active and get moving.

Often, community groups have a very good idea, a dream that they want to set up a program to get seniors or young people physically active, but they don't have the money to do it. The communities in action fund provides the seed money that allows these good projects and these good dreams to become reality in Perth–Middlesex.

**Mr. Wilkinson:** It's clear that our government, the McGuinty government, is on the side of Ontario's seniors, unlike the caucus of the official opposition, which has a plan to cut some \$2.6 billion out of the health care system they rely on each and every day.

Of course, I'm especially pleased that my riding of Perth–Middlesex was able to achieve funding from your ministry for a number of worthy projects this year. Another CIAF recipient, which you announced during your visit on the 19th, was the Galbraith Optimist Camp for Kids. As you know, the Galbraith Optimist Camp for

Kids is situated on 118 acres of beautiful, secluded land, just eight kilometres between Milverton and Listowel in my riding. At this camp, children enjoy a caring camp atmosphere where they will have a good time, learn new skills and make new friends.

On August 19, you announced a grant of \$7,856 for Camp Galbraith. Can you please explain to my constituents how this grant will remove barriers for these kids so they can participate in sport and recreation programs and, subsequently, help them further their activities and—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister?

**Hon. Jim Watson:** It was a wonderful day in Milverton, and I want to thank the Optimist Club, which is responsible for running the camp. The Optimists identify over 700 kids for camp, many of whom are known to and sponsored through the children's aid society. The camp, through this grant from the communities in action fund, is going to be able to provide new sports—badminton, lacrosse, beach volleyball—for these kids, who normally would not have an opportunity to experiment with these kinds of activities. Additionally, fresh produce from local farmers is brought to the camp, and this brings in the other aspect of communities in action: good nutritional education.

This is a \$5-million program, and since the McGuinty government came to office in the last few years, we've been able to provide \$15.8 million to over 585 very worthy organizations, including those where Mr. Wilkinson has been a great advocate for promoting fitness, wellness and nutrition in the good riding of Perth–Middlesex.

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#### VISITORS

**Mr. Garfield Dunlop (Simcoe North):** On a point of order, Mr. Speaker: I hope that everyone in the House would join me in welcoming one of the classes from my old high school, the Park Street Collegiate Institute in Orillia. Give them a warm welcome, everybody.

#### ONTARIO LEGISLATIVE QUILT

**Mr. John Wilkinson (Perth–Middlesex):** On a point of order, Mr. Speaker: I'm sure that you and all the members will be glad to know that last night, at the event for the quilt that we all contributed to, there were some \$2,600 for the quilt that all members participated in creating. I want to thank the members for their help.

#### PETITIONS

##### HIGHWAY 26

**Mr. Jim Wilson (Simcoe–Grey):** "To the Legislative Assembly of Ontario:

“Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 1999; and

“Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

“Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey.”

I’ve signed that petition.

### IMMIGRANTS’ SKILLS

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly. It’s signed by friends and family of Haroon Khan, who gathered on Monday afternoon to celebrate Eid, and I wish everybody an Eid Mubarak. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, managerial and professional talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario’s trades and professions could remove many such barriers, but Ontario’s trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario’s regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario’s employers, Ontario’s newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

It’s a great petition. I thank the family of Haroon Khan. I’m pleased to affix my signature and to ask page Adam to carry it for me.

### PROPERTY RIGHTS

**Mr. John O’Toole (Durham):** It’s always a pleasure to present a petition on behalf of my constituents in the riding of Durham. It reads as follows:

“To the Legislative Assembly of Ontario”—this is fairly important because it relates to Bill 43:

“Whereas the Canadian Charter of Rights and Freedoms is silent on property rights; and

“Whereas the Alberta Bill of Rights specifically protects the right to the enjoyment of property; and

“Whereas the Quebec Charter of Human Rights and Freedoms provides that ‘Every person has a right to the peaceful enjoyment and free disposition of his’—or her—“property, except to the extent provided by law’; and

“Whereas ownership rights should not be abridged or usurped without due process of law; and

“Whereas owners of all lands affected by expropriation should have the right to be included as parties to a required inquiry to consider the merits of the objectives of the expropriating authority; and

“Whereas the decision of an expropriating authority should be subject to judicial review; and

“Whereas, subject to specific limitations of law, the right to peaceful enjoyment of one’s land must be recognized by Ontario law;

“We, the undersigned, petition to the Legislative Assembly of Ontario as follows:

“To pass Bill 57, the Land Rights and Responsibilities Act, 2006.”

I think our member Toby Barrett has that act and I’m pleased to endorse and support that. I present it to Patrick, one of the pages who will be leaving at the end of next week.

### LONG-TERM CARE

**Ms. Andrea Horwath (Hamilton East):** This is a petition to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

“Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

“Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

“Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

“Whereas a coroner’s jury in April 2005 recommended the Ontario government establish a minimum

number of care hours nursing home residents must receive each day;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day.”

#### FAIR ACCESS TO PROFESSIONS

**Mr. Shafiq Qadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario in support of Bill 124, skilled immigrants. The petition reads as follows:

“Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature.”

Of course, I am pleased to affix my signature, and send it to you via page Breanna.

#### LANDFILL

**Mr. Norman W. Sterling (Lanark–Carleton):** This is to the Legislative Assembly of Ontario:

“Whereas there is currently a proposal to more than double the size of the Carp landfill in west Ottawa; and

“Whereas this site has been in operation for some 30 years and had been expected to close in 2010; and

“Whereas the surrounding community has grown rapidly for the past 10 years and is continuing to grow; and

“Whereas other options to an expanded landfill have yet to be considered; and

“Whereas the municipal councillors representing this area ... and the MPP, Norm Sterling, all oppose this expansion;

“We, the undersigned, support our local representatives and petition the Legislative Assembly of Ontario to ensure the Minister of the Environment does not approve the expansion of the Carp landfill and instead finds other waste management alternatives.”

I've signed that.

#### SOCIAL ASSISTANCE

**Ms. Andrea Horwath (Hamilton East):** This is a petition to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas people relying on assistance from Ontario Works (OW) and Ontario disability support program (ODSP) face increasingly severe hardship because the McGuinty government failed to keep its promise of regular annual increases; and

“Whereas in 2003, McGuinty promised to tie OW and ODSP rates to the real cost of living but broke that promise once elected; and

“Whereas current OW and ODSP recipients often don't have enough money for food after paying the ever-rising cost of living for rent, utilities and transportation costs; and

“Whereas the McGuinty government continues to cut back on necessary supports such as the special diet supplement and the national child tax benefit, taking even more money away from Ontario's most vulnerable;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government raise OW and ODSP rates immediately by 3% annually; and

“That the McGuinty Liberal government close the 21.6% gap left by the Harris Conservatives; and

“That the McGuinty Liberal government immediately end the clawback on the national child tax benefit; and

“That the McGuinty Liberal government immediately reinstate the special diet supplement to Ontarians who have seen the benefit cut.”

I agree with this. It's from my community of Hamilton, and I send it to the table by way of page Stephen.

1510

#### IMMIGRANTS' SKILLS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition, and I want to thank the clients of the Peel Multicultural Council and residents of western Mississauga for this petition. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to

remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario’s regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario’s employers, Ontario’s newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

I agree with this petition. I affix my signature to it and give it to page Adam, who’s here with me today.

#### LONG-TERM CARE

**Mr. Jim Wilson (Simcoe–Grey):** A petition to the Legislative Assembly of Ontario:

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

I want to thank the residents’ council of Sara Vista nursing home for sending me that petition.

**Ms. Andrea Horwath (Hamilton East):** This petition is to the Legislative Assembly of Ontario from the people of the Kirkland Lake and Timiskaming area.

“Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

“Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

“Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

“Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

“Whereas a coroner’s jury in April 2005 recommended the Ontario government establish a minimum number of care hours nursing home residents must receive each day;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day.”

I send it to the table by way of Julia, the page.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Shafiq Qaadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario in support of skilled immigrants, Bill 124. It reads as follows:

“Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature.”

Of course, Speaker, I support this wholeheartedly and send it to you via page Paul.

#### ORDERS OF THE DAY

##### REGULATORY MODERNIZATION ACT, 2006

##### LOI DE 2006 SUR LA MODERNISATION DE LA RÉGLEMENTATION

Mr. Peters moved second reading of the following bill:

Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts /  
Projet de loi 69, Loi permettant l’échange de renseignements sur les organismes réglementés afin de rendre plus efficaces l’application et l’exécution de la législation de nature réglementaire et apportant des modifications corrélatives à d’autres lois.

**The Speaker (Hon. Michael A. Brown):** The Minister of Labour.

**Hon. Steve Peters (Minister of Labour):** Thank you very much, Speaker. I will be sharing my time with my parliamentary assistant, the MPP for Thornhill.

I'm honoured to be able to initiate second reading debate on the proposed Regulatory Modernization Act, 2006. I'm proud of this proposed legislation because it would, if passed, improve the way government can help businesses comply with laws in Ontario. I'm proud that this bill, if passed, would reduce burdens that businesses face and support economic growth in the province. Most of all, I'm proud that this bill would provide an even greater level of protection for Ontario's people, workers, environment and natural resources.

This bill is about ministries communicating and co-operating. Improved communication means less duplication. Through shared communications, we're better able to protect the public and help businesses more efficiently and effectively. Right now, there are 13 provincial ministries responsible for ensuring that companies and individuals comply with Ontario's laws—13 ministries. In fact, some businesses are regulated by as many as seven or eight different ministries. We know that businesses in Ontario want to do the right thing: to comply with Ontario's laws. But we also know that they are having trouble keeping up. We know that finding the legislation that regulates your business is not always easy.

So we've met with many stakeholders, businesses, associations and our own staff. We have talked with the municipal and federal governments, and to other Canadian and international jurisdictions. We have listened to business owners here in the province of Ontario. They have told us that they often have to provide duplicate information to multiple ministries, or that they spend hours looking for the right legislation that regulates their business.

We have also spoken to our own staff, particularly those individuals who are out in the field, week after week, inspecting facilities. They want and need the tools to be able to co-operate with their colleagues in other ministries, to ensure organizations are complying with Ontario laws.

It is with our stakeholders' help that we've examined our approaches to regulatory compliance and have identified opportunities to reduce burdens for businesses. The result of all these efforts has been the development of a three-part strategy to modernize and improve how government can more effectively and efficiently help businesses comply. We need to modernize the way we share information and the way we work together across government. Our proposed Regulatory Modernization Act, 2006, is an integral part of that transformation.

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The proposed legislation, if passed, has four key components: It would allow for the collection, sharing and use of compliance information across all regulatory ministries; it would give field staff the authority to provide other ministries with a heads-up if they observe something during a visit that may be relevant to the mandate of another ministry; it would authorize ministers to create special teams of field staff to work together; and it would implement a number of deterrents against non-compliance, such as the publishing of convictions and re-

quiring of the courts' consideration of previous relevant convictions upon sentencing for a regulatory conviction.

I'd like to point out that a number of stakeholders we spoke to asked us specifically for these four components. Businesses have asked us to reduce duplication, whether it's in collecting information or coordinating our inspectors. Our own field staff spoke to the importance of being able to work together and share information. Almost every stakeholder told us how important it is for us to target the businesses that seek an unfair competitive advantage by consistently breaking Ontario laws.

It is important, though, to understand that this bill is not strictly about enforcement. This is about enabling the government to develop the tools and initiatives to help businesses better understand their legal requirements. The bill is about ministries communicating and co-operating, because improved communication means less duplication, and it is why we have introduced this legislation as part of our broader strategy that represents a balanced approach to compliance. Our stakeholders recognize what we are trying to do. As a ministry, we would like to see this bill go to committee so we can hear from all of our partners and the opposition parties and listen to their comments.

I'd now like to speak about individual components of our proposed bill.

Number one: information sharing. The act, if passed, would change the way regulatory ministries and their agencies could collect, use and share information obtained through their inspections and other compliance-related activities. Greater co-operation and information sharing among ministries is key.

Currently, the general approach is that ministries work independently of each other. They undertake separate compliance-related activities under their respective statutes. There are obstacles, including legislative restrictions, which limit how information can be shared amongst ministries. I have spoken to many business owners and members of the public who are surprised at the restrictions. They ask, "How can government be efficient if they can't even talk to one another?" This means our own compliance activities often operate in ministry silos. To be effective and provide the service expected by Ontarians, ministries need to be able to communicate and co-operate together. Currently, eight or more ministries may visit a business at separate times over a year. The inspectors would likely ask for similar types of information, such as company name, address and business activities. This situation results in some duplication of information collected by ministries. It also puts an onus on business owners to understand the range of regulatory requirements from each ministry, which may complicate their efforts to co-operate with the law.

The proposed act, if passed, would establish clear authority for information sharing so that ministries could better work together. The proposed legislation, if passed, would not change the type or the amount of information that is currently collected from organizations. Instead, it will help ministries to better coordinate how information

is collected from organizations. Improved communication means less duplication.

We believe this bill, if passed, could enable, for example, the Ministries of Transportation, Environment and Natural Resources to better work together; the Ministry of Community Safety and Correctional Services and the Ministry of Children and Youth Services could collaborate on enforcement projects. We believe it could help save time for the business community. Businesses could spend more time on their actual business.

The bill builds upon this articulated need for improved information sharing and includes other ways to work together to be more efficient, including the heads-up authority. This legislation would provide field staff legal authority to give a heads-up to colleagues in other ministries. The environment minister might inspect a workplace and notice someone cutting metal without goggles. The Ministry of the Environment inspector would be able to give the Ministry of Labour a heads-up about this unsafe situation. The key is that staff could help one another when it comes to making observations that might be relevant to the administration of and compliance with another statute.

I want to emphasize again that this legislation does not allow for fishing expeditions, nor does it intend to result in generic inspectors. I want to repeat that: This legislation does not allow for fishing expeditions, nor does it intend to result in generic inspectors. We recognize and respect the level of expertise and technical capability that our compliance officers bring to the administration and enforcement of legislation. The heads-up authority is to enable the government to work in co-operation. That's why we are providing our inspectors with the tools they need to do their jobs more effectively.

Special teams through multiple authorizations: A large part of our regulatory modernization efforts is to make better, more efficient use of our high-quality existing resources. This legislation would provide ministers with the authority to create teams made up of inspectors from across ministries. For example, health and safety and environment inspectors could work together on special compliance projects, perhaps to do joint inspection checks at facilities in a specific sector that repeatedly disregards both health and safety and environmental laws, or perhaps to find out how they can better work together to make it easier for small business owners such as autobody repair shops to understand, manage and comply with provincial legislation.

We've heard from business owners. They want to deal with inspectors who are knowledgeable and have expertise in the legislation for which they are responsible. Our inspectors are extremely highly trained professionals. Our inspectors are not, and will not be, responsible for enforcing multiple statutes outside of their professional training.

Since we took office, the McGuinty government has hired more than 350 new inspectors across government. We made a commitment to invest in the public service in this province. We made a commitment to invest in the

health and safety of Ontarians. We made a commitment to invest in protecting the environment and natural resources in this province. I'm proud that we've been able to move forward with 350 new inspectors to help better protect Ontario's citizens.

We recognize and value the important job our inspectors perform to ensure the safety of all Ontarians. We are providing inspectors with the tools they need to do their jobs more effectively. The ability to work more cooperatively and efficiently is, in essence, what this legislation is all about. It's also about answering concerns from compliant businesses who have asked what we, as government, are going to do to target enforcement efforts on companies that repeatedly and seriously break Ontario laws.

The bill proposes two new tools: publication of compliance information and sentencing considerations. The bill provides the ability to publish compliance- and conviction-related information under designated statutes. By identifying companies that break Ontario laws, we believe that this act, if passed, would act as a deterrent for repeat offenders and help keep the public safe. Companies value their reputation within communities. Greater transparency in publishing information about convictions can be a motivating factor in companies' achieving compliance with Ontario's laws. This leads me to the issue of sentencing considerations.

Where a company repeatedly disregards our health and safety laws, this act would, if passed, allow a prosecutor to ask the court to consider previous convictions under any act when sentencing an offender convicted of an offence. By authorizing the prosecutor to ask the courts to consider a defendant's previous convictions, we hope that sentences imposed on serious repeat violators will reflect their repeated contraventions of Ontario's laws. In other words, the greater the number of convictions, the more severe the penalty or higher the fine.

All these components of the proposed legislation are just part of our broader modernization agenda. The Regulatory Modernization Act, 2006, is a fundamental piece of our larger modernization strategy. The goal of our overall modernization strategy is to improve how government works together: how we can work together to better protect the public and to help businesses more efficiently and effectively.

#### 1530

For example, we have implemented a small business pilot project to provide easy-to-understand tool kits so that businesses can improve the way they comply with Ontario laws. Our pilot project is with the autobody repair sector. This sector faces a number of challenges, including the number of laws and bylaws across many ministries and other levels of government that they have to comply with; difficulty in finding the time to access information on the regulatory requirements applicable to the business; and the duplicate information they have to submit to multiple ministries. We know from inspections by the Ministries of Labour, Environment and Finance that this sector needs help in achieving higher levels of compliance.

After significant consultation with the autobody repair sector, we launched a one-stop shop for autobody owners this summer, the Auto Body Repair Compliance Information Centre, or CIC. The CIC is an online compliance centre that provides important information that autobody owners need to meet their compliance requirements. The CIC provides single-point access to provincial requirements for their sector as well as required forms and key government contacts. This site also provides popular links to many other relevant external websites and general workplace topics and facts. An autobody repair shop owner can now go to one website and see what he or she needs to comply with operating a business in Ontario. Let me tell you, this centre has been a tremendous success.

I heard some heckling earlier about who is interested in this. The Sarnia-Lambton County Body Shop Association has said of this site, "Having one place to go for compliance questions will save a lot of time for shop owners. It's a big step forward to be able to quickly access the information we need to run compliant businesses."

This site has received more than 75,000 hits since it was announced in June. That means people are not just passing through this site; they are staying to view and to see what government has to offer. We included a survey on the website for shop owners. So far, 44 of 45 survey responses have been extremely positive. One facility owner has said, "A one-stop shop of everything we need to know. I never thought I'd see the day! It's a great beginning from what I can see so far."

Another stated, "This site looks good. It seems to be very user-friendly as I've found all information topics within ... five clicks."

We are also working on developing strategies that would publicly recognize companies with exceptional records of compliance, companies that perform above and beyond compliance. By recognizing excellence, we hope to encourage other organizations to model these leaders and take action to achieve higher levels of compliance. In turn, with more companies taking responsibility and going beyond compliance, we can use our enforcement efforts to focus on those organizations that repeatedly and seriously violate Ontario laws. We are responding to what businesses have told us: It is important for us to target the businesses that seek an unfair competitive advantage by consistently breaking Ontario laws. This might mean doing targeted inspection checks of that small proportion of the regulated community that commits repeat, serious violations of Ontario laws, making sure these organizations are appropriately prosecuted and their prior convictions taken into consideration by the courts.

I would now like to conclude with a set of closing thoughts. To summarize, we believe the proposed Regulatory Modernization Act, 2006, is a strong and balanced bill. It is vital to our broader efforts to modernize Ontario's regulatory activities so that there is more co-operation between ministries and agencies to help businesses meet their compliance requirements. It will place

fewer unnecessary burdens on companies, but most importantly, it will provide better protection of the public, the environment and our natural resources.

We are confident that Ontario's business community will appreciate the efforts of our modernization agenda as we move forward, and we believe that, if passed, the citizens of Ontario will receive better protection as a result of these new initiatives. We have sought, and we will continue to seek, the views of stakeholders as we move forward in order to achieve positive, progressive changes. Our approach is an approach that's good for business, it's good for government, and most importantly, it's good for the people of Ontario.

In conclusion, I'd just like to say thank you to Mr. John Stager and a number of other staff within the Ministry of Labour for their hard work and dedication in bringing this bill to where it is today. I'd now like to ask my colleague my parliamentary assistant from Thornhill to continue the debate.

**Mr. Mario G. Racco (Thornhill):** I would like to support my colleague the Honourable Steve Peters, the Minister of Labour, in his introduction of the proposed Regulatory Modernization Act, 2006, for second reading debate. This proposed legislation is a perfect example of how the McGuinty government is improving the way government works. This proposed legislation is also an excellent example of how the McGuinty government is on the side of small businesses and entrepreneurs.

We have met with and listened to dozens of small business owners and associations in Ontario. They have told us that for them to grow and prosper, we need to provide them with better tools to help them comply with Ontario's laws. As my colleague Minister Peters has said, there are 13 provincial ministries responsible for regulatory compliance activities. Some businesses are regulated by as many as eight different ministries. For example, autobody repair shops are regulated by approximately 17 provincial acts, and this is under eight different ministries.

These small business owners don't necessarily have issues with regulation. They know regulation is absolutely important and necessary to ensure safe operations; for example, to ensure that the health and safety of their staff and the public is protected. But these businesses want us to know and understand the challenges that they face. They have told us they provide some of the same types of information over and over again to various government officials. Some autobody repair shop owners may be required to complete around 70 different forms that pertain to their business. They have told us that they have difficulties in finding the right information on legislation that affects their businesses, and they have told us that they are having trouble keeping up. They want to follow the rules, and they want to understand their regulatory obligations.

That is why we have begun an extensive modernization process designed to help small businesses in their efforts to comply with our laws. That is why, in addition to Bill 69, our government has introduced a new ap-

proach to helping small businesses meet their regulatory requirements. As Minister Peters pointed out, this summer we launched an easy to understand online tool kit for the autobody repair sector. The Autobody Repair Compliance Information Centre helps autobody repair shops find information from across ministries that they need to be in compliance. We have received rave reviews from the autobody industry as a result of our efforts. One review said: "Having one place to go for compliance questions will save a lot of time for shop owners. It's a big step forward to be able to quickly access the information we need to run compliant businesses."

I know there are plans to continue to improve and expand the pilot project. Let me emphasize that the proposed Regulatory Modernization Act is a critical part of continuing and building upon the success of this project. The act would, if passed, enable cross-ministry collaboration in this project. We want to improve upon and expand the pilot project because the McGuinty government is on the side of small businesses and entrepreneurs, and we are committed to supporting them whenever possible.

#### 1540

This bill is, among other things, about more co-operation among ministries and agencies in order to help businesses meet their compliance requirements. It is about easing burdens placed on companies and reducing duplication of ministries' compliance activities. We are removing challenges to doing business. This can only help contribute to a successful and vibrant economy.

The bottom line is, this bill makes sense. It makes sense for Ontario's businesses, it makes sense for Ontario regulatory ministries and it makes sense for the Ontario public and Ontario's taxpayers.

Speaking, however, of regulatory ministries and the public, I want to thank the employees of the Ontario public service, who serve Ontarians each and every day. Without our staff, Bill 69 and, indeed, all of our innovative projects would not be possible. It was our inspectors, our field staff, our experts on the ground, working with this organization every day, who helped us to find areas of improvement. They give us suggestions as to how ministries could share information and better work together.

If we truly want to move forward to reduce burdens on businesses and increase opportunities for ministries to work together, we need this bill. We want to create a government that is easy to access and works in modern ways, and we want our businesses to be able to know and understand their regulatory obligations. We want to provide benefits that are good for business, benefits that are also good for working people and, above all, benefits that are good for everyone in Ontario: the taxpayers of Ontario, the people that pay your salary and mine.

The McGuinty government's modernization initiatives will build a strong and prosperous economy, protect the public interest and provide Ontarians with the best quality of life, second to none. It is because of this that I ask all members to unanimously support the second

reading of the proposed Regulatory Modernization Act, 2006.

This is a bill that is going to make our system more efficient. It's a bill that will make the business community in our province happier. It's a bill that will allow the people who run their own business to concentrate their efforts in making their business even more efficient than it is. It is a win for all. Because of that, I trust that the opposition parties will see the light and will, in fact, support this bill today as soon as possible so that we can move into other legislation, other bills but, most importantly, so that we will be able to do what small businesses in Ontario have been telling us for a while, and that is that they are wasting too much time because of prior political administrations coming up with regulations, new forms, new things for them to do. Those individuals prefer to spend all their energy in making more business, which means that they will make more revenue, which means they will be paying more taxes to Ontario and to all the other public administrations. So it's a win-win, as I said.

Therefore, I trust the good judgment of all of us in this House that we move on quickly and we also send a good signal to our employees, people who have advised us on how to make things better. These people are waiting to see how these honourable members in this honourable House trust their opinions and how we respect their direction in areas that we've asked them to provide us an opinion. Therefore, I would say again, before I sit: Let's send a strong message of trust and confidence in our employees, in the people who are serving us with this information and, most importantly, the people of Ontario who watch us in this honourable House, quite often, spending time talking about issues which, quite frankly, sometimes are not necessarily related to the bill in front of us.

Second reading will allow us to go to the community to open up discussion with people who are interested in speaking on this bill. We are going to have meetings in the community—certainly in Toronto and wherever Minister Peters feels it's necessary for us to go. I think that's where opportunities will be available to get into more specifics on this bill.

But the bill, as it is, deserves strong support from all three parties today or as soon as possible, so that, together, we can send a strong message to the taxpayers of Ontario that we want to make the business community in this province better for them. The small ones, in particular, want to concentrate their energy on doing their business, what they do best and where they can provide services for Ontarians in addition to making their business more profitable. As I said earlier, the moment business does better economically, all of Ontario will do better. We share in the benefits of getting higher taxes because they are going to do better on the revenue side.

Therefore, I thank all the members in this House for listening and trust that they will support this bill.

**The Acting Speaker (Mr. Michael Prue):** Questions and comments?

**Mr. John O'Toole (Durham):** I'm looking forward to our critic Mr. Martiniuk, who has practised law in this area, I believe, and so he'll be quite insightful and very technical.

But in a general sense, I'd say at first blush that this bill is long overdue. It's probably something that we had on the books that the ministry people have brought to Minister Peters's attention, and they're finally just getting around to doing it, because it's streamlining and efficiency.

I want to put on the record—it's important—that they're giving us the impression here that they've done broad consultations with the public sector. I want to see a letter from Leah Casselman on this. I'm not sure that she'll be sending that. If she can send it to me personally, I'll read it in the Legislature on her behalf. That's one of the things, first of all.

Now, there are other disclosure issues. Under the Freedom of Information and Protection of Privacy Act, there's important consent required for a person's information to be collected, used and/or disclosed. These are important and somewhat technical things, and when you do investigations on companies, until those things are substantiated and proven in a dispute mechanism, court or wherever, there have to be some rules of evidence in law that come to bear here on this. I think that's important, too, in the debate, and I'm waiting for our member from Cambridge, Mr. Martiniuk, who has practised law for years technically and understands the technical things that I'm relating here.

In a general sense, I'd say this is administrative. I'd like to see something from Leah Casselman and the Ontario public sector, because this affects their jobs and those contract relationships that they have. I get the impression here that they've already done that, and I can only assume that they're being forthright. They've made a lot of promises over the years that they haven't kept, so you've always got to keep your eye on that. The Liberals often promise one thing and do something else. So we're going to be listening closely to the debate here.

**Ms. Shelley Martel (Nickel Belt):** In response to the comments that were made by the government in the leadoff speech, let me say that, in principle, we would not want to see roadblocks in place, with inspectors being unable to report from one ministry to another about digressions or problems that they have seen in a workplace when they have been going in, for example, as a Ministry of Transportation inspector and saw something on the environmental side that gave them some grave concerns. So, in principle, we don't have a problem with making sure that there are not arbitrary restrictions in place that would not allow for an exchange of information, so that that Ministry of the Environment inspector can then go in and do his or her job.

Flowing from that, what we don't want to see, however, are some of the following consequences: Number one, that we end up with a sort of generic inspector, and we lose some of the incredible skills and talents and expertise that we now have among the various ministries

with respect to their inspectors. People who go down into mines in Sudbury for the Ministry of Northern Development and Mines have some specific and particular expertise that I would not want to see lost because this bill ends up resulting in a position that is a more generic inspector, rather than one with really specific skills and understanding of what to look for in very specific environments.

**1550**

On the flip side of that, I also don't want to see, flowing from this, super-inspectors multi-tasking in an environment looking for a number of things: environmental, hydraulics—you name it—so that we're expecting them to do much more than they have ever been required to do and, frankly, much more than they are skilled to do. That, on the flip side, would cause me some real concerns about whether or not they can do a proper inspection.

We want to make sure that the people who do inspections, who work for the public service, who work on the public's behalf, continue to do that in a way that is safe and that ensures the public is best represented and that their concerns are dealt with.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I want to start by congratulating the minister and the parliamentary assistant on bringing forward this legislation, Bill 69.

Basically, even though it has a long title, what we're looking at doing is regulating our organizations by information sharing. It sounds kind of scary, but a simple example that can be given is: If a labour inspector went to a particular location to look at some labour issues that were going on in a particular business, that inspector may have to call someone from the health department because there are going to be health issues involved as well. If someone is cutting metal without using goggles, that could be both a labour infraction and a health infraction. So you may have to call both ministries involved in that.

In my riding, for example, we have what is called the quarry lands, a piece of land located in the Clonmore and Gerrard area. It's basically a Ministry of the Environment issue, but some of that information may need to be shared with the Ministry of Health, because people have come to me and said, "Mr. Berardinetti, there's a problem with what's coming out of that site"—it was a former landfill site.

I've been working quite a bit with the Ministry of Health on this issue, and have spoken to the minister directly as well as with the local councillor for that area, Brian Ashton. Part of the problem is that the Ministry of the Environment is involved, and the Ministry of Health could be involved, but they can't really share that information right now. It's more difficult for them to do that or to give a heads-up to the Ministry of Health, and perhaps to another ministry that could look at this.

This bill brings that together, provides for congruency. I think that's quite important, so it's a step forward. There are safeguards in here—unfortunately I don't have the time to talk about them—to prevent that information from being leaked or brought too much into the public

sector, but used only among the ministries. Once again, I congratulate the ministry.

**The Acting Speaker:** Questions and comments?

**Mr. Gerry Martiniuk (Cambridge):** I get the privilege of doing two minutes, then I'll turn around and do a longer bit.

**Mr. Peter Kormos (Niagara Centre):** It's your hour.

**Mr. Martiniuk:** Yeah, it's my hour.

Bill 69 has certain laudatory aims, and we in this House are all concerned with the protection of the public, with the protection of employees and with the protection of businesses. This bill, as a stated aim, desires to make the regulatory system in Ontario somewhat more efficient. Now, the minister has already stated that it is not—one of its aims is to save money, although that may be an ancillary end of this bill, but he says it's to make it more efficient and that it is aimed as protection against business—not only large businesses but, in fact, small businesses.

As a matter of fact, it's one of the first times I've ever seen an individual described as an organization. A person who is a sole proprietor is, for the purposes of this act, an organization, and if it's a partnership, he's also an organization. So you don't have to be a corporation. It seems to be aimed—not primarily, but in good part—against small businesses rather than larger businesses within our province. I don't know the reason for that, but that is something we could explore when the matter does go to committee.

**The Acting Speaker:** The minister or the parliamentary assistant may wish to respond.

**Hon. Mr. Peters:** I'd like to thank the members for Cambridge, Nickel Belt, Durham and Scarborough Southwest for their comments. I think it's important to recognize that this is not a bill that's coming forward in any sort of partisan way. This is about everything we do as a government—and all of us are a part of that government—doing things more effectively, more efficiently and getting ourselves out of the silo mentality that exists out there. This is about better supporting public servants here in the province.

I think it's important to note that I personally met with the freedom of information and privacy commissioner about this bill. It's important to note that many of the ideas came out of the ideas campaign from our front-line workers and our men and women on the ground. These men and women put forward initiatives and ideas like this.

As well, to point out some of the concerns: This is not a bill about creating a super inspectorate or generic inspectors. We recognize the technical and complex nature that exists within the various pieces of legislation, and that expertise will continue. This is not an exercise, as we move forward, about cutting jobs or trying to save money; this is about trying to do things better within government.

This is an historic opportunity for us in this Legislature to really start to streamline the way we do business in this province, that ministries can share information. I just found it unbelievable that governments of all stripes

in the past in this province had not put provisions in place to allow legislative sharing of information from ministry to ministry. It really is mind-boggling to discover that that information sharing could not take place. This is about ending duplication, about doing things better, and I would ask all members of the House to support this bill as it goes forward.

**The Acting Speaker:** Further debate?

**Mr. Martiniuk:** I have the privilege of joining in the second reading debate of Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts.

I'd like to congratulate the minister for bringing forward this bill, because I certainly agree with the aims. As a matter of fact, the minister was just down in Cambridge not too long ago, and the two of us toured the Toyota plant. It was great to see industry in our area booming. Unfortunately, that is not happening right across Ontario.

Unfortunately, I did not have time to take the minister to visit our hospitals, because that's what I would like to talk about: the pain and anguish of myself and every member of the region of Waterloo, who don't know if our emergency wards are going to be open tomorrow or the next day. And they're studying it. They're paying our emergency doctors \$170 an hour. In Hamilton, where they have a whole bunch of members—they forgot about Mr. Milloy—they pay \$200 an hour. In London, they're paying them \$200 an hour. And somehow, the Minister of Health cannot figure out why doctors are reluctant to come to emergency wards in Cambridge or Kitchener: It's because we pay them \$30 less. You don't have to be a brain surgeon to figure that out, but it seems that our Minister of Health is having some difficulty. I hope he fixes it, because each individual member of our population—our population of half a million—lives in dread that one of our emergency wards is going to close. It simply means that we live with this fear, and it's putting the safety and health of residents at risk. There is very little doubt about that.

But that's not what we're here to talk about, though we may come back to it later.

**1600**

We're here to talk about Bill 69, which could be termed "Big Brother is watching you," because it's a really interesting bill. It's going to make our regulatory system more efficient, and our inspectors may not have to work as hard to do the same thing. But to do that, we've got to change a few things. This is a massive bill. It's only a few pages long, but there are 13 ministries involved. That in itself is a wondrous statistic. If anybody knows anything about governments and the silo effect of ministries, what they mean by "silo," for those of you who are not agricultural experts—and I'm certainly not one—is the ministries end up being like a silo of grain on a farm, a concrete circle, 30 feet high, that's filled up and then used during the winter for livestock feeding. Sometimes the ministries seem that way; they don't want

to talk to each other. We have over 20 ministries, and if they're not communicating, that can lead to a great deal of waste and duplication. One of the things in this bill tries to alleviate that and maybe make a number of ministries more efficient by permitting them to communicate more. But to do that—in the law up to now there have been certain safeguards where one ministry collects information and statistics and cannot give them to other parts of the government—we have to amend approximately 22 statutes to permit this exchange of information, which up to now has been confidential. It has been information within a particular ministry, and now it can be shared with other ministries.

Why don't we take a look at the statutes that this bill deals with, because this is not only a very far-reaching bill, it's also in a sense an omnibus bill; it deals with at least 22 other statutes. Actually, it deals with more. Those 22 are listed, and we're going to go through them in a minute. But in addition to that, under section 6, or by regulation, the Minister of Labour can designate other statutes to fall within this act. So it's not just the 22 that we're talking about; we're talking about any act, conceivably any type of regulation in Ontario.

For instance, is the minister interested in bringing the Education Act under the terms of this? Does that mean that in some manner inspections of private schools could be done by various regulatory vehicles? I don't know, because this is going to be done in a backroom, where we're not going to have input in this regard. These are regulations, so this is done in cabinet, in secret, and quite properly; that's the way it's done. But we're not going to have the ability to complain about it or get feedback. It's just going to be done and it will appear one day, and that will be the end of that.

It could also apply to the Residential Tenancies Act and, of course, the Ministry of Labour Act. It would seem that the Ministry of Labour has been the prime mover, although this is technically not a labour bill. And I'd like to thank John Stager, the assistant deputy minister at the Ministry of Labour, for the briefing he provided today at 12 o'clock, along with his staff. I was the only one present, so we had a great briefing. I thank the ministry and John for that.

But let's talk about what statutes we're going to have to amend. One is the Athletics Control Act. This governs the Athletics Commissioner, boxing and things of that kind, which are inspected for the security of individuals taking part in various sporting activities. Boxing is one that sticks in my mind, because I know the inspections do take place.

Next is the Bailiffs Act. I didn't know there were a lot of bailiffs around anymore, but that would cover a multitude of activities, no doubt.

The Cemeteries Act is a regulated industry. I don't know why they feel it's necessary to bring a super-inspector into the Cemeteries Act, but it seems it is.

The Collection Agencies Act is a statute which establishes certain restrictions on credit agencies for the protection of the public. Any inspections and facts relating

to collection agencies will now be distributed widely among all of these ministries.

The next one is the Consumer Protection Act. Everyone, I'm sure, is aware of that. That is an act, of course, set up to protect consumers from scams and various illegal activities.

The Electricity Act is also under this. It is amended by Bill 69. This governs the electricians within the industry, as I understand it. Information in their jurisdiction will also be distributed to 13 different ministries, possibly—or up to 13.

The Environmental Protection Act I think everybody is familiar with.

The Food Safety and Quality Act, 2001, is there for the protection of the consumer, and now inspections and information derived from that will be distributed widely within the government, whereas it may not have been in the past.

We can't forget the Funeral Directors and Establishments Act. I take it there are inspections done to make sure they are conforming with all the regulations under their act. Again, any information acquired there can be distributed widely among the government.

The same would go with the next one, which is the Funeral, Burial and Cremation Services Act, which is really part and parcel of the funeral directors.

Next is the Motor Vehicle Dealers Act, 2002. Everyone looking and listening is probably aware that a used car dealership is a self-governing corporation, but it is governed by the Motor Vehicle Dealers Act, as amended. Again, information they acquire by way of inspections and regulation will be available widely throughout this government.

Next is the new act, the Nutrient Management Act, 2002. Inspections of plans of nutrient management on farm properties are taken and, again, that information will be widely distributed within this government.

Next is an act that I didn't even know we had, the Oil, Gas and Salt Resources Act, which is an act that governs the few gas wells we have left in Ontario, and of course the salt mine up in Goderich. I always remember that one. I'm sure there are regulations as to the operation of those resources, and those statistics and inspection advice will be widely available to this government.

Next is the Real Estate and Business Brokers Act, 2002. Again, that is a regulated profession. All statistics and inspections and results of inspections will be widely distributed to all parts of this government.

There are only three more. The Technical Standards and Safety Act, 2000, deals with a very important matter that many of us use every day: elevators and boilers. Again, their inspections and statistics will be available throughout and distributed widely in this government.

#### 1610

Next is, again, a self-regulating industry: the Travel Industry Act. The information and statistics acquired through inspections and governance will be widely distributed throughout this government.

Last, but certainly not least, is the Waste Diversion Act, 2002. I'm sure that the members for London are all

familiar with that act, considering the problems they've got down there with their new waste pit. That information and statistics will be widely distributed to this government.

As you can see, not only do we have the removal of restrictions which may have been contained in those 22 different statutes, but also, as I mentioned, under section 6 other acts can be designated to bring them within the workings of this particular act. Of course, those designations would be done by regulation in private cabinet meetings, and we would not be privy to them nor would we have the opportunity of bringing to their attention whether or not that particular industry should be, or that particular statute should be, brought within the purview of the act.

We're talking about types of information, and they talk about these. That is contained in paragraph 4, and we'll come back to that. But I want to state, first of all, our position: that our caucus recognizes the importance of a sound regulatory and enforcement regime. However, we wish to ensure that those charged with enforcement and inspection, especially in the regulatory areas, are able to competently assess regulatory procedure to avoid unnecessarily burdening employers. It is also important not to ask personnel of the various ministries and agencies charged with keeping Ontarians safe to discharge responsibilities that they are not trained to do. We'll deal with that a little later. In our role as the official opposition, we will be monitoring this bill closely to ensure it balances the needs of a comprehensive, streamlined enforcement regime with the interests of public safety and employers.

The avowed purpose of this bill is to change the way government inspects, investigates and enforces compliance of businesses with the laws of Ontario by increasing co-operation and information sharing between various ministries and regulatory agencies. If passed, this legislation will permit the sharing of specified information and observations between various regulatory agencies and ministries. As I mentioned, at this point there are approximately 13 ministries which have been involved, and will be involved, with the sharing of information.

It would allow for the publication of certain types of collected information. Those are enumerated in the bill, and some of them are quite innocuous and harmless. In section 4, they list them: "The legal name of an organization"; the name under which it operates; the address, the principle place of business—things of that kind; any identifying number that they have with the government—a particular ministry has designated a number or a file under which they operate;

"5. Statistical information about an organization and sector or industry in which the organization operates.

"6. With respect to a licence, permit, certificate or other similar approval that an organization may or is required to obtain under designated legislation, information about its issuance or renewal, a refusal to issue or renew it or its suspension, revocation or cancellation." Those are pretty straightforward. I personally don't see a problem with them, though others maybe.

Paragraph 7 is a more interesting paragraph to section 4: "Information about complaints filed in respect of an organization where the complaint is regarding conduct that may be in contravention of designated legislation." So here we are. Part of the information they're going to collect is complaints about a particular organization. There's nothing in this to determine whether or not those complaints are investigated and resolved. They may be merely a statistical number of complaints or there may be more to it. But by the use of "complaint" rather than—later on we'll talk about conviction under a regulatory act. A conviction is where due process has taken place and individuals, wrongdoers, are brought before a tribunal or a court under the regulation provisions and found, after due process and a trial or a guilty plea, to have admitted their guilt. So there has been an adjudication and there has been protection to individuals.

There's nothing else about how this complaint is to be handled in the act. A complaint is quite nebulous. I don't think anyone can live this life without somebody complaining about their actions or because they disagree with things that we do every day. Some of them are neutral, some of them are good, some of them are constructive and some of them are merely spiteful. It's the spiteful ones that we have to be concerned about. What an easy way to destroy a business, by making a complaint or fabricating complaints by e-mail, by anonymous letters and things of that kind, because it's going to affect, conceivably, someone's livelihood. This is not just a passing fancy. Later in the act, because we were dealing with the types of information, and we're on paragraph 7, we're going to come back to that. But under section 5, that information, a complaint—it's not a conviction, not a fact, but a complaint, nothing more than that. There's nothing to say that it has to be signed; it could be anonymous. That complaint can "assist with determinations regarding an organization's entitlement or eligibility for a licence, permit, certificate or other approval under designated legislation." That's probably one of the most dangerous things I have seen in legislation since I came to this House. It seems quite innocuous. You want to know about complaints, and all of a sudden a complaint that may be without foundation becomes a matter of consideration of a judicial or semi-judicial tribunal in determining whether a person can get a licence to practise their livelihood. They could be shut down. I find that extremely dangerous.

Then we get into paragraphs 8 and 9. This is "Information compiled in connection with an examination, test, audit, inspection, investigation or other inquiry with respect to an organization under designated legislation, including but not limited to, information regarding forms, notes or reports generated by the inquiry"; and 9 is, again, dealing with information relating to the organization's "compliance with designated legislation." It doesn't say, for instance, if that means that this government could designate, under section 6, the Highway Traffic Act as "designated legislation" and therefore convictions under that act would be in some manner relevant

to some proceeding under one of these regulatory statutes. It is unclear as to whether that's a possibility.

#### 1620

The purposes of that information, which we have just gone through, from 1 to 11—and it does include in 11, “With respect to an owner, officer or director of an organization ... his or her name, home address and home telephone number,” which many directors at present may not want distributed. That could result in—of course, legislation does that. A few years ago, directors could be held liable for certain activities carried on by a corporation. Many people refused then to act as directors. This may again complicate things for anyone who is a director at the present time.

But the purposes of that information, under section 5:

“1. To conduct statistical and risk analysis”—which is totally harmless.

“2. To update or verify the accuracy of records.”

And 3 is the one I read earlier: that, if you get a complaint, that can be used “to assist with determinations regarding an organization's entitlement or eligibility for a licence, permit, certificate or other approval under designated legislation.

“4. To assist in the planning and conduct of an examination, test, audit, inspection or other inquiry under designated legislation.”

The remaining ones are relatively harmless, down to paragraph 9.

I'd like to deal with information sharing. Currently, there are a number of statutes effectively prohibiting the sharing of information between various regulatory agencies and ministries. I think I related to that earlier. Bill 69 proposes to change this by permitting the collection, use, sharing and disclosure of certain types of business information. This includes information about the organization, name etc. and statistical information as well as compliance information relating to matters such as approvals, complaints, inquiries, orders, notices and, lastly, convictions.

Although the term “organization” is not specifically defined—it sort of is. Let's just take a look. If I recall, under a section in here there was specific inclusion of individuals and partnerships under the term “organization.”

This information may be collected, used or shared or disclosed only for purposes listed in the bill, but, as you can see, they are far-ranging, plus they affect the individual rights of anyone who wishes to establish a small business.

The authority to share information will apply to the above-noted types of information, even if the information was collected prior to the coming in force of the bill. This is something the Liberals love doing. Their legislation is always retroactive. We live in a country where the rule of law is paramount. What does “rule of law” mean? It simply means that you know in advance that if you take certain actions, then you are either regulated or prohibited by law from taking those, and you can expect the repercussions. The McGuinty government has never

liked that concept of the rule of law. They would prefer to make everything retroactive, so that if you do things right now, before this act is passed, those actions, perfectly legal at the present time, could be held against you down the road. You didn't know that at the time you committed those actions. You thought everything was okay, but they are now not okay because they can be used against you. That's why the rule of law is so important, and it is being ignored by the retroactivity of this bill.

Under Bill 69, if a person with authority under one regulatory scheme observes something that is relevant to another regulatory scheme, such as a breach, that person may disclose that observation to another person with authority to enforce the other regulatory scheme. This has been dubbed the heads-up provision, and it could also be dubbed the fishing expedition. It should be noted that the observation may be shared with enforcement authorities under any other act or regulation, whether or not the act or regulation is specifically designated in the bill.

This means that if an inspector comes into a property, which he has a right to do, and given free access under the law—as a matter of fact, the person is obligated to give him free access to complete his inspection—to inspect a labour matter, let's say, a very important task, and there is some concern that a machine may not be safe to operate, the inspector is there to ensure and inspect the particular machine to determine whether it's safe or not; if not, he can shut it down. He can observe, however, and do inspections for 13 other ministries while he's there. So he's there under the flag of doing an inspection for the Ministry of Labour, which everybody knows, and all of a sudden he's got 12 hats in his bag, and he can take the labour hat off and put another hat on to do an inspection. There's only one problem: His head stays the same. Different colour hats do not give that person the skills to do inspections in other areas; for instance, in the environment. So is that going to lead to problems? I'm sure it will.

I am concerned. There's nothing in this act—we don't know about the regulations yet—to prevent fishing expeditions, especially with the super inspectors. One of the provisions is that one person may be designated as a super inspector, which to me sounds awfully close to, “How many people are you going to lay off at the various ministries?” I'm told that they're not here to save money, but is that really what's going to happen? Why do we need inspectors who are now authorized to inspect for various other ministries rather than their own? Again, that's something I'm certain the ministry has good answers for, to answer those inquiries, and I look forward to hearing them when we go to committee on this matter, because this is a bill that requires committee hearings.

Next, they deal with the publication of information. Bill 69 not only permits information to be shared among ministries or other regulatory agencies—at least 13 that I know of. It seems like everybody's going to get a copy. I'll tell you, the paper bill of the government's going to go up a big buck, because they're going to be churning

out this paper to distribute it to different places, which they haven't had to do up to now. But it also authorizes the publication—including on the Internet, which is now a publication—of certain statistical and compliance information about an organization. Statistical information is one thing, but if in fact an organization has not complied and, I assume, has been convicted, although it isn't clear that that's a fact, then they can be chastised by publicizing their non-compliance.

**1630**

The proposal permits such disclosure even if the information was collected, again, prior to the coming into force of the bill. We're not interested in the rule of law when it comes to this bill.

We talked about multiple authorizations. Under the proposed legislation, ministries may authorize a single person or a class of persons to exercise functions under more than one act or regulation. This raises a question as to whether or not the person working under the multiple regimes will have the proper qualifications for each regime under which he or she is appointed. It also raises in my mind, again, who is going to lose their job as a result of this multiple regime?

Sentencing is a part of this bill. You wouldn't expect to see it dealt with, but under the Criminal Code, when it comes to sentencing, the judge is made aware, if he hasn't been up to that time, because ordinarily you can't bring it up through the trial unless the person testifies—the accused, that is. That has never been applied to non-criminal matters when it comes to sentencing.

For the first time, there is a new concept of taking what has occurred in criminal law when it comes to sentencing and using prior convictions. I think it's easier with criminal law because each of them are criminal offences, or what society determines in their mind as criminal offences, whereas here what convictions are we talking about? Really the act is silent. I don't know whether parking tickets would fit, because that isn't a conviction under the act unless the Municipal Act was designated. It's under a bylaw. But certainly the Highway Traffic Act: If you had a speeding ticket, is that a matter that the judicial tribunal, the justice of the peace or whoever is hearing the matter should take into consideration? There is nothing to assist us in that regard. I'm sure the minister has some excellent answers, and again I look forward to hearing from him and his staff at that time.

I'm going to take this opportunity to read a letter. This letter is from the Retail Council of Canada, the RCC. I won't mention the person's name. The reason I'm going to read it into the record is because it's an excellent letter. It deals very constructively with this bill, I feel. Obviously somebody has done a great deal of work in coming to some of its recommendations. This is not an adversarial letter. This is a letter that I think we should be dealing with at committee, and the recommendations they've made. I just wanted to acknowledge from where I'm reading. I don't mean to plagiarize, but rather than cause the person embarrassment—I don't think there

would be embarrassment, but I'm just going to say that it's from that organization rather than naming the actual writer. They're writing on behalf of the Retail Council of Canada, however, and they deal with it as follows.

Under the heading "Information Sharing":

"Section 4 of the act, types of information, lists the types of information that may be collected, used and disclosed for the purposes of regulatory compliance. The intent is to allow ministries to work together and reduce duplication, which would result in the more efficient use of government resources, and ease the regulatory burden faced by Ontario's businesses. However, RCC is concerned that the scope of information that can be collected, used and disclosed is too broadly defined in the act.

"Much of the information that can be collected, used and disclosed under this section is of a non-statistical nature. We are particularly concerned about the inclusion of complaints in this section"—this is something we have already dealt with. "There is insufficient protection against the publication of frivolous complaints which may cause damage to a company's reputation and brand, a concern which is especially acute in a highly competitive industry such as retail.

"If a complaint has been validated by judicial process, it becomes a matter of public record and thus may be appropriately included under section 4(9) regarding information related to an organization's compliance with designated legislation. Complaints that have not been validated by judicial process may prove to have no merit. However, once collected, used and disclosed, the damage to the organization may prove irreparable. Thus, we recommend that this section be deleted.

"RCC is also concerned about section 4(8) regarding the collection, use and disclosure of information related to an organization's test, audit, inspection, investigation or other inquiry, and particularly about the collection, use and disclosure of information regarding forms, notes or reports generated by the inquiry. Invalidated, subjective information of this nature is neither constructive nor conducive to meaningful inspection analysis of any company, chronic violator or otherwise. Thus, we recommend that this section be deleted."

"Heads-up Authority

"Section 9 of the act, 'Observing and disclosing,' proposes to allow field staff acting under the authority of one statute to disclose observations that are likely to be relevant to another statute to a person who administers or enforces the other statute. That is, field staff would be authorized to provide their colleagues with a heads-up.

"RCC appreciates that the intent of this section is to better protect the public against potentially serious violators by allowing inspectors to share field observations. However, RCC is concerned that the provision, as currently drafted, allows for potential abuse to the detriment of the respective business. In particular, RCC is concerned that authorizing field officers to make observations—visual or otherwise—for potential contraventions of a statute under which they have no training is irresponsible and unfair. Without proper training,

inspection officers do not have the expertise to determine what is relevant to another statute or ministry.

“While it is clear, as the government has stated, that section 9 does not authorize ‘fishing expeditions,’ the section does not provide adequate protection against them. For example, if a PST officer from the Ministry of Finance is conducting an audit of a retail establishment and does not observe an Employment Standards Act (ESA) poster, they may choose to provide their colleague at the Ministry of Labour with a heads-up. When the labour inspector visits the same establishment, he may find that indeed the proper version 3.0 of the ESA poster is posted, as required by law. The labour inspector may have no reason to be in the establishment other than to follow up on the heads-up from their ministry colleague. Not finding what they came for, it is not unlikely that the inspector may choose to undertake a ‘fishing expedition’ to make the trip worthwhile.

“As the government’s intent in drafting this section is to focus on chronic violators with potentially serious infractions, RCC recommends that the heads-up provision be limited to violations that may result in danger to human health or the environment. Further, that specific violations that field staff are authorized to provide a heads-up on be communicated to the business community. Employers have the right to know what staff are investigating, whether or not it is the result of the inspection or simply an observation. This section, as currently drafted, places too much power in the hands of the inspectors, which must be balanced by, at a minimum, proper disclosure.

#### “Multiple Authorizations

“Section 13 of the act, ‘Multiple authorizations,’ proposes to allow ministers to create special teams of compliance officers to act on behalf of multiple ministries. That is, the section allows for the creation of ‘super-inspectors.’

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“The intent is to provide opportunities for staff to work together in areas that require special levels of co-operation, such as assisting small business in understanding and achieving their regulatory compliance responsibilities. However, this lofty goal is not achievable without a significant investment in training.

“Increasing the enforcement responsibilities of inspectors under multiple designations would require large added functional training requirements and still could not guarantee an effective level of enforcement competency. This would result in significant issues for the regulated business community.

“Further, the RCC recommends that the ‘super-inspector’ not only be trained, but also be certified to inspect under the multitude of designated statutes. Employers are expected to be knowledgeable on every statute that may affect them—despite that not being their primary line of work—thus, it is fair and reasonable to expect that inspectors be trained and certified to carry out the inspections under the multitude of statutes that are assigned. Assisting small business in understanding and

achieving their regulatory compliance responsibilities—as opposed to regulatory enforcement—is a departure from current inspection activities. This shift of focus would be welcome to small business. However, in the absence of proper training, the ‘super inspectors’ will only intimidate small businesses further, frustrating the intent of the government.

#### “Publication of Compliance Information

“Section 10(4) of the act, Publication of information, proposes to authorize ministers or their delegates to publish a range of compliance information about organizations, and conviction information about individuals.

“For the reason described above under ‘Information Sharing,’ this section is of great concern to RCC and our members, particularly the publication of information about complaints and the publication of information compiled in connection with an examination, test, audit, investigation or inspection including any related forms, notes or reports generated by the inquiry.

“We recommend that only the publication of information related to convictions or contraventions under designated legislation that have been validated by judicial process be permitted. RCC appreciates that the government has included this provision in the proposed act as a deterrent to non-compliance. However, if the scope of information that can be published is not limited, the provision may have the opposite effect of damaging the reputation of compliant businesses.

#### “Retroactivity

“The act proposes to allow for the collection, use, and disclosure of information that was originally collected before the act comes into force. Further, the act proposes to allow for the publication of information about compliance activity and convictions that occurred before the act comes into force. While RCC appreciates that the government’s intent is to target chronic violators, we fear that the significant authority may inadvertently penalize compliant companies, particularly those with a long history of business operations in the province. In order to avoid the appearance of a ‘witch hunt,’ we recommend that the government limit the types of information from the past that may be considered to ensure their relevance.

“Once again, thank you for the opportunity to provide the above comments on the proposed Bill 69, Regulatory Modernization Act,” etc.

That is an excellent letter which summarizes many of the concerns of the retail industry.

I thank the Speaker for this opportunity to address this matter shortly. I’m going to cut it off now because I am anxious to hear the comments of my friend from somewhere down south—I think it’s Niagara Falls or somewhere like that; Welland–Thorold, now I remember—and his, as usual, insightful and amusing talks.

#### **The Acting Speaker:** Questions and comments?

**Mr. Kormos:** I want to commend the member from Cambridge, Mr. Martiniuk, for his exhaustive analysis of this legislation. His colleague from Durham introduced him at least twice as a lawyer with expertise and background in this area, and Mr. Martiniuk, the member from

Cambridge, demonstrated that during the short time allowed to him. This could be pretty dry stuff; let's face it. It isn't the sexiest stuff in the world to debate. It's important stuff because it's day-to-day stuff; it's life-and-death stuff.

Mr. Martiniuk, the member from Cambridge, has taken what could be a rather dry subject and turned it into—well, he's breathed life into it. He's animated it. He's turned it from the abstract to the real. It's as if you could reach out, touch your television screen and feel the workplaces that he was talking about. And there perhaps were people doing precisely that. There were people who were so moved, watching and listening to the contribution to this debate by the critic for the Conservative Party that they felt compelled to touch their television screens to connect with the passion and the potency and the power of this member's contribution.

I want to tell you that I'm excited now. I'll be doing my one-hour lead in approximately eight minutes. Ms. Martel is going to speak for two minutes. Mr. Martiniuk, of course, is going to rise and respond to the comments and questions to his address. I just want to thank the member because I'm ready now to do my hour, Mr. Martiniuk, and without you, I'm not sure I would be. I thank you kindly.

**Hon. Mr. Peters:** I want to thank the member for his insightful analysis of the bill. I look forward to working with him and the members of the third party as we move forward. I appreciated that he made reference to supporting the aim of the bill and, as well, his recognition of the importance of sound regulatory and enforcement regimes here in the province. But what this is really about is the need for us as a government to bring government into the 21st century, to modernize the way that we share information and how we work together across government. It's extremely important that we move forward in that regard.

As well, there were a number of issues raised by the member that I know we'll have the opportunity to deal with over the course of the debate. One of the issues he raised was the creation of special super-inspectorates. The scenario the honourable member used, talking of the labour inspector going in and then having to wear 12 hats—well, that is not what this bill is about. What this bill is about is that when that labour inspector goes in to make that inspection on that machine and he sees in the course of that inspection that that machine is leaking oil into a drainpipe that is going into a municipal sewer, that inspector will have the legislative authority to contact the Ministry of the Environment to make them aware of a potential environmental hazard.

As well, we know that business owners from the super-inspectorate standpoint want to deal with inspectors who are knowledgeable and who have expertise with the legislation for which they are responsible. We recognize that our inspectors are highly trained professionals in their fields. Our inspectors are not responsible for enforcing multiple statutes outside their professional training. We're providing inspectors with the tools they need to do their jobs effectively.

**Mr. O'Toole:** I have to repeat the comments that have been made. The member from Cambridge's insightful analysis sums it up, and that's been used by both the previous commenters. As I say, he is more than qualified. I did listen to some of the technical nature, although perhaps some of it, as the member from Niagara would be saying, is a bit dry.

I think it's putting people on alert here too that it must go for hearings. That alert I'm sending out—if I look in here, it's actually in part V. They are amending 25 different statutes, everything from the Athletics Control Act to the Bailiff's Act and the Cemeteries Act. Here's the Electricity Act. The ESA, the Electrical Safety Authority—I know something of that.

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**Mr. Kormos:** Right here.

**Mr. O'Toole:** Of course. That's one you want to keep an—the other one you want to mention, Mr. Kormos, is the TSSA, the Technical Standards and Safety Authority. This group has the pressure vessels, the elevating devices, as well as—

*Interjection.*

**Mr. O'Toole:** Huge issues.

**Hon. Mr. Peters:** Carnival rides.

**Mr. O'Toole:** Yes, amusement rides and stuffed articles. But they're very important. In fact, if they show up on your property, get the chequebook out.

*Interjection.*

**Mr. O'Toole:** No, no. If the TSSA shows up on your property, get your chequebook out.

*Interjection.*

**Mr. O'Toole:** I'll just say to you that you're the government, and you have the opportunity here to look at these things and to make sure that they operate respectfully.

I'm putting you on notice that we will be, in principle, very supportive, and our critic has said that, but there is some devil in the detail every time you deal with the McGuinty government. I don't paint you all with the same brush—some of you are different—but you can't trust everything they say. This is what I have learned. They'd promise anything. A lot of the legislation they're dealing with now won't even become law, like the Clean Water Act, until well after the next election. We promise to clean up most of the mess that they've made. That's the only thing I can say.

**Ms. Martel:** I wasn't going to be so partisan. I just want to say, with respect to the comments made by the member from Cambridge, that, as the NDP health critic, I was glad that he talked about Grand River and all the problems there. I'll leave that for another day.

I do want to say that I thought I had a little bit of an understanding of the bill because I've been talking to my colleague from Niagara Centre about it, but I appreciated that the member read into the record the numerous different statutes, 25 at least, that are going to have to be amended through this bill, and that he put on the public record what those statutes are. I thought that I knew a

little bit about the bill, but after I listened to him speak, I learned a whole lot more.

I'm also concerned. I said this in my two-minute response earlier to the government members and I'll say this again. I know the minister says that this is not a bill to develop super-inspectors who are going to be multi-tasking and, as a result, perhaps unable to do their job effectively and perhaps unable to use their full expertise as they are now, for example, if they are Ministry of Transportation inspectors, Ministry of Labour inspectors, Ministry of the Environment inspectors etc. I do want to say that I hope that's not where this is leading. We have some incredible public servants who have some incredible expertise in terms of the inspections they do; in terms of their knowledge of what to look for in a workplace; in terms of their historical background with some of these workplaces as well, especially in terms of some repeat offenders, some historical context to work with when they are going in and doing those inspections.

While I appreciate that what this is supposed to be about is making sure that those folks, if they see something else that affects another ministry, can report that and get those other inspectors on to it, I wouldn't want to find us in a position where we're expecting that inspector to do a number of things that he or she normally wouldn't do, which might then lead to a diminution of the particular skill and expertise that they have.

**The Acting Speaker:** The member from Cambridge has two minutes to respond.

**Mr. Martiniuk:** I'd like to thank and apologize to the member for Niagara Centre. I really think that you should change it back to Welland-Thorold. There was a mysticism about that name that sort of hung in the air, whereas Niagara Centre—I don't know; it just doesn't cut it.

Of course, I thank the Minister of Labour. I know that he will co-operate and we'll all co-operate in a non-partisan fashion to make this bill even better than it presently is. But it certainly is a good start.

As usual, I get to thank my colleague and friend John O'Toole, I think his name is, from Durham, for his kind comments. And thanks to the member from Nickel Belt for her comments.

**The Acting Speaker:** Further debate?

**Mr. Kormos:** It's a pleasure for me to rise and speak to Bill 69 on the occasion of the first day of second reading of the bill. I want to apologize to my caucus colleagues who were eager to speak to this bill today, for whom there simply wasn't enough time in the daily schedule. It's five to 5 now. We're of course going to wrap up and 6, and we'll be back at 6:45. So I know I disappointed some of my caucus colleagues; I told them I wasn't prepared to share my one-hour leadoff with them.

**Ms. Martel:** We're crushed.

**Mr. Kormos:** I know that some are angry with me for that, and I really hope they can get over it. It's not the first time my caucus colleagues have been angry with me.

**Ms. Martel:** It won't be the last.

**Mr. Kormos:** I suspect it won't be the last time that they'll be angry with me.

You see, being in a caucus is like being in a marriage without love, right? You have the duties and obligations and you learn to get along with each other. But, as I say, you live with each other's shortcomings, and you really don't have the options that are available to married folks.

**Ms. Martel:** Speaker, do we have to put up with this?

**Mr. Kormos:** Ms. Martel points out.

You don't have the options that are available to married folk. You've simply got to grin and bear it. So I do apologize to my caucus colleagues who aren't going to be able to speak to the bill today. But they will have their opportunities on the second and third days of second reading debate, and I know they'll be here zealously addressing the bill.

I want to tell you something right off the top. This bill is not as simple as it appears. Let me put it this way. I live down in Niagara Centre, Welland-Thorold, as you well know. Here we are in Toronto. There are two ways to get to Niagara Centre from Toronto. You can get on the Gardiner, then on the QEW, then on the 406, and you end up in Welland. That's probably the fastest way, unless of course it's rush hour. Or you can get on Highway 2, right, along the lakeshore of Lake Ontario and take the bridge instead of the Skyway at Burlington and then take Highway 8 or Highway 20 down to Welland.

**Mr. Kevin Daniel Flynn (Oakville):** That's the scenic route.

**Mr. Kormos:** That's the scenic route. It may take a little longer, but you learn a lot more on the way there.

What I'm saying to you is that, as I progress to these next 57 minutes, it may seem from time to time that I'm not taking the most expedient route, but I assure you we're getting to where we would have gotten in any event.

Look, Speaker, if you're inclined to jump to your feet and chastise me for what might appear, merely appear, to not be on point at any given point in time, I apologize in advance. I want you to know that I truly regret that from time to time it may appear that I'm not on point. All I'm doing is taking the scenic route, Speaker. It's not that we're not going to the same destination; I just want you to see a little more on the way there. It's not that we're not going to get there; it might just take a little longer to arrive there.

I do want to say to the minister and the parliamentary assistant that I'm grateful that they have enough interest in this bill—and they do—to be here to participate in the second reading debate. It is a long-time practice for ministers to at least sit through the lead speeches, and the minister in this instance is clearly doing that. He may well leave the heavy lifting to his parliamentary assistant, and in that case, Mr. Racco, of course, is the parliamentary assistant to the Minister of Labour—

**Mr. Berardinetti:** The member for Thornhill.

**Mr. Kormos:** —and the member for Thornhill—and this is the first bill that he's going to have stewardship of as a parliamentary assistant. I congratulate him. I'm

looking forward to him again carrying this bill through committee. I want his minister to know that I'm confident, because I've seen Mr. Racco work in committee as a Chair. I've seen Mr. Racco perform admirably in that respect. And I want to congratulate Mr. Racco for his role as parliamentary assistant to the Minister of Labour and express to the minister that he can have every confidence that his parliamentary assistant will properly, adequately and effectively steward the bill through the committee process and, I'm confident, get it referred back to the House in an efficient way. One of the things a parliamentary assistant has to do, as you well know, when carrying the bill for the minister, when guiding it through the process, is develop and maintain relationships with opposition members. The parliamentary assistant wants to avoid any undue delay. The parliamentary assistant wants to make sure, of course, that the House leaders' schedule is accommodated and that the bill gets back for third reading. Mr. Racco, the member for Thornhill, has demonstrated an ability to do that, at least from my perspective. He knows how to build relationships with people, even with people who don't share his political perspective. That brings results; that has its rewards.

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I do want to thank Elliot Anderson from our research staff for the thorough briefing notes that were made available to Ms. Martel and me. I'm grateful for the support we get from research in the NDP caucus. It's valuable.

One of the responsibilities, of course—this place is all about talking; it's all about language; it's all about debating. Thank you kindly, Bryce. I appreciate it very much. Bryce just went to the library for me and got some material. He's a page. I'm going to try to read it at the same time as I speak to you. This material has absolutely nothing to do with the comments I'm making. So there I am, reading something that is totally irrelevant to the comments I'm making, trying to understand what I'm reading and addressing you at the same time.

Martin Gilbert is a British historian whom I'm a fan of. He has written some really good stuff, and he has just finished, apparently, a biography of Churchill. You may have read about it in the book reviews in the newspapers. As a matter of fact it was the Post that made reference to it, this morning's Post, where they reflected on some of the language used in the federal Parliament. As a matter of fact Martin Gilbert—is this the brand new one? Here we are. My very well read colleague Mr. Arnott, member for Waterloo-Wellington, knew exactly what I was talking about. He had just withdrawn the book from the library.

Mr. Dunlop, do you have a point of order?

**Mr. Garfield Dunlop (Simcoe North):** No. I'd yell it out if I did.

**Mr. Kormos:** Okay. The book that Martin Gilbert—in references made in this morning's National Post article about language that's being used and the style of debate in the federal Parliament, there was my former seat mate here, John Baird, on the front page of the National Post,

and Baird was being as pit bullish as ever—got himself front page, not a photo but the quote, the clip, the little comment. I can't remember what it was, but it was used to illustrate the depths to which debate can descend in Parliament. The article made reference to the Martin Gilbert biography of Winston Churchill, called *The Will of the People: Winston Churchill and Parliamentary Democracy*, “an incisive, in-depth look at Winston Churchill's lifelong commitment to parliamentary democracy.”

Churchill was an interesting historical person in that he had one foot planted in imperial Britain in that era, which was democratic to the point that the Parliament permitted it. It was in an era before electoral reform in Britain, for instance, and then of course his second foot, the end of his life in that postwar period, where there were the final gasps of colonialism, at the historical style of colonialism and imperialism, and the imperial empire was dying. I'm convinced that Churchill still had very much that imperial colonial mindset, that he didn't escape it. He believed in Parliament; he was a parliamentarian. His sense of democracy was fashioned by where he came from, and I'll leave it at that before I attract all sorts of incredibly nasty e-mails and letters from people—but a complex person. His book apparently, and that's why the reference is made to it in this morning's National Post, was about Churchill's adamant—Mr. Arnott can correct me if I'm wrong on this. The book makes reference to the fact that, for instance, after the war, when the Chamber had been destroyed with bombing, Churchill insisted that when it was rebuilt, it not be constructed to accommodate all of the members because he thought that debate—in the British Parliament in Westminster, you don't have enough seats for everybody, so people who want to participate in, witness, act as collaborators or fans or cheerleaders during a debate crowd around the speaker. Again, Churchill actually wanted to maintain the heckling, the interplay, the exchange that had existed pre-war and wasn't going to dilute that by building a parliamentary chamber with enough seats to accommodate every single one of its members so that they could all sit comfortably. Look, here we go. Other than for question period, oftentimes this place has but a quorum in it. It's not regrettable, but it's just the nature of the beast. If Ted Arnott reads the book, everybody should read it.

*Interjection.*

**Mr. Kormos:** I'm serious. Sir Martin Gilbert, *The Will of the People: Winston Churchill and Parliamentary Democracy*, Vintage publishers, Canada. Obviously, it's available in paperback, because that's the version the library bought—\$17.95. It's in the history of political science section.

*Interjection.*

**Mr. Kormos:** He is. He's in London, Ontario, currently. Well that's a real plug, then, isn't it? Yes.

In any event, it's all about language. One of the things that I noticed in this bill—look, bear with me for just a couple of minutes—is the spelling of the word “e-mail.”

For the purpose of reference, it's found on page 4, section 4 and paragraph 3. The word "e-mail" is spelled e-hyphen-mail.

*Interjection.*

**Mr. Kormos:** What was that, Mr. Racco? Mr. Racco interjects. I'm certain you do and it's not inappropriate for you to do that, Mr. Racco. But the second edition of the Canadian Oxford English dictionary—the 2004 edition, the most recent edition—spells it without the hyphen: one word. The 1998 edition, the first edition of the Canadian Oxford English, spelled it hyphenated. The Oxford English dictionary—is it the second or third edition? The most recent edition of the 20-volume set, the exhaustive one, spells "email" unhyphenated, as the preferred version, because that's the first version.

Shockingly, I, of course, looked to American dictionaries. And what did I find? That the American dictionaries retain "e-mail."

Now, I took a look at a book called *Grammatically Correct: The Writer's Essential Guide to Punctuation, Spelling, Style, Usage and Grammar* by Anne Stilman.

**Mrs. Christine Elliott (Whitby-Ajax):** Is it American?

**Mr. Kormos:** Hold on. Because she, not inappropriately—you look at any other style guide, any other guide to English language, and you'll find the same thing—talks about the role of the hyphen. You see, "e-mail," as you know, was a neologism; it was an abbreviation of "electronic mail." The first version of "E-mail" capitalized the E. In fact, American dictionaries talk about the capitalized E for E-mail being the noun version and the uncapitalized version, "e-mail," as being the verb. But the authoritative Canadian source, the Canadian Oxford English, doesn't give an option. It doesn't even refer to the "e-mail" version that the Americans retain, or capitalization. The Canadian Oxford English dictionary, which surely is the single source for Canadian spelling, uses "email," one word. This is what Stilman wrote. It's amazing that I came across this chapter by Stilman at the same time as this, because she writes this: "There's a general trend for a new compound"—and this is a compound word, right?—"to start out as open"—in other words, no hyphen—"to acquire a hyphen as it becomes more used more frequently, and"—guess what the third stage is. Guess.

*Interjection.*

**Mr. Kormos:** Yes, "and eventually to merge into one word." So what has happened in Canada is that the compound word "e-mail" has matured into one word.

So I raise this—and literally I'm going to be moving an amendment to the bill in this respect, once it's in committee, and I'll tell you why. Look, we've got Microsoft Word on our computers in our offices, and unless you input language, it forces you on spell-check into the American spellings, huh? That is the most irritating and irresponsible thing. I really believe that.

1710

**Mr. Richard Patten (Ottawa Centre):** Cultural insensitivity.

**Mr. Kormos:** Exactly. Everything anybody said about free trade—right?—and its impact on our culture, Mr. Patten, in that respect has ended up being true. We've lost the distinctive Canadian English language. I think it's something valuable enough to maintain; I really do.

One of the fascinating things—you go to Europe, for instance, or to a couple of places in the Middle East or to South America, and here I am sort of naively thinking that I'm going to hear music that's from that region. But what happens when you go to Eastern Europe, or let's say you go to Poland or Hungary or Slovakia? Do you hear Hungarian or Slovak or Polish music on the radio? No, you hear Madonna and Britney Spears. It rots my socks. It's incredible. The McDonald's arches are going to do to Eastern Europe what Soviet tanks couldn't. Think about it: That cultural inundation and the incredible weight, again, of the worst of Hollywood pop culture, that most commercial of cultures, is going to undermine incredibly rich cultural histories.

Mr. Racco, you're from Italy. Italy is at the same risk, very much.

So I say that we are at greater risk because of course we're English-speaking like our American neighbours, we both speak English, so that makes it easier for us to simply drift into American stylizations and American forms, including American spellings.

I plead with my colleagues for their patience. I plead with them to bear with me when I point out the fact that in things like legislation, if young Canadians can't look at a bill that becomes law in the Parliament as an authoritative source for how a word should be properly spelled in English-speaking Canada, then where else can they look?

This legislation, or any other, should reflect—and I know we deal with it in committee. We dealt with it on Bill 14. Remember that, Ms. Elliott? It was a fascinating exercise for a whole lot of us because we dealt with Bill 14, and there were a whole lot of amendments to the French-language version.

*Interjection.*

**Mr. Kormos:** Is that the 2004?

*Interjection.*

**Mr. Kormos:** Yes. That's the 2004. Okay, so the minister is with me. I think I've won one.

**Hon. Mr. Peters:** We'll be supportive of that.

**Mr. Kormos:** Okay. I've won one.

There were a whole lot of amendments to the French-language terminology. It was an interesting exercise because there was nobody on the committee, I think, who was a francophone by any stretch. Some of us just had enough sort of very basic French background that we could understand what was going on—at least we tried to—and there was a real effort on the part of the French-language translators here at Queen's Park to make sure that the French, especially the translation of the word "paralegal," was properly done, that it was not a bastardization or an anglicization of a French word etc.—something that is very important for French-speaking people in France and in Quebec. So there wasn't the

anglicization or simply—even the direct translation was a sincere effort to have a proper French Canadian, Canadian French, word for newly formed words.

So here we are. Here's this wonderful neologism—"e-mail," electronic mail—with its history, and it has matured in Canada to the point where we can abandon the hyphen and save ourselves a stroke on the keyboard. Think of all the time when you add it all up at the end of the day, at the end of the week, at the end of the year.

*Interjection.*

**Mr. Kormos:** Look, this is a pretty middle-aged group, Mr. Patten. Well, it's true. There is some grey hair in this room, and there's some hair that should be grey but isn't, and it's not because of anybody's genetic attributes. Do you want me to start naming names? This is a pretty grey chamber.

So at the end of the day, when we think about how valuable life is—life is short; life is far too short. So let's not waste time interjecting hyphens into words like e-mail; let's go straight from the "e" to the "m" stroke and move on and do far more important things with our lives. Remember, I have to do 60 minutes on this bill; you don't.

I want to move from section 4, which is page 4 of your bill, to the brief summary of observations that New Democrats have to make about this bill.

Look, we accept the government's explanation. The other observation is, there's a million dollars' worth of cabinet ministers in the House this afternoon; it's really remarkable. It's nice to see you all here. But we hear the government's argument that this bill is designed to make it easier for ministries to share information. It's just that I'm a little skeptical about that. We're going to be interested, when the bill goes to committee, in finding out exactly what it is about the status quo that precludes the sharing of information in the style or manner that the government says it wants to exchange that information from ministry to ministry.

The other dangerous thing, and it's an increasing and growing trend, is, rather than using the regulatory process, where a regulation goes to the committee on regs and private bills, you've got ministerial regulation power. I find that to be troublesome, because you know it's not the minister. With all due respect, the minister—look, I don't want to disappoint folks, but Bill 69 was not the Minister of Labour sitting at his computer starting with, "Let's see; Bill 69. Now, what shall I title it?" and maybe calling one or two staff: "Staff, what do you think I should call this bill?" and then going on to section 1. That's not how bills get drafted. Even in private members' public business, we'd be fools to try to do it. We rely upon legislative counsel. So policy people sit around and make proposals, and then at the end of the day the Premier's office vets them and has to give them the stamp or seal of approval.

The other observation to be made is that things don't happen unless the Premier's office wants them to happen. Is that an unfair comment? And it's not particularly new, Mr. Patten. I've been witnessing the trend in that regard, but you've been here longer than I have, haven't you?

*Interjection.*

**Mr. Kormos:** Well, you have. For you, that's quite a number of years now, but you've witnessed the trend, as I have: that increasingly power is concentrated in the Premier's office. The problem is that caucuses then become more irrelevant. They do.

**Mr. Patten:** All parties do it.

**Mr. Kormos:** That's right. I'm talking about the trend. Mr. Patten interjects, "All parties do it." I think that his contribution by way of interjection is valid. But it's a troubling trend. Don't you think so, Speaker? Because not only does it show disregard for the caucus; it shows disregard for their voters. The trend carries on to cabinet, where even members of cabinet, notwithstanding how committed they are—and I want to tell the Minister of Labour that people out there in the community, stakeholders who have occasion to deal with him, by and large tend to say pretty good things about you. They think that you're an interested and engaged cabinet minister who has a real enthusiasm for your portfolio and, when it comes to workers, yes, has an enthusiasm for the welfare of workers, and that you communicate well with people when they're with you and you respond well to them, and they understand that. It's not just about the ministry; it's about—

*Interjection.*

**Mr. Kormos:** It's not just the minister. It's about P and P, even though P and P doesn't really exist anymore, at least not by statute. It's about Mr. Phillips and Management Board, and really it's about the Premier's office. And it's not elected people in the Premier's office doing it, and it's not civil servants either; it's people who don't have any electoral accountability and who are, quite frankly, oftentimes invisible.

1720

From time to time, a Premier's office will have a gatekeeper. In the last Conservative government there was at least one occasion when the Premier's office had an effective gatekeeper who made himself accessible to people from all caucuses and with whom you could get things done—certainly to government members. But it's even more frustrating when there isn't an effective gatekeeper in the Premier's office, because then even members or ministers have trouble accessing that office and influencing decisions. The best-meaning of government caucus members, never mind the opposition, but the best-meaning of government caucus members and the most committed of them and the most skilful of them have a hard time making things happen.

Of course the Premier's office, when it looks at legislation, wants to assess, "What's the upside and the downside of it?" Right? "Is it going to lose us any friends out there?" Because what happens is that bills are marketed to the Premier. You see these TV series and movies from time to time about the prototypical Hollywood scenario where they're pitching a film idea to the producer, to the money people. But it's very much like that: You've got to pitch your bill to the Premier's office and you've got to persuade the Premier's office that

there's more upside than there is downside, or ideally that it's all upside and no downside.

Sometimes people are—of course, Premier or Premier's staff people, there's no downside to this. There were even a couple of bills that were introduced in this Legislature where I'm convinced the Premier's office was told, "Oh, the Conservatives and New Democrats won't even oppose this bill." I'll bet you dollars to doughnuts that when the pit bull legislation was pitched to the Premier's office, the Premier's office was told, "This is a win-win scenario. Don't worry; there won't be any opposition to it." I'm not saying I was there, I'm not saying anybody spoke out of turn, but it's not very hard to draw that inference.

Of course, as we all know, it wasn't the easy ride that the government thought it was going to be, and indeed left a whole lot of people—and the strange thing is that it's people out there who, believe it or not—you've got two types of opposition to policies or bills. You've got the type of opposition where people say, "Okay, I'm opposed but it's not a vote decider for me." Whereas you've got the other ones where people are so committed to the issue—and the pit bull-Staffordshire terrier people, the dog lovers, the dog enthusiasts, by and large, I think are those people who are going to vote as a result of that bill. They'll remember it. It's fixed; it's etched. Again, in this case it happened to the Liberals. It happened to the Conservatives; it happened to the New Democrats as well. There are people for whom particularly policy direction is going to be a vote decider.

I'm not sure whether this bill is going to be a vote decider. That's one of the reasons the minister, to his credit, was able to get it on the order paper. Mind you, it has been around since February. It has been around since February 27, 2006, and this is the first day that it has been called for second reading debate. What's going on? For the life of me, why would Bill 69 sit on a shelf, collecting dust, as such a modest proposal? I don't know, but it certainly begs the question, doesn't it—that Bill 69 would be allowed to linger and risk disappearing in the black hole of legislative orbit.

You see, the government is anxious, so very anxious, to get out of here by December 14. They'd love to get out of here before December 14. You've got to understand this. That's why the government has evening sittings. The government has evening sittings because it can effect a sessional day without a question period. I'll tell you what: New Democrats will sit Fridays. Let's sit a regular sitting day on Fridays and have a question period at 1:45 on Friday. How's that? You want to accelerate bills through the House? Okay; let's sit five days a week. The federal Parliament does it, doesn't it? Folks familiar with the federal Parliament know that it does. So there you go. You want extra sitting days? You're anxious to get legislation passed? You're not afraid of question period? You say you're not afraid of question period. If you're not afraid of question period, then let's sit Fridays and have question period.

I'll do you one better. The House calendar, as determined by the standing orders, says that you come back on

March 19, 2007. That's a long Christmas break, ain't it? December 14 until March 19. Let me count this out. December, January, February, March. That's a three-month break. I think everybody should be rested up by then. Everybody should have been able to greet constituents and glad-hand, shake hands and attend dinners like I do at St. John the Baptist Hungarian Greek Catholic Church or like where I was last Saturday—it was delightful—at the Croatian National Home. They had their 40th anniversary. Then I moved on from the Croatian National Home because Clara and Alex Babiy had their 50th wedding anniversary at the Ukrainian Labour Temple. Those are the left-wing perogies at the Ukrainian Labour Temple. Then the 66th anniversary of the Canadian Slovak League, Branch 23, was just down the road at the Polish Hall. People wonder why the remarkable statistic in this House would be the gross poundage acquired by 103 members over the course of a four-year term.

*Interjections.*

**Mr. Kormos:** Oh, I caution people, I used to be skinny. There are a couple of people here old enough to remember.

So all of us have plenty of time to do that in the three months—yeah, the three months from December 14 through to March 19. I haven't yet heard from the government a commitment to return to this chamber on March 19. It seems to me we should get a whole lot of committee work done over the course of that three-month break, huh, Speaker? By all means, take off Christmas holidays, if that's your inclination.

*Interjections.*

**Mr. Kormos:** Well, if it is, feel free. If you don't want to be here Christmas day, God bless. As a matter of fact, you don't have to be here New Year's Day. Give it a week or two after New Year's Eve, and then we can start doing committees. We can do committees on Bill 140, long-term care. We could have committee hearings on Bill 107, the abolition of the Human Rights Commission.

**Ms. Martel:** Where is that bill?

**Mr. Kormos:** Ms. Martel asks where the bill is. Frighteningly, the bill is before subcommittee tomorrow. There are a lot of folks who want to speak to it—a lot of folks here in Toronto, up in Sudbury, up in aboriginal communities. We were up in Thunder Bay, weren't we? Folks from the native communities up in Kenora–Rainy River, that huge west northern Ontario riding, said, "Hey, what about us? Are we not part of Ontario?" That's what they were saying. The Minister of Natural Resources and aboriginal affairs will be very familiar with this. The aboriginal legal aid clinic—one legal aid clinic handles those two huge ridings of Kenora–Rainy River and Timmins–James Bay, one little legal aid clinic with a handful of staff and the most modest of budgets. They say, "What are you talking about, hiring lawyers to represent us in front of the tribunal? We don't even have government offices." The committee was very fair. The government members were very fair, weren't they, Ms. Elliott, in committing themselves to travelling to those

aboriginal communities, to those First Nations communities in northern Ontario.

We're not talking Bracebridge. When I was a kid, people down in Welland, the rich kids, would say, "We went up north for the summer." We didn't go anywhere for the summer. We didn't go anywhere in the winter, because we weren't rich. Where did they go? They went to a cottage in Huntsville, but that was up north. That's what they thought was up north, and fair enough, it was north, but if that's north, then Port Colborne is down south.

1730

Quite frankly, I travelled through the north several times as a university student on my way to work in different places. But it was only after I got here that I was able to go to places like the coastal regions of Timmins—James Bay with Gilles Bisson, the member for Timmins—James Bay—I know you've been up there too—and really had an opportunity to see the magnitude of the north.

No, no, you're not in Huntsville anymore, friends. You're in the north. You're on the James Bay coast, you're on the Hudson Bay coast, you're in some remote communities that are so isolated that it's hard for them to even think of themselves as Canadians, never mind Ontarians.

And the wintertime is a good time to get into those communities, isn't it, Miss Martel?

**Ms. Martel:** That's right.

**Mr. Kormos:** Because you've got the frozen terrain and access is enhanced—

**Ms. Martel:** On the winter road.

**Mr. Kormos:** —on the winter road. So during those three months, we can tour some of those northern communities with the justice committee on Bill 107. Then we can come back on March 19 and do third reading debate on bills the government wants to pursue, or we can do second reading debate on bills that the government won't have completed by December 14.

We're saying, "What's the rush here?" It seems there's a lot of House time available till the House prorogues, or rather, till the Premier asks for the writ to be dropped at the beginning of September next year. Is this government really going to sit idle for nine months and do nothing but a pre-election throne speech? I certainly hope not. That wouldn't be very responsible, would it? It wouldn't be responsible at all. And New Democrats are making it very clear that we're eager to engage.

Again, I'm grateful to Elliot Anderson from our research department for his material on this.

This proposition that one inspector could be empowered to investigate or enforce a number of different acts is convenient. Of course it's convenient, and of course there are economies involved. First of all, I want to find out why, and I'm sure we will—you're darned right we will in committee. I'm looking at section 9 of the bill, "Observing and disclosing." I hearken back—you understand this, as a former peace officer, conducting investigations as an immigration officer—to the plain

view doctrine; you understand it. If you're lawfully in a place and you see something that's evidence of a crime—the classic case so often is some marijuana on a counter or table—the fact that you didn't have a search warrant to enter that place for the purpose of looking for marijuana didn't preclude you from saying, "Whoops. Here we go."

That was back in the days when people got arrested for small amounts of marijuana. Who knows? Nobody seems to get arrested for small amounts anymore, do they? The Peel cops were drinking beer they had confiscated, not smoking the pot they had confiscated—well, you never can tell, out in those fields late at night.

I really am troubled by the purported need for section 9. In committee, I really want to have some clear understanding on the Hansard record of the extent to which limits are there now and why, from a pragmatic point of view, we need this legislation with section 9.

I've got real problems, and New Democrats have real problems, with these blended inspectors, these multi-inspectors, these mega-inspectors. I know, and other people here do too, a whole lot of inspectors I've met over the course of many years: OPSEU members, people working for MTO, people working for the Ministry of the Environment—right, Ms. Martel?—people working for the Ministry of Health, people working for the Ministry of Labour, liquor inspectors.

I wanted to make reference to Bill 152, the consumer protection bill, during the course of my comments on this bill today—it's still not printed—because it talks about liquor inspections. And this is precisely the point: The culture of licensed liquor establishments is totally different from the culture of industrial workplaces, is totally different from the culture of the MTO inspector who's dealing with mechanical fitness and overloaded vehicles—totally different. And I say we want to allow sufficiently trained and experienced members of these respective ministries and their investigative teams to develop the expertise, to compound on it and to be able to specialize—specialization.

We are, in my respectful submission, running the risk of undermining the inspection role by reducing it to the lowest common denominator. It would be like giving me a badge and saying, "Okay, go out there and inspect." It's not that they won't do their best to do it, but I'm insistent that they're going to miss things.

As one of the earlier commentators said, if somebody notices a potential environmental hazard when they're doing a labour inspection, there's surely no thinking person who's going to quarrel with the proposition that they should be allowed to report that to a Ministry of the Environment staff person so that a Ministry of the Environment inspector with his or her expertise can attend there and decide whether it should be shut down right away or it's something where there's simply a need for a compliance order and a time frame in which it is to be corrected. It's putting unfair onus on the labour inspector. A labour inspector doing labour inspections who sees what he believes may be an environmental issue doesn't want to shut down a workplace, doesn't

want to put people out of work for however many days it's going to take. They have to be shut down, and who could blame the labour inspector for erring on the side of caution?

So we have no quarrel with the proposition that there's got to be a connection, but we have strong concerns about the dilution of the expertise that's been developed.

Firefighters do inspections too. I promised some folks that I would do this for them because, you know, I come from down in Welland, in Niagara region—the Welland Professional Fire Fighters Association; Mr. Hudak knows them well.

**Mr. Tim Hudak (Erie–Lincoln):** They're good people.

**Mr. Kormos:** As a matter of fact, fire prevention through inspections and education has become as important a role for firefighters as is fire suppression. But the professional firefighters down in Niagara, like firefighters all over Ontario—but, I've got to tell you, with outstanding style in Welland—also participate and contribute to so many other things and causes. They raise huge amounts of money every year that they contribute to charity. This year, for the second year that I'm aware of, they've got the Welland Professional Fire Fighters Association 2007 calendar. This calendar is being sold for \$10 apiece.

Here, Ms. Martel. It's called Feel the Heat.

**Ms. Martel:** Oh, yeah. Okay.

**Mr. Kormos:** It's about firefighters putting out fires, so they're hot, right? But these firefighters seem to be cooling themselves off. Now the only disappointment, of course, is that my good friend Henry Labenski isn't in the calendar.

**Mr. Hudak:** He's in the calendar?

**Mr. Kormos:** He's not in the calendar, and I know Mr. Hudak is as disappointed as I am.

**Mr. Hudak:** I'll pay for a new one.

**Mr. Kormos:** Mr. Hudak interjects.

If there could only be a 13th month so that Henry Labenski, who is a lifelong friend of mine, could be in the calendar. We sorely miss him.

**Mr. Hudak:** Do December twice.

**Mr. Kormos:** Mr. Hudak suggests.

But these calendars—10 bucks apiece. I got one for Ms. Martel. As a matter of fact, it has been autographed by Andreas and by Pete.

**Ms. Martel:** I still want Henry.

**Mr. Kormos:** Ms. Martel wants Henry too. Ms. Martel knows Henry Labenski. Ms. Martel says she'd pay \$20 for a calendar that had Henry in it.

**Mr. Hudak:** What's Andreas's last name?

**Mr. Kormos:** They don't give their last names.

So if folks want a copy of the Feel the Heat Welland firefighters' calendar for the year 2007, featuring 12 of Welland's firefighters—

**Mr. Flynn:** I can't imagine anybody who wouldn't.

1740

**Mr. Kormos:** Well, Mr. Flynn—\$10. Kevin Flynn from Oakville—this will make a great Christmas gift.

Here you go, Ms. Martel. Would you hand that to Mr. Flynn? Mr. Flynn's already purchased one of the professional firefighters' calendars. I'll make sure the \$10 gets down to the Welland Professional Fire Fighters.

You can buy the calendar off the professional firefighters' website in Welland. You go to [www.wpffa.net](http://www.wpffa.net)—it's gotta be “net.” They're also going to be selling these at the Thorold trade show and fashion show at the Four Points Sheraton in Thorold on October 28 and 29. On November 14, they're at Sears in the mall, and on future dates they're going to be at the supermarket Zehrs on Niagara Street in Welland. They're going to be at the Seaway Mall. They're going to be at the Pen Centre. Also, if you simply go on the Welland Professional Fire Fighters Association website, you can order a calendar: only \$10, and they're contributing this money to Muscular Dystrophy Canada, Welland Hospital Foundation dialysis unit, Burn Camp for Kids in Ontario.

Mr. Hudak and I know these guys. They're just a tremendous group. They're very, very skilled professional firefighters. They've made themselves thoroughly transparent in this calendar. They're not hiding their personalities. They're exposing their professionalism to the world in this 2007 Welland Professional Fire Fighters calendar. So folks, you want the calendar? It's [www.wpffa.net](http://www.wpffa.net). I encourage people—or go down to the fire hall on King Street, the south end of Welland. They'll be pleased to fix you up. I just can't encourage you enough.

Mr. Flynn has purchased one. Ms. Martel has another one, autographed, as a gift from the Welland Professional Fire Fighters Association. I will convey your concerns about Henry Labenski on to Henry. Tim Hudak, I will convey your concerns. This gang already knows that I've offered to share a page with Henry.

**Ms. Martel:** No, no.

**Mr. Kormos:** We've been turned down over and over and over again, and I, just for the life of me, can't understand why. I do want to thank Kevin Flynn, the member from Oakville, for his purchase, for his support of the Welland Professional Fire Fighters. Their Feel the Heat Welland Professional Fire Fighters Association 2007 calendar is \$10, [www.wpffa.net](http://www.wpffa.net)—it's gotta be “net”—and you can buy one on the Internet.

New Democrats are eager to see this Bill 69 go to committee. I'm eager to hear Ms. Martel's contribution to the debate, should she have an opportunity this afternoon.

Did you want change for that, Mr. Flynn?

**Mr. Flynn:** I did.

**Mr. Kormos:** Who's got two \$10s? Have you got two \$10s?

**Ms. Martel:** I'll see what I can do.

**Mr. Kormos:** I'm eager to hear the government address the concerns around the multi-inspector and the dilution of the high skill level that's required of inspectors.

The other bottom-line issue is the volume of inspectors, the availability of inspectors, the fact that a whole lot

of workplaces, for instance, right off the bat are going uninspected, and we know the problems inherent in that.

We're also concerned, I have to tell you, about what happens to prosecutions. You've got provisions in here for heavier fines for second offenders—not inappropriate—but if you haven't got a courtroom to prosecute the matter in, all the fines in the world mean zip. Well, it's true. If you don't have the JPs, the justices of the peace, to sit in those courtrooms, and justices of the peace with the skills required to hear—these are some pretty complex prosecutions. You're not talking about going through a stop sign, most of the time, which, to be fair, is a pretty simple prosecution. You either did or you didn't, and the police officer either saw you stop or didn't see you stop. We're talking about pretty complex prosecutions. When you're prosecuting a big company for a Ministry of Labour prosecution or an environmental prosecution, they pull out all the stops. They've got the high-priced lawyers, they've got the experts, the engineers etc., and we've got prosecutors in these ministries—you know them, don't you?—who have case loads like this. They do. They've got files sitting this high on their desk. They've got a scarce number of investigators such that they've got to juggle the investigators when they're doing a prosecution in order to have investigators available in court for them. Then they run the risk of having charges stayed because of delay in prosecution.

So all of the fine potential in the world is going to do little if we haven't got the courtrooms to accommodate those prosecutions.

Now, Mr. Flynn has already shown typical generosity by giving away his calendar as a gift—to whom?

**Mr. Flynn:** I don't think she wants to be named.

**Mr. Kormos:** What's her first name?

**Mr. Flynn:** Lisetta.

**Mr. Kormos:** Lisetta, I'm going to explain to the fellas back at the Welland fire hall that—you say March? Okay, check out April, May, June. Is the title *Feel the Heat* appropriate, Lisetta? It is. She's feeling the heat. It is warm in here, isn't it, Lisetta? I've got to congratulate the Welland professional firefighters. Lisetta is feeling the heat, and we're 135 kilometres from Welland, and all for a mere \$10. We could turn the boiler room right off here at Queen's Park as long as there were enough of these calendars spread around. So, Lisetta, congratulations for now getting to know some of our Welland firefighters better, and in a way that you probably suspected you never would. I will convey to them your appreciation for their skill, professionalism and talents.

**Mrs. Carol Mitchell (Huron-Bruce):** Can she even get it signed?

**Mr. Kormos:** She got a signed one, yes. Folks, just feel free. As a matter of fact, you can call Pete Mazza at 905-714-1618. You don't have to go on the Internet. You can go on the Internet, [www.wpffa.net](http://www.wpffa.net), the Welland Professional Fire Fighters Association, or call Pete Mazza directly, 905-714-1618. Tell him how many calendars you want, and he'll get them to you. If I have

to pick them up on Friday down at the King Street fire hall, I'll bring back 20 or 30 of them, as many as folks want, because all the money is going to charity. All of the money is going to muscular dystrophy, it's going to the Burn Camp for Kids in Ontario and to the Welland Hospital Foundation, because we've got the new dialysis unit down there.

We're going to support this bill going to committee upon second reading. In fact, we're going to be adamant that it should. We've heard already the comments made by the member from Cambridge about some business concerns, retailers' concerns, small business people's concerns about the bill and the legislation. We're concerned about whether or not the bill effectively enhances the level of inspection.

You know, another reason I wanted Bill 152 to be able to refer to—and we haven't got it printed up yet. Lisetta, pay attention to the speeches, because you've got to make notes for the ministry. You're wrapped up in June, and it's just not—you've only got 10 more minutes. Just fold up June, put it aside and make notes for your ministry. Thanks for your attention, Lisetta. Obviously, the calendar is a distraction for Lisetta.

**1750**

We're concerned about maintaining the quality and, more importantly, improving the quality of inspections. A lot of Bill 152—because of course the government had a press conference that would have embarrassed John Baird. Remember John Baird dumping the pile of syringes on the table? Remember that? They had John Baird with a pile of syringes. Well, here they had the electrical cords disintegrating and going up in smoke and the lava lamps blowing up. It reminded me of Thomas Alva Edison. Edison, of course, had a proprietary interest in direct current electricity, as opposed to AC. It was the brilliant Serb Tesla who developed alternating current electricity. So it was a competition between the two forms of electricity and its distribution.

*Interjection.*

**Mr. Kormos:** Serbian. Be very, very careful, Mr. Flynn.

What Edison did, trying to discourage people from opting for the alternating current, was, he would show how dangerous it was; he would electrocute and kill animals at events in cities—this is true. This was at the turn of the century, the early 1900s. Edison would take dogs and cats and pigs and electrocute them, and they'd die. I think it was in Chicago when he literally electrocuted and killed an elephant with alternating current to demonstrate how—to create fear among the American public about alternating current. Again, this is unfettered capitalism, my friends. This was free enterprise at its finest.

*Interjection.*

**Mr. Kormos:** Mr. Hudak interjects. So when I saw the press conference of Minister Phillips and these electrical cords that blew up and these volcanic lava lamps that sputtered, I thought of Edison and his fear campaign—

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Are you speaking to the bill?

**Mr. Kormos:** Yes—where he was clipping alligator clamps to elephants' ears, electrocuting them in public spectacles as part of a fear campaign.

**Ms. Martel:** That's terrible.

**Mr. Kormos:** I'm not saying it was good; I'm just saying he did it, for Pete's sake.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** That's awful.

**Mr. Kormos:** Ms. Van Bommel says it was awful. You raise chickens. What do you do with them? Keep them as pets, for Pete's sake? You don't just kill them; you eat them. So please—nobody ate the elephant; he just killed it. It was Thomas Alva Edison. I didn't do it. We're not even related. I never knew him. But this is what Edison did: He went around electrocuting animals with alternating current to promote his own DC current, and of course he lost that campaign.

Edison also brilliantly said, "Nothing is worth researching for the purpose of inventing unless you can make money from it." He was not a benign, altruistic inventor.

*Interjection.*

**Mr. Kormos:** He was not a benign member. So I have to tell you, this, Speaker, has been one of my most pleasurable hours in the chamber. I'm ready now. I'm just—

**Ms. Martel:** Aren't you speaking tonight?

**Mr. Kormos:** I'm back at 6:45, yes, on Bill 28. But no, I feel I've done it all now. I've dedicated an hour to Bill 69, I've promoted the Welland Professional Fire Fighters fundraising calendar, I've promoted Martin Gilbert's new biography of Winston Churchill, I hope I've had some impact on ensuring Canadian spelling in bills with reference to the word "e-mail" and I've touted Anne Stilman's book, entitled *Grammatically Correct: The Writer's Guide to Punctuation, Spelling, Style, Usage, and Grammar*. I thank you kindly for your patience, Speaker. I look forward to the balance of the debate.

**The Acting Speaker:** It is that time of the evening when we are either going to be five minutes early or five minutes late. The prerogative of the Chair is that I think it's close enough to 6 o'clock. We will recess until 6:45.

*The House adjourned at 1755.*

*Evening meeting reported in volume B.*

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