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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 27 November 2006**

**Lundi 27 novembre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 November 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 27 novembre 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### DAIRY FARMERS

**Ms. Lisa MacLeod (Nepean–Carleton):** On behalf of John Tory and the PC caucus, I'm very pleased to welcome the Dairy Farmers of Ontario. At a time when agriculture is under attack, Ontario's 5,282 dairy farmers continue to flourish, producing 2.5 billion litres of milk every year, adding 42,500 jobs to our economy, and generating farm cash receipts totalling \$1.6 billion.

Dairy farmers operate within a system known as supply management, and that is the foundation of our rural economies, including in my own constituency of Nepean–Carleton. Under supply management, consumers have guaranteed supplies of high-quality products at fair and stable prices. In return, farmers get stable incomes and receive a fair share of food prices. But the supply-managed sectors are nervous that ongoing trade negotiations might threaten this system.

That's why I'm so proud that my entire caucus, along with John Tory and our critic, Toby Barrett, have signed FarmGate5's initiative and their petition. I was shocked to see the divisions within the Liberal caucus on supply management. The health minister, who is the Deputy Premier, is apparently the ringleader for 31 Liberals who oppose supply management. To them I say, please sign the petition at [www.farmgate5.org](http://www.farmgate5.org). In fact, I have several copies of this petition with me if any members opposite would like to sign the petition right now.

The dairy farmers are hosting a reception tonight at 5 p.m. in committee room 2. Come out, have a glass of milk, and I'll enjoy watching everybody and their milk moustache.

#### EVENTS IN LEAMINGTON

**Mr. Pat Hoy (Chatham–Kent Essex):** This spring a national publication, MoneySense, named Leamington as the number one place to live in the country.

Recently, two establishments in Leamington were recognized by the McGuinty government for their outstanding achievements. The Real Canadian Superstore received, for the second time, the Foodland Ontario Retailer Award for outstanding commitment and creativity

in marketing the produce grown by Ontario farmers. The Leamington store won the Platinum All Seasons Award, recognizing merchandising excellence in Ontario-grown commodities throughout three full seasons. This is a testament to the hard work and dedication of the management and staff of this grocery store as they promote Ontario-grown fruits and vegetables. It also shows that Essex county and Chatham–Kent are the breadbaskets of Ontario. When we buy Ontario's high-quality produce, everyone wins: farmers, retailers and consumers.

The South Essex Community Council received the minister's bronze award for excellence in delivering the Ontario government's Job Connect program. This program helps adults and youth plan, prepare for and succeed in the job market. The outstanding results of the Job Connect program in building strong partnerships with local employers go hand in hand with the success of helping people in our community upgrade their skills, become apprentices and find jobs. The staff at the South Essex Community Council deserve our thanks for helping people reach their potential.

I'm honoured to represent the citizens of Leamington, the number one place to live in Canada.

#### FISCAL RESPONSIBILITY

**Mr. Ted Arnott (Waterloo–Wellington):** I want to congratulate Canada's Minister of Finance, the Honourable Jim Flaherty, for committing the federal government to a long-term plan of debt repayment.

Starting in the 1970s, governments across Canada forgot their obligation to future generations and our country became awash in a sea of debt. Even in good years, governments thought nothing of engaging in deficit financing instead of making a reasonable effort to live within their means. Increasingly, the demand for government borrowing could not be satisfied within our domestic capital markets and we were forced to borrow more and more overseas. This meant that we became beholden to the international bond markets and a greater and greater portion of the national and provincial budgets was wasted on interest payments on the ever-burgeoning public debts.

During the profligate NDP government of Bob Rae from 1990 to 1995, Ontario's provincial debt doubled. A necessary correction followed, and under our government balanced budgets were the norm and provincial debt was actually paid down. Unfortunately, since 2003 the McGuinty Liberal government has not shown the same degree of fiscal fortitude. In spite of their election

promise to balance budgets, they've been on a spending spree and have made conscious, deliberate decisions not to balance their budgets. Perhaps this explains why, three years ago, they voted against my private member's resolution which called upon the government to commit itself to a long-term debt repayment plan, with a vision of making Ontario debt-free in 25 years. This is an idea that I have been advocating in this House for the past nine years, since 1997.

Now that the federal government has recognized the need for long-term fiscal discipline and made a commitment to it, I once again call upon the McGuinty Liberals to do the same for the sake of future generations of Ontarians.

#### SOLAR ENERGY

**Mr. Michael Prue (Beaches–East York):** This past Saturday morning I had an opportunity to go to an apartment building at 11 Coatsworth Avenue in the riding of Beaches–East York that is owned and operated by a group called Neighbourhood Link. What makes it a really significant place is that it is today the home of Toronto's largest array of solar power panels, which is producing the equivalent of 134,000 kilowatt hours of power per year. There are 60 panels that have been put on the roof of this apartment building that have been engineered by Taylor Munroe Energy but installed by a really terrific group from Beaches–East York called Mondial Energy. It supplies literally all of the hot water for the apartment building, and they do it at significantly less cost than the former gas-powered boilers.

#### 1340

Mondial was developed by an engineer by the name of Alex Winch, who is famous throughout Beaches–East York. His very first enterprise was called the Queen Street Solar Laundromat, and all of the power and all of the hot water that is supplied in that laundromat is powered by the sun.

He has done the same thing now with the apartment building, and he has done it at considerably less cost than natural gas. In fact, it's only 15% of the cost of the Ontario government's photovoltaic panels at the CNE. It's funded privately and all of the profits go back to the people who live in that building and who put the money forward. It's a terrific development.

#### DAIRY FARMERS

**Mr. Ernie Parsons (Prince Edward–Hastings):** It's my pleasure to announce that we have very special guests with us in the Legislature today. I'm sure that all members will join me in welcoming to Queen's Park members of the Dairy Farmers of Ontario. The Dairy Farmers of Ontario, a group we usually call the DFO, is a non-profit farm organization that represents Ontario's 4,700 licensed dairy farms.

The dairy sector is the biggest and brightest jewel in Ontario's agricultural crown. It's the largest agricultural sector and a major economic asset to this province.

Without the hard work of the DFO, there certainly would not be an elementary school milk program flourishing throughout the province. I know that our active healthy schools plan is enhanced by the DFO's province-wide school milk program. By delivering over 26 million cartons of milk each year and reaching over 70% of elementary schools, the DFO assists the McGuinty government in our efforts to promote healthy lifestyles for our students.

On a personal note, as a part-time farmer I would like to state that it's because of the DFO that we have safe milk in this province and a stable supply system that is the envy of the world.

#### LONG-TERM CARE

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I rise in the House today to support the fight against the controversial Bill 140, the Long-Term Care Homes Act. As I'm sure most of my colleagues here have heard from the administrators, residents and families in their riding, this bill is nothing more than an empty promise. If this government's definition of "comfort and dignity" for Ontario's elderly means crowding them into three- and four-bed wards, then it has no vision or plan for the 35,000 residents who occupy the older long-term-care homes.

Since this bill was introduced on October 19, 2006, I've received hundreds of letters, e-mails and postcards from concerned citizens in my riding. A few weeks ago, I sat down with the local long-term-care administrators and heard, loud and clear, how this bill threatens the future of these homes and the service they provide. I heard from Mary-Lynn Kennedy McGregor of Country Lane in Chatsworth, Dorothy Embacher of Meaford Long Term Care, Carole Woods of Parkview Manor in Chesley, Renata Hall of Summit Place, and Joanne Porter of Georgian Heights in Owen Sound.

Under the act's proposed limited licensing scheme, about half of the long-term-care homes will be given a licence that expires in 10 years, with no plan for what happens after; it would also allow the government to shut down a home or move beds to another community. It is my opinion that we owe to our seniors, among whom are our war veterans, our parents and our grandparents, a real commitment. It is time we demand that this government withdraw or rework Bill 140 and commit to increasing funding in the order of the promised \$6,000 per resident per year. It's time to treat our seniors with the respect and dignity they deserve. This is just one stack of the postcards and petitions—

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

#### POLICE AND FIRE SERVICES

**Mrs. Carol Mitchell (Huron–Bruce):** I recently had the honour of being a guest of the Lieutenant Governor and the Minister of Community Safety and Correctional Services for an awards ceremony honouring the bravery of Ontario's police and fire service professionals. This

service was held to award the Ontario medals of police and firefighter bravery to those officers who had gone beyond the call of duty to protect the communities that they serve.

Among the recipients was a young man from my riding, Constable Philip Hordijk. He was awarded for his bravery as a constable on the tactical team of the London police department. Constable Hordijk and four of his colleagues showed their bravery and dedication by entering a burning building to attempt to save a mother and her young children who had been trapped inside by the blaze set by an assailant who was holding them at gunpoint. The officers were shot at while attempting to enter the premises, but they persevered and they evacuated all of the inhabitants from the burning building.

Mr. Hordijk and his colleagues are all examples of the sacrifices that our emergency service professionals make while carrying out the duties of their office. We are privileged in this province to have such brave and dedicated emergency service professionals. It's our job as a government to continue to ensure that these deeds do not go unnoticed and that their working conditions remain as safe as we can possibly make them through our support.

#### PRIX DE LA FRANCOPHONIE DE L'ONTARIO

**M. Phil McNeely (Ottawa–Orléans):** La semaine dernière, j'ai eu le plaisir de me joindre à notre premier ministre, M. McGuinty, et la à ministre déléguée aux Affaires francophones, M<sup>me</sup> Meilleur, pour célébrer le 20<sup>e</sup> anniversaire de la Loi sur les services en français.

Nous avons célébré cet anniversaire en remettant les tout premiers Prix de la francophonie de l'Ontario, qui reconnaissent les contributions remarquables à l'épanouissement de la langue et de la culture françaises en Ontario. Ces prix reconnaissent les contributions remarquables à la vitalité sociale, économique, politique et culturelle, de même qu'au bien-être de la communauté francophone.

Pendant la célébration, M<sup>me</sup> Meilleur a remarqué que la francophonie de l'Ontario était en plein essor et que nous voulons plus que jamais mettre l'accent sur l'avenir. Je suis du même avis que la ministre et je souhaite que les prix vont encourager les Franco-Ontariens de continuer à contribuer leurs talents pour enrichir davantage notre province.

Les prix seront remis chaque année à au moins un ou une francophone et à un ou une francophile. Ce soir-là, Gérard Savoie, le président-directeur général de l'Hôpital Montfort, était parmi les lauréats et les lauréates.

Nous devons tellement de notre succès en Ontario aux contributions des francophones. Je voudrais féliciter les quatre lauréats et lauréates des tout premiers Prix de la francophonie de l'Ontario.

#### LEADER OF THE OPPOSITION

**Mr. John Wilkinson (Perth–Middlesex):** Where, exactly, does the transitory member for Dufferin–Peel–

Wellington–Grey stand on the environment? The leader of the official opposition wants to increase Ontario's investment in coal, he wants to repeal our "You spill, you pay" legislation and he wants to allow municipalities to bypass the greenbelt legislation. Last month, the entire Conservative caucus—the same party that presided over the Walkerton tragedy—voted against Bill 43, the Clean Water Act.

In an August 15 press release, he accused our government of abdicating our responsibilities—by doing what? By passing the most progressive piece of water legislation in North America, the Clean Water Act. If this is so, then why did you, sir, abdicate your responsibility to vote?

On November 10, an editorial in the Orangeville Banner, a local newspaper in the member's current riding, asked why he and his caucus didn't consider it necessary to vote for the protection of such an important resource, our sources of water: "The proper management of these resources is critical to our very survival, let alone quality of life.... To be absent when these decisions are being made on our behalf is not acceptable."

The leader of the official opposition is clearly out of touch with his current constituency and, I would venture, all Ontarians. Is this the reason he has decided not to run in Dufferin–Peel–Wellington–Grey and try to gain a seat in Don Valley West? I know that the Minister of Education voted for the Clean Water Act. The leader of the official opposition didn't.

The transitory member for Dufferin–Peel–Wellington–Grey can't bob and weave his way away from his responsibility. It doesn't fly—

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

#### VISITORS

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):**

On a point of order, Mr. Speaker: It gives me great pleasure to introduce to the House the Enta family, who have come all the way from Don Valley East. We have Guy, Linda, Hayley, Evan and Rebbecca. Welcome to the Ontario Legislature. I hope you find today educational and instructive.

**The Speaker (Hon. Michael A. Brown):** I will take this opportunity to introduce in the Speaker's gallery Inspector Mark Andrews, unit commander for North East Region Traffic and Marine, the Ontario Provincial Police, his wife, Ellen, and sons Jordan and Connor.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr. Pat Hoy (Chatham–Kent Essex):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill, as amended:

Bill 151, An Act to enact various 2006 Budget measures and to enact, amend or repeal various Acts / Projet de loi 151, Loi édictant diverses mesures énoncées dans le Budget de 2006 et édictant, modifiant ou abrogeant diverses lois.

**The Speaker (Hon. Michael A. Brown):** Shall the report be received and adopted? Agreed? Agreed.

Pursuant to the order of the House dated Tuesday, November 14, 2006, the bill is ordered for third reading.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I ask for unanimous consent to put forth a motion without notice regarding the membership of certain committees.

**The Speaker (Hon. Michael A. Brown):** Is it agreed? Agreed.

**Hon. Mr. Bradley:** I move that the following changes, to become effective on December 4, 2006, be made to the membership of the following committees: on the standing committee on estimates, Mr. Craitor replaces Mr. Arthurs, Ms. Jeffrey replaces Mr. Wilkinson; on the standing committee on finance and economic affairs, Ms. Matthews replaces Ms. Sandals; on the standing committee on general government, Mr. Dhillon replaces Ms. Jeffrey, Mr. Peterson replaces M. Lalonde; on the standing committee on government agencies, Mr. Duguid replaces Mr. Parsons, Ms. Mitchell replaces Mr. Wilkinson; on the standing committee on justice policy, Mr. Qaadri replaces Mr. Dhillon, Mr. Zimmer replaces Mr. McMeekin; on the standing committee on the Legislative Assembly, Ms. Jeffrey replaces Mr. Delaney, Mr. Qaadri replaces Mr. Sergio; on the standing committee on public accounts, Mr. Arthurs replaces Ms. Matthews, Ms. Sandals replaces Mr. Mauro, Ms. Smith replaces Mr. Zimmer; on the standing committee on regulations and private bills, Mr. Leal replaces Mr. Craitor, Mr. Rinaldi replaces Mr. Ramal; on the standing committee on social policy, Mr. Mauro replaces Mr. Qaadri, Mr. Parsons replaces Ms. Wynne.

**The Speaker:** Mr. Bradley has moved that the following changes, to become effective on December 4, 2006—

**Interjection:** Dispense.

**The Speaker:** Dispense?

*Interjection.*

**The Speaker:** No—be made to the membership of the following committees: on the standing committee on estimates, Mr. Craitor replaces Mr. Arthurs, Ms. Jeffrey replaces Mr. Wilkinson; on the standing committee on finance and economic affairs, Ms. Matthews replaces Ms. Sandals; on the standing committee on general govern-

ment, Mr. Dhillon replaces Ms. Jeffrey, Mr. Peterson replaces M. Lalonde; on the standing committee on government agencies, Mr. Duguid replaces Mr. Parsons, Ms. Mitchell replaces Mr. Wilkinson; on the standing committee on justice policy, Mr. Qaadri replaces Mr. Dhillon, Mr. Zimmer replaces Mr. McMeekin; on the standing committee on the Legislative Assembly, Ms. Jeffrey replaces Mr. Delaney, Mr. Qaadri replaces Mr. Sergio; on the standing committee on public accounts, Mr. Arthurs replaces Ms. Matthews, Ms. Sandals replaces Mr. Mauro, Ms. Smith replaces Mr. Zimmer; on the standing committee on regulations and private bills, Mr. Leal replaces Mr. Craitor, Mr. Rinaldi replaces Mr. Ramal; on the standing committee on social policy, Mr. Mauro replaces Mr. Qaadri, Mr. Parsons replaces Ms. Wynne.

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 Monday, November 27, 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 in favour will say “aye.”

All 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 1354 to 1359.*

**The Speaker:** Mr. Bradley has moved government notice of motion number 239. All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Parsons, Ernie
Balkissoon, Bas	Flynn, Kevin Daniel	Phillips, Gerry
Bentley, Christopher	Fonseca, Peter	Pupatello, Sandra
Bradley, James J.	Hoy, Pat	Qaadri, Shafiq
Brotten, Laurel C.	Jeffrey, Linda	Racco, Mario G.
Bryant, Michael	Kular, Kuldip	Sandals, Liz
Cansfield, Donna H.	Kwinter, Monte	Smith, Monique
Caplan, David	Leal, Jeff	Smitherman, George
Colle, Mike	Mauro, Bill	Watson, Jim
Crozier, Bruce	McNeely, Phil	Wilkinson, John
Delaney, Bob	Meilleur, Madeleine	Wynne, Kathleen O.
Dhillon, Vic	Milloy, John	Zimmer, David
Dombrowsky, Leona	Mitchell, Carol	
Duguid, Brad	Oraziotti, David	

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

#### Nays

Arnott, Ted	Marchese, Rosario	Runciman, Robert W.
Bisson, Gilles	Martel, Shelley	Scott, Laurie
Chudleigh, Ted	Martiniuk, Gerry	Sterling, Norman W.
DiNovo, Cheri	Miller, Norm	Tabuns, Peter
Dunlop, Garfield	Murdoch, Bill	Tascona, Joseph N.
Hardeman, Ernie	O'Toole, John	Tory, John
Horwath, Andrea	Ouellette, Jerry J.	Witmer, Elizabeth
Kormos, Peter	Prue, Michael	Yakubuski, John

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 40; the nays are 24.

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

#### VISITORS

**Hon. Mike Colle (Minister of Citizenship and Immigration):** On a point of order, Mr. Speaker: In the gallery today we have Daniela Falomo, who is the Italian teacher at Immaculate Conception school in my riding and is here visiting her student who is a page with us, Miss Alexandra Le-Heeralal. Welcome.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### APPRENTICESHIP TRAINING

#### FORMATION PAR APPRENTISSAGE

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** The McGuinty government believes that the knowledge and hands-on experience of a highly skilled workforce will give Ontario the economic edge we need to compete in the changing economy of the 21st century. That's why choosing to invest in the education and skills of our people is the right course for our society, for our economy, for our families and for our future.

Notre gouvernement a pris un engagement important pour que le système d'apprentissage de l'Ontario fournisse à la province la main-d'oeuvre qualifiée qui assurera sa compétitivité au sein de l'économie actuelle.

We set a goal to attract 26,000 new apprenticeship registrations annually by 2007-08. To reach that goal, we've introduced several initiatives to increase access to the skilled trades. These include an apprenticeship training tax credit, an apprenticeship scholarship and employer signing bonus, and the expansion of the Ontario youth apprenticeship program.

Today, I'm pleased to share with this House what we're doing with another program that helps build Ontario's skills: the pre-apprenticeship training program. Pre-apprenticeships open doors for people who want to learn a skilled trade, providing them with skills that can lead to a well-paying, fulfilling career.

Many of our pre-apprenticeship projects are geared toward those who face barriers in entering or advancing in the workforce. Those who have not finished high school, newcomers to our country, aboriginal peoples, or at-risk youth may share a desire to get into the trades, but they also face unique challenges in meeting the requirements for beginning an apprenticeship.

They come to the program focused on achieving a brighter future and determined to make a real commitment. They'll spend up to 40 weeks in their pre-apprenticeship project, including at least eight weeks on the job,

acquiring the technical, academic and employment skills they need to succeed as apprentices.

I'm pleased to announce that in 2006-07 the McGuinty government is creating close to 800 pre-apprenticeship spaces across Ontario to help people qualify for skilled trades training. We are investing more than \$7.6 million in 37 new projects that will prepare people who want to become apprentices for training in specific skilled trades. These include projects that target youth, aboriginal peoples, women and groups traditionally underrepresented in apprenticeship programs.

The projects will take place at colleges, union deliverers and community agencies throughout the province. Many projects are delivered in partnership with community organizations, industry, training boards and government agencies such as Job Connect. In fact, this morning I was with my colleague Kevin Flynn at Sheridan College Institute of Technology and Advanced Learning to announce a new pre-apprenticeship project to provide 25 early high school leavers with training in the industrial mechanic millwright trade. The government will provide Sheridan with \$257,000 for the project, offered in partnership with the Halton Industry Council, Job Connect and the Peel-Halton-Dufferin Training Board.

Thanks to these pre-apprenticeship projects, more Ontarians will be able to prepare for training in well-paying, fulfilling careers in the automotive, construction, manufacturing and service sectors.

I'd also like to note that information on Ontario's pre-apprenticeship projects can be accessed through Employment Ontario, the province's new integrated employment and training network. Employment Ontario provides seamless, coordinated training, apprenticeship and labour market services, bringing together 470 service providers in almost 900 locations funded by the government of Ontario.

Earlier I said that our government is committed to increasing the number of apprenticeship registrations to 26,000 annually in 2007-08, and I'm pleased to say that our efforts are paying off. Thanks to programs like pre-apprenticeship, we are firmly on track to meet our goal. We exceeded our target for the year in 2005-06. Based on the number of registrations received by the end of August 2006, we're on track to meet our target for this year as well. In fact, a StatsCan study released two weeks ago confirmed that Ontario has been doing extremely well in terms of training new apprentices. The number of apprentices in Ontario has risen by 8.8% since 2003, beating the national average, and completions are up 15.9% in Ontario, outpacing other provinces with large apprenticeship systems.

Ontarians are recognizing the value of a skills-focused education. Our government is working to ensure that everyone in Ontario has the tools they need to prosper in the economy of the 21st century.

We welcome the participating colleges, union deliverers and community agencies who will be involved in our 2006-07 pre-apprenticeship projects. When we provide

more people with a chance to develop the skills needed in today's economy, everyone in Ontario benefits. Through pre-apprenticeship training, we're working together to help people take another step forward toward reaching their potential.

**The Speaker (Hon. Michael A. Brown):** Responses?

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to respond to Minister Bentley's comments today regarding apprenticeship and pre-apprenticeship on behalf of our caucus, our leader, John Tory, and our critic, Jim Wilson.

I'm very pleased to be able to respond anytime to any of these debates around apprenticeships and pre-apprenticeships because I have a skilled trades background and as a business person I have become very passionate about this issue over the years.

I want to tell you that one person I really wanted to thank was our former Minister of Education, the Honourable Janet Ecker, who allowed me in 2002 to do a report on vocational and technical training in the province of Ontario. I certainly enjoyed working with contacts all across the province and the challenges we face in trying to attract more people to the skilled trades.

I'd like to speak very briefly for a moment on an institution I am extremely proud of in my riding, and that is Georgian College. The college operates a number of campuses and a number of apprenticeship, pre-apprenticeship and women-in-skilled-trades programs. In 1999, I worked with President Brian Tamblin, and the one thing we agreed to do together was to enhance the two campuses that I have in my riding, the campus in Midland and the campus in Orillia. At the time, the Midland campus was nothing more than a couple of office spaces in the back where the radio station was located. Today we have the Industrial Research and Development Institute building, owned by Georgian College, and it is a skilled trades centre in central Ontario. There are a number of trades working out of there under the leadership of the manager of skilled trades, Gabe Koopmans. We have an electrical apprenticeship, precision machine and tooling, a recreational vehicle technician—the only one of its kind in the province—and we're in the process at Georgian College of adding additional apprenticeship programs as well.

**1410**

Mrs. Koopmans and her staff at the college have been able to partner with a number of industries in our region, and they're looking for further partnerships down the road as we try to have more apprenticeship programs in the area. For example, in the Orillia campus of Georgian College we have the marine mechanics course; the Barrie campus is centred around the automotive industry, the centre for automotive expertise; and in Muskoka we have the cook and chef programs as well.

There are other programs that I could go into as well, but I did want to point out today that there are a number of problems we still face in trying to attract people to the skilled trades and apprenticeships. One is the stigma that has been attached to working with one's hands or being a skilled tradesperson. That's still there today. In spite of

the fact that we do all these programs at the federal and provincial level and the colleges, we still have that issue today.

The average age is certainly increasing. Most of the skilled tradespeople in our province are over the age of 50. Although we are bringing on more people in pre-apprenticeship, just as many people are leaving the trades as they begin to retire. As well, I think we have the problem that a lot of jobs in Ontario have gone to western Canada. I can tell you also that there is still an inability to attract enough employers to satisfy all the needs of the apprenticeships that we'll need in this province.

I was talking to the college this morning, and one of the problems they have is funding, particularly for capital improvements and tools and resources for the apprentices to use as they take on more apprenticeships in the colleges. Of course, as well, there is the overall funding that the colleges are having a problem with. Many of the colleges in Ontario are looking at deficit budgets for the upcoming year—the first time in history that that has happened.

However, I do believe that this should be a non-partisan issue. It's the responsibility of the federal government and the provincial government to do as much as we possibly can to keep these skilled tradespeople coming on stream as we try to build our economy, not only here in Ontario but across our country as well. So we look forward to continual improvements in the apprenticeship and pre-apprenticeship programs. We need to attract more young men and women to these particular positions. I look forward to announcements and very positive things happening in this particular area over the next few months.

**Mr. Rosario Marchese (Trinity-Spadina):** I have to tell you, it really is very difficult to be enthusiastic in my response to these little mini-announcements that the minister makes on a regular basis. So I say, it's hardly revolutionary what he presents today. This little project of 25 people in a new pre-apprenticeship project for high school leavers is mini-nice, but again, it isn't revolutionary.

I want to point this out to the minister because he takes up a lot of time in this Legislative Assembly bringing these announcements on a regular basis. He never talks about why it is that at the elementary level we have lost home economics, for example; why it is that at the elementary level we've lost industrial arts programs; and why it is that he would not talk to the Minister of Education, at the elementary and secondary levels, to be able to say, "We need to reinstitute these kinds of programs because we believe that giving the students that experience is very useful as we prepare them for pre-apprenticeship programs." So he doesn't have to go too far—the minister is but within his arm's reach—to be able to say, "Let's work together on these matters." Yet not one word from him or the Minister of Education to talk about the value of the home economics and industrial arts that we've lost for the last 10 years and that this Liberal government has made no effort to bring back into the system.



Why is that? Why is it that this government doesn't believe it's important? And why is it that the Minister of Education just introduced and passed—Bill 52 will be passing soon in third reading. Bill 52, Monsieur Bentley, does the following: The Minister of Education creates equivalent learning programs that will be offered outside of the educational system by non-teachers, we have learned from the minister, which in my view and the view of many boards and teachers is contracting out what we normally have done in the secondary school system. The Minister of Education is quite happy to do that—happy to contract out the work to non-teachers. This is the new norm in the Ministry of Education at the secondary level.

Monsieur Bentley, I wanted to share something else with you. You will recall, the last time you made a statement on this matter, that I urged you to look at what Quebec has done and learn, madame la ministre, from what Quebec has to teach us from time to time. Just to repeat it for your benefit and the benefit of the other French-speaking folks and for the Premier, in fact, the Quebec government passed the Quebec act, fostering the development of manpower training, mapping the situation after 10 years of experimentation. The scope of the act and its main provisions were adopted in 1995. By 2005, the act reached all employers with a payroll superior to \$1 million a year. That includes around 11,000 employers. The goal is to improve manpower qualifications through increased investment in manpower training. A concerned employer must spend at least 1% of its payroll each year in training its personnel.

Now, if the minister of post-secondary education wanted to be bold, this is what he should be listening to as he debates this with the Minister of Education as we speak. That's what he should be listening to, because that's innovation, and that's bold, instead of these little mini-announcements that he introduces here on a regular basis.

Apprentices and trainees are included in the personnel for eligible training expenditures defined by regulation. A fund was established, independent from the state, under the name fonds national de formation de la main-d'oeuvre, sometimes labelled the partners fund. When an employer doesn't reach the 1% minimum, he or she must pay the difference to the ministry of revenue. This is important stuff. Further, the act also binds government ministries, one by one, and public corporations. For the government, the idea was to set an example to the private sector employers for the unions. The provision was welcome as a means to protect training budgets within ministries against the budget cuts that were expected 10 years ago.

Now, you see, Minister Bentley, that's what I'm talking about: bold. Reflect with us. We're willing to debate these kinds of radical, innovative ideas, but don't come here day in and day out with little mini-announcements that don't amount to much.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House**

**Leader):** On a point of order, Mr. Speaker: I seek unanimous consent for the representatives of each of the three parties in the Legislature to speak for up to five minutes on the White Ribbon Campaign.

**The Speaker:** Mr. Bradley has asked for unanimous consent for the representatives of each party to spend up to five minutes discussing the White Ribbon Campaign. Agreed? Agreed.

#### WEARING OF RIBBONS

**Hon. Sandra Pupatello (Minister of Economic Development and Trade, minister responsible for women's issues):** On a point of order, Mr. Speaker: I would ask consent of the members of this House and you that we would be allowed to wear this white ribbon symbolizing organizations in opposition to violence against women, ribbons being available in both lobbies.

**The Speaker (Hon. Michael A. Brown):** Ms. Pupatello has asked for unanimous consent to wear the white ribbon. Agreed? Agreed.

#### WHITE RIBBON CAMPAIGN

##### CAMPAGNE DES RUBANS BLANCS

**Hon. Sandra Pupatello (Minister of Economic Development and Trade, minister responsible for women's issues):** This past Saturday, November 25, marked the International Day for the Elimination of Violence Against Women. On this day, people of all nations joined together in calling for a world in which women are treated equally and with respect and are able to live lives free of violence.

**1420**

November 25 is the start of a two-week period of commemorations and campaigns. Sixteen Days of Activism Against Gender Violence is a global movement that runs through International Human Rights Day on December 10. This year's theme reflects the understanding that advancing human rights and ending violence against women go hand in hand. Equality is a human rights issue, and inequality is understood as one of the root causes of violence against women.

The annual White Ribbon Campaign also launched on Saturday. It urges men and boys to wear a white ribbon as a symbol of their opposition to violence against women. Awareness of violence against women leads to action against it. The YWCA is launching its annual Rose Button Campaign to raise awareness of violence against women.

Over these next few weeks, these campaigns will raise public awareness worldwide. We'll all be reminded of our collective responsibility to take action and eliminate the abuse.

In Ontario, we are taking action. Over the past two years, our government has implemented major initiatives through our four-year, \$68-million domestic violence action plan. These measures are making a difference.

A few days ago, I was proud to also launch our government's groundbreaking new public education campaign. It teaches children and youth, boys and girls aged eight to 14, about healthy, equal, respectful relationships. Using a new interactive website, equalityrules.ca, which I urge every member of this House to visit, our campaign recognizes that if children better understand the kind of behaviour that's acceptable, then they're more likely to have healthy, equal relationships. Our goal is to teach the right behaviours at an early age, to stop the violence before it begins.

I have met with many courageous women who have escaped an abusive partner, and I celebrate each one of them. Together with all the women and men who are working to put an end to abuse, we are making progress. We still have a long way to go. We recognize International Day for the Elimination of Violence Against Women, and I ask that we raise our voices against this issue that crosses all cultural, social and economic boundaries.

I ask every member of this House to be sure that the women in your communities know that if they suffer abuse, there is help and support for them and their children. I ask that we join together in strengthening our resolve to put an end to violence against women.

**Mr. John Tory (Leader of the Opposition):** It is my privilege to rise on behalf of the Progressive Conservative Party to say a few words concerning International Day for the Elimination of Violence Against Women and the White Ribbon Campaign.

While it doesn't represent an excuse for complacency of any kind, the White Ribbon Campaign should be a source of pride for Canadians, not just because of the contribution it has made here and elsewhere to the awareness and understanding, better policies and programs when it comes to violence against women, but because it was and is a Canadian initiative which showed global leadership and has been taken up accordingly all around the world.

In its first year of existence, I received a call from Jack Layton asking if I would come with him to Union Station to hand out white ribbons, and I agreed. I can well remember the somewhat puzzled looks of commuters, people receiving these ribbons from men advocating an end to violence against women. You could tell just from the somewhat hesitating looks that people gave you, men or women, that they weren't sure whether we were people seeking absolution or whether we were people who were there trying to point a finger of blame at somebody else. But of course it wasn't about those things. That wasn't what we were. We were, I think, a group of men who were there to say we were prepared to take some responsibility, which is usually the starting point when you're trying to find a solution to any problem as severe and as complex as this one.

Since that time, through the efforts of the White Ribbon Campaign and successive governments, because of changing attitudes and because of the efforts of lots of individuals, a campaign like this has never been more

embraced, and that's good. We all know, however, that there is still so much more to be done, as the minister just said.

Thirteen women, for example, have been murdered by their spouse or partner just in the GTA so far this year. Three to six women each month across the province fall victim to the same circumstances, and those are the ones who have lost their lives. There are thousands more who live and who suffer, many of whom suffer behind closed doors without anyone knowing.

I'm absolutely sure other members of this House have had the experience I've had canvassing door to door and encountering a woman who answers the door with obvious signs of trauma, usually on her face. In the occasions—and I regret to say it's been plural when that has happened to me—I want to say something, but I don't, maybe because I'm a stranger or maybe because I'm a man. But you know, often more so from the sadness in the eyes, that this was no accident that happened. That's why we need to have days and weeks like this to keep a keen focus on what we can do to eliminate and eradicate this plague.

As they say, talk is cheap. We spend far more time around here than we should, on all sides, diminishing what we've all done at one point in time or another when we've had the responsibility. The fact is that most of the initiatives by all the parties have represented steps forward. This is the kind of issue, as the minister said, like so many, on which we should be trying to work more effectively together to determine exactly what the next steps should be.

I recently sat next to a woman at a dinner who is very involved in one of our foremost shelters. She told me of the fact that there was no secondary housing for women to move to as they try to get their lives back together. She was too polite to tell me that there had been a program which disappeared a few years ago and that it hadn't been restored. I called a public-spirited landlord, and that shelter has two apartments today, but let's be frank: That kind of ad hoc phone call made by anybody is not a program that will effectively address the overall shortage of primary and secondary shelter. While I know we can't do everything all at once, I'm equally convinced that we could work together and do something better than the status quo.

Fifteen years ago, I was handing out ribbons with Jack Layton, and today I join my colleagues here in this place, where I think we can do so much if we put our minds to it.

Dans les deux cas, nous avons le même espoir: que les hommes travaillent avec les femmes pour renouveler notre promesse et redoubler nos efforts pour assurer que cette violence appartient au passé.

In both cases, the hope is exactly the same: that we, men and boys working together with women, can renew our commitment, can double our effort, and make sure that this violence is a thing of the past.

**Mr. Peter Tabuns (Toronto–Danforth):** Wednesday, December 6, 1989, was the day of the Montreal

massacre. It was a day that started off as a very ordinary day for me, as it did for many, many others. At that time I was working as a manager in a housing co-operative here in Toronto, and I'll be honest: I don't really recall the routine events of that day. It was like any other until I heard the CBC Radio announcer in the evening with a partial report of what had happened. Like the announcer, I was totally horrified by even the first intimation of what had happened at that school.

Shortly after 5 p.m., a man named Marc Lépine had entered the École Polytechnique in Montreal, armed with a rifle, and proceeded to a mechanical engineering class, where he forced the males in the classroom out at gunpoint, uttered the words, "I hate feminists," and then opened fire on the women who remained. He then continued his rampage in other parts of the building, opening fire on other students and staff. Fourteen women were murdered that day, nine injured, by a man who was enraged that women were pursuing studies in a field that he felt should be left to men like himself.

Canada's national psyche changed that day. We could not escape the fact that the attitudes and beliefs that perpetuated violence against women were prevalent in our society—prevalent and deadly. The day's events compelled a national dialogue about how underlying causes for violence against women continue to be inadequately addressed. Part of that dialogue included a man whom I know quite well, Jack Layton. The Leader of the Opposition alluded to him. He and others, like the Leader of the Opposition, saw that men had a collective responsibility to change attitudes and behaviours so that workplaces, schools, streets and homes were safe places for everyone. He saw that men had a responsibility to support women's groups in their efforts to get government, the courts and law enforcement to translate their words of condolence into action.

Thus the White Ribbon Campaign was started in 1991. Men were encouraged to wear the white ribbon to signal a personal pledge never to commit, condone or remain silent about violence against women, to make a commitment to the full equality of women. Over the past 15 years, the campaign has implemented awareness and education programs aimed at schools, workplaces and communities. White Ribbon has been working alongside women's groups, learning from their experiences and finding ways to lend financial and moral support to their work.

This response to a Canadian tragedy has gone on to become adopted internationally by some 35 countries as a model for awareness and outreach to address what is truly a global epidemic.

**1430**

The experience in Ontario is still troubling. One in two women will be the victim of sexual violence. Some 209 women have been murdered at the hands of men in domestic situations over the past 10 years—three this November alone.

Members of this Legislature know that my predecessor, Marilyn Churley, was one of the most dedicated advocates for women's equality in the Legislature's

history. She worked to get this House to bring forth the necessary policies that would change the situation. That work is now carried on by my colleague Andrea Horwath.

The white ribbon I wear today signals my support for the efforts of the member for Hamilton East. She advocates that the government bring forth a spectrum of programs and support that help women break the cycle of violence. For example, research shows that women are vulnerable to return to an abuser because they cannot locate housing for themselves and their children or don't have the financial means to support themselves and their families. They need resources and services that will help them settle safely outside the home.

My colleague has introduced a workplace harassment bill aimed at ending violence in the workplace, and that bill remains on the order paper. We're all well aware that private members' bills can be useful mobilization tools, and her bill has garnered a groundswell of support. I call on all members of this Legislature to respond accordingly and make her legislative proposal a reality. By doing so, we clearly demonstrate that the words uttered here are not hollow, that the ribbons we wear are not just decorative.

## VISITORS

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** On a point of order, Mr. Speaker: In asking whether this is a point of order, I know all members of the House would want to join me in welcoming members of OUSA, the Ontario Undergraduate Student Alliance: Paris Meiller, Scott Courtice and the other representatives in the galleries.

## ORAL QUESTIONS

### MARIJUANA GROW OPERATIONS

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. As the Premier is aware, yesterday I visited the residents of 2600 Jane Street, an apartment building that saw a massive raid on a series of marijuana grow-ops last week. The residents there told me that they're very concerned about the safety of the building in which they continue to live. Children have recently begun suffering from asthma; adults are getting headaches they didn't have before. There actually was a fire in one unit not too long ago.

As I indicated to the Premier in a letter I sent to him earlier today, I would like to know if the government of Ontario is prepared to work with the city of Toronto and others to take whatever steps are necessary on an urgent basis to assure the residents of 2600 Jane Street, the people who live in this building, that all necessary advice on health and inspections will take place quickly so that the residents will be satisfied as to their health and the

safety of the apartments. Also, will the government agree to establish, again on an urgent basis, a province-wide series of rules and protocols that can be followed so we can get help to people more quickly if incidents of this kind happen in the future?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I want to thank the leader of the official opposition for the question. I want to thank him for sending me advance notice of this. I think that's a wonderful precedent, by the way. I would like to see him follow that in the future. But I want to thank him for the sincerity he brings to this particular challenge before all of us.

Let me say that I too was disturbed by the bust that took place during the course of the weekend. I was also pleased, of course, that the police were able to locate this particular locale for a grow-op and to learn that arrests have now been made.

I say to the leader of the official opposition, and he's probably aware of this, that Toronto Public Health visited the building during the course of the weekend. I also understand that they are there today. I understand that during the course of the weekend they determined that there was no threat or health hazard coming from common areas in the building. I understand that today they're now investigating units adjacent to the grow-op locale itself, with a view to ensuring that those do not present a health hazard either.

**Mr. Tory:** I would hope that the Premier will consider the establishment of some sort of protocol or set of rules across the province so that when these things happen going forward—there have been 450 of these so far this year, not all in apartment buildings, thank goodness—people can get this kind of assurance they need and these inspections a bit faster.

In addition to the threats of fire and the health problems associated with mould, yesterday the residents told me about a lot of suspicious behaviour that had been going on in the building. They told me about complaints to building management going unheeded. They told me about power outages that happened two or three times a week for months on end, probably related to the grow-ops. They are looking for compensation for some of these hardships. I wonder if you could arrange for someone in the government to confirm—if you look at the wording of the victims of crime act, it would suggest that these people are eligible to use that process, if they wish, to make their applications, as others would, to see if they can get that compensation. I wonder if someone in the government might provide that information to these people so they will know if they can submit such an application and make it easy for them to do so if they wish to do so.

**Hon. Mr. McGuinty:** I know that the member of provincial Parliament involved, Mario Sergio, is making inquiries in that regard. I have had a brief opportunity to speak with the Attorney General about that, and Minister Kwinter as well, to see if there is something in existence at present, some funds, that might be available. But at the same time, I would not want to somehow lead the public

to believe that the property owner is not without some responsibility in this matter. We want to make sure that all steps there are taken, as well, to explore those possibilities.

The leader of the official opposition makes a good point, though, in that people may very well be asking themselves to whom they should turn. I think the most important information I can convey is that if someone suspects that either in their apartment building or in a neighbouring house there might be a grow-op or some suspicious activities, the first responsibility we have as citizens is to notify the police, of course. I think it's very important that Ontarians understand that the first resort in these kinds of issues is to phone your local police.

**Mr. Tory:** The residents did in fact say they did that. And they, by the way, found no fault with the police. They said the police came around and so forth and so on. But I think there's probably more needed here. A lot of people are too intimidated, as they are in other circumstances in some of the challenged neighbourhoods in Toronto, to speak up. But in any event, I agree with the Premier in that regard.

Premier, the OPP, as I mentioned earlier, reports that there have been more than 400 of these discovered in Ontario this year. This past Friday, an article in the Ottawa Citizen said that the criminals who run these illegal operations are getting bolder and using lethal booby traps to protect their own drug-growing operations. So if you combine this with the health and safety risks in apartment buildings, they're threatening innocent people who are living in these buildings. A lot of the people said yesterday they think the penalties for these crimes are too low. In fact, there was a justice in BC who recently said he thought they were a tap on the wrist. The sentences tend to range from one and a half to two years.

Since 2004, my college from Simcoe North has been calling, as I have been, for us to call on the federal government together for tougher sentences. I wonder if the Premier and the government would join us in saying to the federal government that they should be putting tougher penalties in place for these grow-op operators so that they get the message that this kind of stuff is just not acceptable.

**Hon. Mr. McGuinty:** In short, yes, I am more than prepared to do that. The leader of the official opposition has proposed that we have a resolution in the House. I'll also ask him to consider another option: It may be speedier for us to co-sign a letter, all three leaders of the parties, and to direct that to Prime Minister Harper. There are a number of bills before the House of Commons at present which deal with toughening up gun laws, for example, and other penalties. It may be possible, in view of the fact that there could be an election called at any time, that the fastest thing that we might do is to ask the Prime Minister to amend an existing piece of legislation.

#### EMPLOYMENT

**Mr. John Tory (Leader of the Opposition):** I think—my question is for the Premier—that in this

ecumenical spirit, we should ask the NDP to draft the letter, but that is a different matter.

My question, again, is for the Premier. This time it's on the economy. In the wake of the Premier's announcement in northern Ontario last week, the reviews were negative. One industry executive quoted in the *Globe and Mail* said that the government's response to this crisis has been sporadic at best and not the grand master plan that's required. Of course, as if any proof was needed, the day after, Tembec announced its Timmins sawmill would close indefinitely and Bowater warned its employees that a major restructuring was on the way.

Your Minister of Natural Resources claimed the forestry sector had got off scot-free. This is almost as insensitive as the Minister of Energy saying that the people up north should have some good wine and a blanket if they can't afford electricity, when you see tens of thousands of people who have lost their jobs.

My question is this: Nearly a year ago, this House adopted a resolution calling for a comprehensive plan to deal with job losses in the province. When will you be tabling that plan?

1440

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Training, Colleges and Universities.

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** It gives us an opportunity today to bring the Leader of the Opposition up to date on many of the things we've been doing.

As you know, it was a year ago that we signed the labour market development agreement with the government of Canada, the last province to do so. It will ensure that as of January 1, we'll have a billion-dollar training system that will benefit workers and businesses in the province of Ontario.

Just a week and a half ago, we launched Employment Ontario, which is an initiative to coordinate the 470 providers, in 900 locations, in the province of Ontario that provide every type of training from basic literacy to advanced apprenticeship training, to ensure that we can deliver what the worker needs and what the business needs in the location where they happen to be. It includes a referral network by the providers, a 1-800 number to actually find out where you can get the information and information in 21 additional languages. I'm looking forward to providing the leader with more information.

**Mr. Tory:** That's all very interesting, but what the resolution in this Legislature approved by members of all three parties in fact said was that the House call upon the government to bring forward a comprehensive program dealing with job losses and so on, and we have not seen that. Even in the auto sector, where we've had some successes at attracting new investments, we've seen at the same time huge job losses that contradict the constant claims of nothing but upward progress. A story in the *Globe and Mail*, on November 23, 2006, says that parts makers have been hit by a "foreign onslaught," and it goes on to say that despite several recent announcements

of investments, they "have not offset several plant closings and job cuts" and that this sector "has lost 10,000 jobs since the start of 2005."

My question was, and I'll repeat it for the Premier: When are we going to see the comprehensive jobs program that was endorsed by all sides in this House? When are we going to see that—not a hodgepodge of individual initiatives but a comprehensive jobs program? That's what was called for by all three parties, including the Liberal members. When are we going to see it?

**Hon. Mr. Bentley:** In fact, the jobs program consists of the initiatives to spur investment, whether they are tax measures, advanced manufacturing initiatives or auto sector initiatives. On the other side, when workers need retraining, when businesses need access to retrained workers, just two weeks ago we invested in literacy and academic upgrading programs, acknowledged by all to be the single most important potential driver for improving productivity. The federal government is decreasing that.

We just announced today 800 more places for pre-apprenticeship programs throughout the province of Ontario, one of the routes to ensure we have more skilled trades for the future. That's the way you ensure that the businesses in the province of Ontario will have the workers they need to properly compete, investments in Job Connect, which connect youth and adults with the jobs that businesses need. It's fine to talk about the comprehensive plan, but we're actually delivering it.

**Mr. Tory:** It was the Liberal Party, Mr. McGuinty's party, the Premier's party, that actually did vote in favour of bringing forward a comprehensive plan. "Comprehensive plan" means you pull it all together and it's a plan that has a number of different elements to it. Since October 2004, this province has lost more than 10% of the manufacturing jobs it once had. And the government, for a full year now, has not brought forward a comprehensive plan. Just last week, in fact, the McGuinty Liberal government used its majority to reject another possible job preservation measure, brought forward this time by the NDP. Instead, the government seems to be quite content to use words like "cycles," "inevitable" and "contractions" and shrug it off. I'm asking why they won't, for once, do what they said they would do, what they voted for almost a year ago, and bring forward a comprehensive program altogether, come in here and make a statement for jobs in Ontario. We're waiting for it. The people are waiting for it. The communities are waiting for it. When are you going to do it?

**Hon. Mr. Bentley:** The question to which we've not received an answer is, when will the Leader of the Opposition stand up for Ontario and tell Prime Minister Harper to deliver on the labour market partnership agreement, tell Prime Minister Harper that workers and businesses in the province of Ontario deserve the same level of support as workers and businesses in every other province? When will he pick up the phone and tell Harper, "Show us the money"? Harper promised in January. Harper has not delivered. The Canada-Ontario agreement is essential for the businesses of Ontario to

compete, essential for the workers to get the training they need to compete. I don't see why a worker who's in need of training in Ontario should get less than they get anywhere else. It's time for our fair share. Pick up the phone.

#### MINIMUM WAGE

**Ms. Cheri DiNovo (Parkdale–High Park):** My question is for the Premier. Many Ontario families are working harder than ever before. Many are working two or three jobs just to make ends meet. Many are a pay-cheque or two away from poverty. Their provincial government is supposed to be on their side. Instead, respected advocacy group Campaign 2000 tells us Ontario's child poverty rate has gone up, in one year, from 16.1% to 17.4%. A fair minimum wage is the best way we all know to ensure that hard-working Ontarians are able to share in our wealthy province's prosperity.

Premier, my question for you is, why won't your government raise the minimum wage to a living wage: \$10 an hour?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I appreciate the question and I appreciate the member's ambition when it comes to helping Ontario's most needy. But she should recognize, at least from time to time, that we are taking steps in the right direction. I think we're the first ones to bring about increases in Ontario's minimum wage in some nine years. I think it has gone up three times now and it's going to go up again. We will give every consideration to how we should move it beyond that point.

Again, I appreciate the member's ambition, but we like to think that we are going in the right direction and look forward to doing more.

**Ms. DiNovo:** I quote from an editorial in the Star of October 19 of this year, where they say, "In effect, they are arguing"—that is, the government—"that the living standards of our poorest workers must continue to suffer for them to be able to hold on to their jobs." Mr. Premier, it's too little, too late, this \$8 an hour. In 2003 we brought that in and we wanted it immediately. Now we need \$10 an hour immediately, and this is just catch-up. This is just catching up to what the rate was in 1972.

I ask this government again: Things are getting worse for working families. As Ontario's rising child poverty numbers show, we are a national and international disgrace with our child poverty rate. Why won't this government provide Ontario's lowest-paid workers some real protection against poverty, and that is a \$10-an-hour minimum wage?

**Hon. Mr. McGuinty:** Again, I appreciate the member's tenacity and perseverance in this regard, but in government I think it's really important that we understand that there is some connection between an employer's ability to employ and the cost of that employment. That has to do with the amount of minimum wage. We are absolutely moving in the right direction. We brought the minimum wage up some three times now. It's on its way to \$8 per hour.

But there's more than just the minimum wage when it comes to meeting the needs of our most vulnerable, particularly our children. That's why we have in place free vaccinations for children. Over one million children have received those, saving families \$600 per year per child. We have also put in place \$8.5 million more per year for our student nutrition program, so that 84,000 more children are being served. That's a 45% increase. We're also going to be the first province to fund insulin pumps for children. So I appreciate again the member's tenacity and perseverance when it comes to minimum wage, but we're moving forward on a number of fronts.

**Ms. DiNovo:** Mr. Premier, if only we could vaccinate our children against poverty. More than one third of low-income children live in families where at least one parent works full-time throughout the year. It is unacceptable that someone can work full-time, and work hard, and not be able to lift their family out of poverty. This is happening now: 13,500 children are using food banks now. This House has passed second reading of my \$10-an-hour minimum living wage bill. Why won't this government make this speedily a law?

1450

**Hon. Mr. McGuinty:** I am not sure how much more I can add at this time, except to say that we will be doing more when it comes to providing additional supports for Ontario children. We are pleased with the progress we've made but hardly satisfied when it comes to taking into full consideration the extent of the challenges faced by Ontario's most vulnerable families.

I say again for the record that we have increased the minimum wage some three times. I believe the NDP voted against those increases. We will be increasing it one more time. We've helped out when it comes to vaccinations, when it comes to student nutrition programs, when it comes to our new program to fund insulin pumps for children. Those are areas in which we have moved and in which we will continue to move.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Michael Prue (Beaches–East York):** My question is to the Premier. Mr. Premier, under your government the income gap between low-income families and well-off families continues to widen. Campaign 2000 reports that for every \$1 earned by the poorest 10% of families with children, the richest 10% earn \$14. The national child benefit supplement aims to shrink that gap by providing low-income children with \$1,500 a year for food, shelter and clothing.

My question is, why, in the face of rising child poverty, does your government continue to claw that money back from Ontario's most vulnerable citizens, our children?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Community and Social Services.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** Our government recognizes that it is difficult to live on a low income and particularly on social assistance. But since we have taken office, we have made steady progress each and every year to help Ontario's poorest citizens. We have made certain that every single increase to the national child benefit supplement stays in the hands of the people who need it the most. We are continuing to flow through these increases, and by the end of March 2008, social assistance recipients with children will have received an additional \$75 million in support. That is a significant investment.

Our government is also helping individuals on social assistance who don't have children. In 2004, we invested more than \$100 million to provide a 3% rate increase for every person on social assistance—the first increase in 12 years. This year—

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

**Mr. Prue:** Back to the Premier again. Ontario has enjoyed years of prosperity and personal and corporate wealth, but under your watch poverty is on the rise. Instead of action, your government ignores mounting evidence that we are losing that battle.

Campaign 2000 reports that the average low-income two-parent family is as far behind today as they were 11 years ago. That's some progress your government is making.

When is your government going to provide real protection against poverty by keeping your promise and fully—and I underline that word “fully”—stopping the clawback of the national child benefit supplement?

**Hon. Mrs. Meilleur:** Increases to income only tell part of the story. We are also helping social assistance recipients become more financially independent by making important changes that will help them find a job, increase their earnings and, for those who can, move off social assistance into paid employment.

In addition, our government is helping Ontario's most vulnerable adults and families in ways that are too often overlooked, such as increasing \$8.5 million in student nutrition programs to serve healthy meals and snacks to more than 270,000 students across Ontario. We are also investing \$301 million as part of the new Canada-Ontario affordable housing program agreement.

We cannot undo more than a decade of harm in three short years—

**The Speaker:** Thank you, Minister. Final supplementary.

**Mr. Prue:** My question is back to the Premier, because the honourable minister never seems to quite get around to the real question.

Here's what the Toronto Star says about your record: “Provincially, the Liberal government of Premier Dalton McGuinty refuses to make up for past damage by the previous Conservative regime by raising the minimum wage to \$10 an hour, ensuring hard-working families can rise out of poverty. And it steadfastly refuses to stop

clawing back the national child benefit supplement from families on social assistance. Or to increase welfare payments to those same families.”

Mr. Premier, my question is back to you because you're the man in charge. If your government really believes growing inequality is not right, why don't you do something about it?

**Hon. Mrs. Meilleur:** As I explained, we have raised social assistance twice since we came into power. There is always more to do. Every ministry is responsible for helping to improve the quality of life for children.

The member of the third party wants to show that they are the answer to child poverty. Look what they did when they were in power. The Ontario child care supplement—one out of five children were on social assistance when they were in power. They reduced services, they increased taxes and they also increased tuition fees for children. So they speak today about what they have done, but this government is the government—

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

#### GOVERNMENT SPENDING

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Ontarians continue to visit the wastebusters.ca website, and over the last little while we've heard quite a few interesting examples: \$1.2 million spent by the Ministry of Education on hotels, over and above another \$2.3 million on travel; \$1.4 million spent by the Ministry of Health on hotels, over and above another \$6 million spent on travel. Today we have another unbelievable example. In 2005-06, the Ministry of Health spent over \$5.5 million on furniture. When you go to the Staples website, you can get a chair for \$100 and you can get a desk for \$250. At that price, the Ministry of Health could have purchased 50,000 chairs or 22,000 desks. That would be pretty good going, even for them.

Can the Premier tell us why the Ministry of Health is spending this kind of money, this dramatically increased sum, on furniture instead of spending it on health care for people?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Government Services.

**Hon. Gerry Phillips (Minister of Government Services):** I would say to the Leader of the Opposition and to the public that we relentlessly pursue cost savings. Every two weeks, I sit down with a group of people who are working on how we are going to achieve our \$750-million savings target. And we're hitting it. We have already identified and actually banked \$100 million in IT savings, \$250 million on procurement policies, \$50 million on finding ways to handle our accommodation on a much more effective basis. So I would just say to the public that we relentlessly pursue cost savings on a daily basis—every two weeks I sit down—and we are achieving those targets. We have now saved \$750 million, but we won't stop there. On a daily basis, we will keep look-

ing for ways that we can make sure that every penny of the taxpayer's dollar is spent effectively.

**Mr. Tory:** I say to the minister, with respect, that we've never had one single, comprehensive, line-by-line report on that \$750 million you now claim to have saved. Never once has there been a report outlining how you saved it. I would also point out to the minister that the \$5.5 million spent by the Ministry of Health on furniture is \$1 million more than was spent on furniture in the previous three years combined.

When 1.2 million Ontarians are without a family doctor, when we hear every day that people are waiting in emergency rooms to get care, when we have situations where services have been delisted and we hear there are all kinds of problems in the health care system, my question was and is, how can you justify seeing the Ministry of Health spend \$5.5 million on furniture—more than the previous three years combined—if you're really attending, as you say you are, to saving money? This is disrespectful of taxpayers' money, and you know it. What are you going to do about it?

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**Hon. Mr. Phillips:** Again, I would just say to the member and to the public, the \$750 million I talked about has actually been fully realized. The Ministry of Finance has fully booked those.

I would say to the public and to the member of the opposition, I think for three years we've spent virtually nothing on furniture. We were very conscious of making sure that the furniture budget was well handled.

I would say this: As we move forward on our accommodations strategy, moving to smaller space, where our public servants use smaller space, there will be a need to purchase some furniture, to spend money on furniture, because they do require less space and smaller furniture. But apart from that, we are using our old furniture.

Again, I would say to the public, \$750 million of savings fully booked, and we're looking for more savings on a daily basis. We are going to look after the taxpayers' dollar, unlike the previous government, where we found an over \$5-billion deficit when we arrived.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Ms. Andrea Horwath (Hamilton East):** My question is for the Premier. Stakeholders from Children's Mental Health Ontario have been working hard to shape your government's policy framework on children's mental health. They're worried, though, that the new policy for helping children with mental health problems is not going to be backed up by government investment. How much money will you commit towards implementing the new children's mental health policy framework here in Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm happy to inform the member from Hamilton East that as recently as this morning, I spoke at the annual conference for Children's Mental Health Ontario and addressed more than 300 people there who are absolutely thrilled with the work our government is doing with that sector to ensure more ready access to children, youth and their families, and also more coordinated services and a more integrated system, which is what parents and service providers have told us they need.

Last week the member from Hamilton East inadvertently misrepresented the situation in children's mental health. I would have hoped that she would have started her question by—

**The Speaker (Hon. Michael A. Brown):** The minister needs to withdraw the word.

**Hon. Mrs. Chambers:** "Misrepresented"? I withdraw, Speaker.

What she presented to the House was in fact inaccurate, and I spoke with her about that and would really have appreciated her recognizing that fact. I look forward in the supplementary to hearing her acknowledge that, and I will speak some more about what we are doing in children's mental health.

**Ms. Horwath:** Again to the Premier: One in five children suffers from mental health problems in the province of Ontario. The earlier they are detected and treated, the more the costs are avoided down the road. The minister will know that. She will also know, if she was in fact listening to the people at Children's Mental Health Ontario, that they are saying that integration and coordination of service is simply not enough, that in fact agencies are doing a lot of that already.

This sector has lost 30% of its capacity to treat children with mental health problems over the last several years. It has been virtually frozen for 14 years, including the last three years under the McGuinty government. Notwithstanding a piddly amount that you may be proud of, they are losing ground significantly in this province, and the minister knows very well that's true. How does bringing forward a policy framework without attaching the necessary funding enable mental health providers to serve the growing number of children who are needing and waiting for help?

**Hon. Mrs. Chambers:** One of the things I like about my portfolio is that it's really supposed to be about kids; it's not supposed to be about partisan politics.

I want to tell you of my disappointment in the member not recognizing that it was 12 years that went by, including years when your party was the government, when funding for children's mental health was frozen, as in absolutely no increases—cut, in fact, in some of those years. That's the lost ground that we are working hard to recover now, and that has included an increase, since we have been in government, of \$38 million per year, effective this year. Out of that increase we are either expanding or adding almost 200 new programs for kids.



We have announced increases that are non-program-specific, increases to operating—

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

#### DAIRY FARMERS

**Mrs. Carol Mitchell (Huron–Bruce):** My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, Ontario's agriculture industry has been very innovative, and they have remained competitive in light of challenges to supply management in international trade.

Today dairy farmers are visiting from across the province to discuss exciting and innovative programs that go beyond their enormous contribution to our province's economy. Within Huron–Bruce I have 282 dairy farms, and I've met with them many times and talked about how to strengthen our rural communities. But what they are here to talk about is to describe their remarkable commitment to children's health and well-being in all of Ontario. Minister, could you please explain how our government's active living mandate to improve the learning environment of Ontario students will be significantly enhanced by the dairy farmers of Ontario?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm happy to have this opportunity to respond to that.

*Interjection.*

**Hon. Mrs. Dombrowsky:** I heard the member from Simcoe North say what a great member the member from Huron–Bruce is, and I agree with you. I agree with the member from Simcoe North. I'm also delighted to see in the gallery today members from the Dairy Farmers of Ontario. They've joined us, as the member has indicated. They're here to talk about dairy issues, obviously, but I'm particularly impressed that the focus of their visit here today is one of the programs that I think they're most proud of, and that is the milk-in-schools program they have established across Ontario. Right now, because of this important focus to provide good, nutritious milk to our students in Ontario, they provide 26 million cartons of milk to the children in our schools. They're here to ask for this government's and all parties' continued support for initiatives like this to expand access to milk—

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

**Mrs. Mitchell:** It's great to see that our agriculture industry is supportive of our government's efforts to make our schools healthier places for all of Ontario's students. Minister, given the size and distinctly rural nature of my riding, there are many schools in my various communities, and they each have different needs and requirements. How does the McGuinty government's active healthy schools plan fit into encouraging healthy lifestyles for all of Ontario's children and youth?

**Hon. Mrs. Dombrowsky:** Minister of Health Promotion, please.

**Hon. Jim Watson (Minister of Health Promotion):** I'm very pleased to answer the question because we work

closely with agriculture and the Ministry of Education to promote and push forward our wellness agenda. We know there has been a 300% increase in obesity rates in the last 15 years in Canada, and we have to be aggressive. That's why we've removed junk food and sugary soft drinks from vending machines in elementary schools. We've brought in 20 minutes of physical activity. We are, for the first time in 30 years, working with dairy farmers with their very successful milk calendar that just came out and was distributed across the province. We want to commend the dairy farmers for the work they do with milk programs and providing fridges in schools. We also are very much in tune with the nutrition and health message that the milk farmers provide. So we look forward to people looking through this milk calendar. I see that in October they have chicken cacciatore, and I look forward to—

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

#### HUMAN RIGHTS

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Attorney General. In the Toronto Star this weekend, Helen Henderson wrote a column with respect to your government's sudden decision to cut off the hearings on Bill 107. Among her concerns is your repeated refusal to explain how you will possibly keep your promise to fund a lawyer for every complainant to the Human Rights Tribunal. She states that you have "failed to allay concerns about funding for the new system" and that your "approach has been flawed from the start."

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In the Toronto Sun, David Lepofsky also expressed his profound dismay at your government's handling of the file. He wrote:

"McGuinty promises a new legal clinic to help with the horrendous burden that Bill 107 dumps on discrimination victims.... Yet neither Bill 107 nor his recently announced amendments to it keep the Liberals' extravagant pledge of a free independent legal counsel for every complainant at the Human Rights Tribunal."

Minister, these are two known champions of vulnerable people. You've continually failed to answer my question about how you're going to keep this promise. Will you at least listen to them and finally provide a clear answer?

**Hon. Michael Bryant (Attorney General):** We're listening to them. We're listening to everybody who's been contributing to this debate for some 20 years. If the member looks back in Hansard, one of her predecessors, in that he was an Attorney General critic for the third party in 1991, called on the then government of the day to hurry up and move forward with human rights reform. So there's been an enormous amount of debate, and there's clearly more than one position on this, but the consensus that has in fact developed is that it is time to move forward and not delay reform any further. Why? Because we can't continue to allow the delays that face complainants who go before the human rights system to

continue. That's why we have this bill before the Legislature, that's why we've had this debate for more than 200 days, that's why we had the committee hearings, and that's why it's going to come back to the Legislature for third reading vote.

**Mrs. Elliott:** In side-stepping my question last week, Minister, with respect to funding your legal support centre, you stated that recent technical briefings held by your ministry staff allowed you to draw on the expertise of different individuals to presumably draft a funding plan.

I received a copy of a letter to you dated November 23, 2006, from Elisabeth Bruckmann, the staff lawyer from Parkdale Community Legal Services whose presentation to the justice policy committee I referred to in asking you that question. In that letter she expressed her dismay at your response that these technical briefings presented any opportunity for consultation. She continued to say:

"I would ask that you refrain from further allegations that you have held broad consultations on this bill when you have not. I would specifically ask that you not suggest that I was included in a consultation with your staff when you ought to know that was not the case."

Minister, you clearly have no plan for this legal support centre, so there's no big hurry. Why, then, do you refuse to accept John Tory's compromise vote on this bill: to vote first thing in the spring in exchange for full and meaningful consultations now?

**Hon. Mr. Bryant:** Again, a full and meaningful consultation and task force have taken place here in Ontario and in Canada, and by the United Nations Human Rights Committee. There has been full consultation around this bill before, during and after its introduction. At some point, we have to say that we have to reform this system wherein we have process gridlock. There seems to be agreement that we need to reform it, so we have debate as to how those reforms will take place. At some point, we have to say that the positions are before the government, the positions are before this Legislature, and people will have an opportunity to support it, to vote for it, or vote against it. But the idea that we continue to delay making that decision, and thereby delay the desperately needed reforms to the human rights system, is not one that I can accept.

#### SERVICES FOR DISABLED CHILDREN

**Ms. Andrea Horwath (Hamilton East):** My question is for the Premier. On Friday, families who have children with severe disabilities were dealt a severe blow by the Ontario Court of Appeal because your government refused to enter into section 30 agreements, which direct the appropriate level of care to these children while in the care of their own parents. In 2005, the Ombudsman told you to restore the agreements with families so that children with multiple disabilities would receive the comprehensive care that they so much deserve and need.

Why do you continue to ignore the Ombudsman? Why are you not entering into section 30 agreements with the families of severely disabled children?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Children and Youth Services.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I think it is 63 kids who have been returned to the custody of their parents, as they should be. This is a file that we inherited from the previous government and corrected quickly once it came to our attention. The Ombudsman, in fact, was quoted in the media reports that I saw on Saturday as recognizing that our government has acted quickly.

I want to just reinforce the fact that children who require special services for their exceptionalities are receiving those services and in fact will be receiving even more of those services in a more timely manner and that this has absolutely nothing to do with protection. If kids are in need of protection, that's a different issue and it is only when they're in need of protection—

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

**Ms. Horwath:** I think the minister will know that there are still hundreds of families that are in crisis this very day and you're turning your back at this moment on some of the most severely disabled children in Ontario. The McGuinty government has a responsibility to help these families and enter into section 30 agreements or something else that is going to help them get the services they need. Families are still feeling pressured—you should know this—to give up their children to the children's aid society to obtain ongoing treatment, treatment that is different depending on where you come from in the province of Ontario. The treatment is not the same and the way to get treatment is not the same, depending on what community you're coming from. So rather than dragging these families through the courts or suggesting that they give up custody of their disabled children, why doesn't the McGuinty government follow the Ombudsman's recommendation of 2005 and provide the services that they and their children need so desperately?

**Hon. Mrs. Chambers:** It's absolutely wrong for the member to suggest that anyone in our government is suggesting that parents should be giving up custody of kids who need special care. That is shameful. That's absolutely shameful. In fact, since our government has been in office, we have increased the funding for kids with special needs by more than \$140 million. Earlier this year—

*Interjection.*

**Hon. Mrs. Chambers:** The member thinks that's funny, but it's really serious. It's very, very important that we care for these kids. I want you to know that earlier this year we announced an increase in base funding to our children's treatment centres that is resulting in more than 4,800 more kids receiving the services—

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

PROGRAMME ONTARIEN DE SOUTIEN  
AUX PERSONNES HANDICAPÉES

**M<sup>me</sup> Monique M. Smith (Nipissing):** Ma question s'adresse à la ministre des Services sociaux et communautaires.

Avoir un emploi, c'est avoir un meilleur revenu et avoir la possibilité d'apporter sa contribution à la collectivité, de rencontrer d'autres personnes et d'atteindre ses objectifs personnels.

À l'heure actuelle, plus de 20 000 bénéficiaires du programme ontarien de soutien aux personnes handicapées, le POSPH, travaillent. C'est environ 9 % des personnes visées par le programme.

Si l'on peut croire la clientèle et les porte-parole du programme, de nombreux autres bénéficiaires seraient désireux et capables de travailler, à condition d'avoir le soutien nécessaire. Quel soutien offrirons-nous à ces gens?

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** Premièrement, je voudrais remercier la députée de Nipissing pour son engagement envers la communauté de personnes handicapées.

Oui, elle a raison : il y a seulement 20 000 personnes qui travaillent et il y en a beaucoup plus qui veulent travailler. Alors, sa question me permet de vous parler d'importantes modifications amenées au programme. Ces modifications sont mises en place afin d'encourager les bénéficiaires à entrer sur le marché du travail et avoir une plus grande autonomie financière. Nous avons introduit une exemption de base toute simple de 50 % sur tous les gains, ainsi qu'une nouvelle prestation liée à l'emploi de 100 \$ par mois. Les bénéficiaires du programme pourront ainsi garder une plus grande partie de ce qu'ils gagnent.

Prenons le cas d'un bénéficiaire célibataire, par exemple, qui a un revenu mensuel de 600 \$. Désormais, on ne déduira plus que 300 \$ de son chèque au lieu de 330 \$. Ce bénéficiaire recevra une indemnité supplémentaire de 100 \$ pour couvrir une partie de ses dépenses de travail. Cela—

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

**M<sup>me</sup> Smith:** Ça fait du bien de savoir que notre gouvernement est d'accord avec la communauté des personnes handicapées et estime que trouver un bon emploi est essentiel si l'on veut améliorer la qualité de vie et le bien-être financier des personnes handicapées et de leur famille.

Pourriez-vous partager un autre exemple qui démontrerait l'amélioration de la qualité de vie résultant de ces modifications que vous avez annoncées?

**L'hon. M<sup>me</sup> Meilleur:** Notre plan pour aider davantage les personnes handicapées à trouver un emploi stimulera l'économie tout en renforçant les collectivités de la province de l'Ontario.

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Nous avons apporté d'importantes améliorations au programme pour mieux aider les personnes qui travaillent

et encourager davantage les bénéficiaires de ce programme à entrer sur le marché du travail. Par exemple, nous avons porté à 600 \$ par mois le montant maximal pour les frais de services informels de garde d'enfants.

Pour répondre à la question de la députée, ceci veut dire qu'une mère célibataire, ayant un enfant de six ans, qui gagne 1 500 \$ par mois et qui demande les deux montants maximaux, touchera désormais 452 \$ de revenu de plus par mois. C'est une énorme différence, qui améliorera le niveau de vie de milliers de personnes et de leur famille.

Nous continuerons à chercher des façons d'aider les personnes handicapées à entrer sur le marché du travail et avoir une meilleure qualité de vie.

ANSWERS TO WRITTEN QUESTIONS

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. It's about outstanding order paper questions. Minister, in late June you received five questions that should be simple for your ministry to answer. You've had all summer to prepare the answers, and last week we were informed that the answers would not come until on or about December 15, the day after the House is scheduled to adjourn. Minister, you should be ashamed of yourself for this blatant attempt to cover up information.

Like Bill 107, you are muzzling Parliament. Not only do you not answer questions in question period, now you don't have the courage to answer order paper questions when the House is sitting. Minister, can you explain to the citizens of Ontario why you can't answer order paper questions that were tabled six months ago?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for his question. I don't know the order papers that he's referring to, but I will certainly look into it and guarantee the member that I will get a response for him.

**Mr. Dunlop:** If that is the case, I hope you will be able to get that answer by the end of this week. Many of the questions involve the costs associated with Caledonia. They included how the funding was allocated for the 1,000 police officers in the province because, as you know, the Ontario Provincial Police received not one of those police officers unless they were under municipal contract policing. Those are the kinds of questions we wanted answered. We didn't want to see this House run until December 15 and then prorogue, and you not ever having to answer the questions. Minister, can we expect those by the end of this week?

**Hon. Mr. Kwinter:** Now that you've given me an idea of the kinds of questions you're asking, I can understand why you didn't get the answers. Just so you'll know, when we talk about Caledonia, we have tabled the ballpark figure on that. We are in the middle of the fiscal year; we don't have them broken down to that point.

The other thing is about funding for the OPP officers. As you correctly said, those who are under municipal

contract were included, but for us to include funding for officers who are already covered in our budget is like taking the money out of one pocket and putting it in the other. We are already funding them 100%, so why would we provide money to fund them additionally?

Now I understand why those questions haven't been answered.

#### FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Premier. Last week in Thunder Bay, you announced your long-awaited policy on electricity pricing for the forestry sector. Since then, Tembec has announced an indefinite closure of their sawmill in Timmins, putting 150 people out of work in that mill, plus those people who work in the woodlands. In Gogama, all 48 workers at that local mill have been basically given an eight- to 10-week layoff. And Bowater, the very day you made your electricity announcement, sent a letter out to its employees saying that despite your announcement, employees can still expect a lot of layoffs.

Premier, my question is simply this: Will you finally admit that (1) your energy policies have failed the forestry sector, and (2) your recent announcement, last week, in Thunder Bay is woefully inadequate to respond to the crisis that you created in the forestry sector?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** Last week's announcement, which brought the level of provincial support to the forestry sector to more than \$1 billion, was an important announcement that was welcomed in many parts of the industry.

This government has acknowledged from the beginning that that is a sector that is in difficulty. I think the member himself has acknowledged that there are factors well beyond the price of electricity that have impacted on that sector. We remain committed to working with all the communities in Ontario, particularly those in northern Ontario that have experienced the most difficulty as a result of the situation that sector has found itself in, as well as communities in southern Ontario that have been impacted by the challenges that industry faces.

Last week's announcement of \$140 million, on top of the previous \$900 million, is designed to assist the industry to move forward into the future, a future that we acknowledge has many challenges. But this government will continue to work with the forest sector and with the people of northern Ontario to ensure that—

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

**Mr. Bisson:** Minister, nobody's buying it in northern Ontario. Last week I was in Espanola and Nairn Centre. This morning I was at Bowater, meeting with workers, along with Charlie Angus, my federal member, and they're not buying it. They're saying that all they see are the layoffs; all they see are community leaders and others across northern Ontario reaching out to your government

saying, "We want to work with you at finding solutions." They called on you to do something very direct, and that was a northern Ontario energy policy that reflects the true cost of power in northern Ontario. I was with those workers at Bowater this morning, and they've asked me to come back here and ask you again: Will you finally listen and will you do what northerners have asked you to do, and that is to create a northern Ontario energy pricing system that would help our industry get back on its feet?

**Hon. Mr. Duncan:** The industrial price of electricity is now lower today than it was when we took office. I would remind the member opposite that both he and his leader in the past have opposed regional prices.

We commissioned Navigant to do a study and found out that what that member is proposing could lead to a higher price for electricity in northern Ontario, which not only would not assist matters but would indeed set it back.

I'd remind the member what he himself said in this House on March 3, 2005, with reference to electricity: "Yes, there are other issues out there. I'm not going to stand here and say it's only electricity, because we know it's partly the low American dollar; it's partly the regulations—for example, some of the regulations around the environment..."

This government has responded to each of the recommendations in the task force that were brought forward. The policy that we have implemented on energy has reduced the industrial cost to where it was when we took office. We're going to continue to pursue those types of policies.

#### COMMUNITY USE OF SCHOOLS

**Mr. Phil McNeely (Ottawa–Orléans):** My question is to the Minister of Education. Minister, we promised that we would create stronger communities when we came into government, and we have delivered this promise in many ways. The McGuinty government understands that Ontario's schools are a key part of having strong communities and that they are much more than a building for teaching and learning. We know that after schools are finished for the day, many school buildings do not sit empty; they play host to Scouts, Girl Guides, basketball players, youth groups, senior groups and adult learners.

During the Tory years, there were so many education cutbacks in the classroom that school boards had to gain extra funds by charging for their grounds and facilities to community groups like the ones I've just mentioned. With the increase in costs to use facilities, community groups had to increase registration costs, resulting in new barriers to participation in community programs.

The McGuinty government put an end to this. We're keeping the doors open to the community. Minister, can you tell this House more about the community use of schools program?

**Hon. Kathleen O. Wynne (Minister of Education):** It was a great pleasure on Saturday to join the Minister of

Health Promotion in Ottawa—the enthusiastic Minister of Health Promotion, I might add, even though, in a game of two-on-two soccer, we lost to Emma and Tiffany at St. Paul's school. But there you go.

What we were able to say on Saturday was that our government is committed to ongoing funding of community use of schools. The \$20 million that we've put into the system for the last couple of years has borne fruit. Thirty-six per cent of boards have been able to totally eliminate fees for the use of double gymnasias for community groups and for youth; a significant reduction in the hourly Saturday custodial rates, with 56% of boards being able to totally eliminate those fees.

What we know is that in this country we need community spaces, we need town squares, we need places where community groups and youth can partake in activities, they can be part of organizations. They won't be able to afford to have those kids involved if the fees are so high. That's why we're putting \$20 million on an annual basis—

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

1530

**Mr. McNeely:** Thank you, Minister. It was very nice to have you in Ottawa this past weekend.

It's clear that our government is on the side of Ontario's families who want affordable access to quality facilities. Minister, with Statistics Canada reporting that as a society obesity and a lack of physical activity are a persistent issue, what has your ministry done to expand the physical fitness and healthy habits of students and all Ontarians?

**Hon. Ms. Wynne:** Minister of Health Promotion.

**Hon. Jim Watson (Minister of Health Promotion):** I want to thank the member for Ottawa–Orléans and my colleague the Honourable Kathleen Wynne for coming to my riding and visiting Saint Paul's secondary school.

To put in perspective what the community use of schools does to help with fitness and wellness, prior to this program, to rent a gymnasium in the school was \$10.42 an hour. Now, on average in Ottawa that goes down to \$1.37. We are very proud of this program. It's removing economic barriers for groups—Cubs and Scouts and Guides and floor hockey and basketball leagues—to use these facilities. We also have the \$10-million healthy eating and active living strategy that we've launched. This Wednesday and Thursday—members of the House will want to know about the first-ever Healthy Eating and Active Living Conference, an international conference our ministry is sponsoring. We have the Honourable Roy Romanow and Dr. Andrew Pipe as two of the keynote speakers. Over 600 people have registered to participate. We've had to cut off registration because of capacity problems. It's a great success: medical officers of health, sport and recreation folks from all over the province, coming, listening and learning. We look forward—

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

## TAXATION

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Premier: Premier, as you know, in about six weeks' time, January 1, 2007, under a federal government program, pensioners will be able to split pension income among both spouses. For example, to a retired police officer or firefighter with pension income of some \$40,000 per year, this will work out to substantial tax savings of some \$2,500. I think the Premier full well knows that the provincial share of that sum is about \$500. The worry that retired police officers, retired firefighters, retired pensioners of all walks of life are concerned with is that the Dalton McGuinty government's appetite for tax hikes will cause this money to be clawed back, that that full benefit will not be transferred because Dalton McGuinty wants to take that money away. Premier, please tell us that's not the case, that you will allow these tax savings to go back to retired pensioners across the province of Ontario.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I know that the member opposite had the opportunity to raise this with the Minister of Finance, and I know that the Minister of Finance answered it in his usual fulsome way.

Let me say that the member opposite is mistaken in his assertion that somehow what we plan to do on this side of the House is going to have an adverse effect on the people of Ontario. We intend to work wherever possible with the federal government. We intend to do whatever we can to ensure that we grow a stronger and still more prosperous economy.

## PETITIONS

### LANDFILL

**Mr. Norman W. Sterling (Lanark–Carleton):** “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, Eli El-Chantiry ... and Peggy Feltmate, 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 that the Minister of the Environment does not approve the expansion of the Carp landfill and instead finds other waste management alternatives.”

I have signed it because I'm in agreement with that.

### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Michael Prue (Beaches–East York):** I have a petition here from the Canadian Federation of University Women, Leaside–East York branch. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I am in accord with this, will affix my signature thereto, and send it down with page Sarah.

### BORDER SECURITY

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly. It's signed by a number of people from all over Mississauga and Oakville and Brampton. It's about cross-border travel between the United States and Canada. It reads as follows:

“Whereas the United States government, through the western hemisphere travel initiative, is proposing that US citizens will require a passport or single-purpose travel card to cross the Canada-US border; and

“Whereas a passport or single-purpose travel card would be an added expense, and the inconvenience of having to apply for and carry a new document would be a barrier for many Canadian and US cross-border travellers; and

“Whereas the George Bush government proposal could mean a loss of as many as 3.5 million US visitors to Ontario, and place in peril as many as 7,000 jobs in the Ontario tourism industry by 2008, many of which are valuable entry jobs for youth and new Canadians; and

“Whereas many of the US states bordering Canada have expressed similar concerns regarding the punitive economic impact of this plan, and both states and provinces along the US-Canada border recognize that the importance of the safe and efficient movement of people across that border is vital to the economies of both countries;

“Be it therefore resolved that the Legislative Assembly of Ontario support the establishment of a bi-national group to establish an alternative to the proposed US border requirements, and inform Prime Minister Harper that his decision not to advocate on behalf of Ontarians is

ill-advised and contrary to the responsibilities of elected representatives in Canada.”

This is an excellent petition. I'm pleased to affix my signature and to ask page Shannon to carry it.

### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm very pleased to submit these petitions on behalf of the Canadian Federation of University Women in Kitchener–Waterloo and in Owen Sound and area and in Sarnia–Lambton.

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I'm pleased to add my name.

**Ms. Andrea Horwath (Hamilton East):** I have several hundred signatures on a petition put together by the Canadian Federation of University Women from their clubs in Hamilton, Stratford, Oakville and Mississauga. It's to the Legislative Assembly of Ontario and it reads:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I agree with this and send it down to the table by page Eshan.

### FAIR ACCESS TO PROFESSIONS

**Mr. Bill Mauro (Thunder Bay–Atikokan):** I have a petition to the Legislative Assembly about access to trades and professions in 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

**1540**

“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.”

#### SCHOOL FACILITIES

**Ms. Lisa MacLeod (Nepean–Carleton):** “Whereas Longfields and Davidson Heights in south Nepean are some of the fastest growing communities in Ottawa and Ontario; and

“Whereas the Ottawa–Carleton District School Board has voted to authorize the final design phases for a grade 7 to 12 school to serve the Longfields and Davidson Heights communities; and

“Whereas the government of Ontario has lifted a three-year moratorium on school closings in order to make way for new educational facilities;

“We, residents of Nepean–Carleton, petition the Parliament of Ontario to ensure that the Ottawa–Carleton District School Board continues with plans to build a new grade 7 to 12 school no later than autumn of 2008 to serve the Longfields and Davidson Heights communities.”

Myself, along with Farley Mowat—the Farley Mowat—as well as school board trustees and local city councillors have all signed this petition. Therefore, I affix my signature.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Ms. Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by the Canadian Federation of

University Women, the Sudbury chapter, and I want to thank them. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I agree with the petitioners, and I affix my signature to this.

**Mr. Ted Chudleigh (Halton):** “Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I’m pleased to sign this petition, as I agree with it.

#### COMMUNITY MEDIATION

**The Speaker (Hon. Michael A. Brown):** The member for Mississauga West, to correct the rotation.

**Mr. Bob Delaney (Mississauga West):** Thank you very much, Speaker. I appreciate that. I have a petition to the Ontario Legislative Assembly. It has been signed by a number of residents of Meadowvale in north Mississauga, and it reads as follows:

“Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers working with the parties in the dispute; and

“Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

“Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to

the Peel Community Mediation Service as an alternative to a court dispute; and

“Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

“Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services.”

I’m pleased to affix my signature in support of this petition and to ask page Eshan to carry it.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. Peter Tabuns (Toronto–Danforth):** I’m pleased to present a petition on behalf of the Canadian Federation of University Women, Etobicoke branch. The petition reads:

“To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on Ontario Works or ODSP;

“We, the undersigned from CFUW, Ontario council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

I agree with this petition. I affix my signature and I pass it to page Shannon to bring forward.

#### COMMUNITY MEDIATION

**Mr. Jeff Leal (Peterborough):** I have a petition to the Ontario Legislative Assembly supporting community mediation.

“Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers working with the parties in the dispute; and

“Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

“Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

“Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

“Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services.”

I’ll affix my signature to it.

#### PEDESTRIAN WALKWAY

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition signed by hundreds of Port Sydney residents to do with the dam at Port Sydney. It says:

“To the Legislative Assembly of Ontario:

“Whereas the dam at Mary Lake has historically provided a pedestrian walkway for use by the community and visitors since the dam’s construction; and

“Whereas the walkway provides a vital link and a tourist attraction for the community of Port Sydney; and

“Whereas restricting access to the walkway would result in pedestrian use of the roadway where motor vehicle traffic poses a danger to pedestrians; and

“Whereas closure of the pedestrian walkway across the dam is inconsistent with other provincial government programs, including Ontario’s action plan for healthy eating and active living and the Trails for Life program, both of which promote active lifestyles; and

“Whereas all ministries should strive to encourage and support healthy lifestyles;

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

“That the Ministry of Natural Resources continue to permit the use of the pedestrian walkway over Mary Lake dam indefinitely.”

I support this petition and affix my signature to it

#### CONSIDERATION OF BILL 65

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Before you get to orders of the day, Mr. Speaker, I have a unanimous consent that I would like to seek. I seek unanimous consent to move a motion without notice concerning this afternoon’s debate.

**The Deputy Speaker (Mr. Bruce Crozier):** The government House leader is seeking unanimous consent to move a motion without notice concerning today’s business. Agreed? Agreed.

Orders of the day.



**Hon. Mr. Bradley:** No, I'll give the motion first. I move that for the purposes of this afternoon's debate on the motion for third reading of Bill 65, up to 43 minutes be allotted to each recognized party and that when the time allotted for debate has expired, the Speaker shall put every question necessary to dispose of the third reading stage of the bill and that the Speaker shall then adjourn the House without question put.

**The Deputy Speaker:** Mr. Bradley has moved—dispense? Dispense.

Orders of the day. Wait, wait. I'm trying to hurry this too much today. I'm in a hurry, I guess, to move along with the motion.

Is it the pleasure of the House that the motion carry? Carried.

Now we're ready for orders of the day.

1550

### ORDERS OF THE DAY

#### MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006

#### LOI DE 2006 SUR LES MAISONS DE COURTAGE D'HYPOTHÈQUES, LES PRÊTEURS HYPOTHÉCAIRES ET LES ADMINISTRATEURS D'HYPOTHÈQUES

Mr. Arthurs, on behalf of Mr. Sorbara, moved third reading of the following bill:

Bill 65, An Act respecting mortgage brokerages, lenders and administrators / Projet de loi 65, Loi concernant les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques.

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I'm very pleased and proud today to be able to rise in the Legislature for the third reading debate in respect to Bill 65 in my capacity as the parliamentary assistant to the Minister of Finance.

I want to just take a moment or so to let the Legislature know that the Minister of Finance does send his regrets at not being here this afternoon to be able to lead this debate off. He certainly wanted to be here, he feels this is an important piece of legislation in the context of our financial regulatory regime here in the province, but he is today in Hamilton on part of his pre-budget consultation tour that the minister undertakes for his benefit, not unlike the consultations that the standing committee of all three parties will be undertaking very shortly on the budget. That particular pre-budget consultation the minister had scheduled some time ago. Thus, that couldn't be rescheduled for him to be here in the Legislature today.

Regardless, in his absence I want to take a few minutes to talk a little bit about how important we believe this particular legislation is and how I'm hopeful that we'll have the support of all the members on the changes

being proposed as they relate to the mortgage business as proposed in Bill 65.

As I said, this is a significant piece of legislation. It's not one that's probably terribly high-profile in many ways with the public, with consumers, that they're chomping at the bit to see pass, but given the nature of that business, nonetheless it is significant and important. If it's passed, it will replace a piece of legislation, the Mortgage Brokers Act, which was put into legislation 30-plus years ago, in the 1970s—in effect, almost 35 years ago. Today, some 30-plus years since then, the financial services landscape here in the province of Ontario is markedly different than it was then. Increasing numbers of homebuyers are relying on the services of mortgage brokers to help them with their borrowing needs. More than one quarter of purchases that are being made are seeking out the services of a mortgage broker.

Today's purchasers, in my view, are far more curious and better informed than those of 35 years ago regarding the multitude of choices that might be available to them, whether that be through the more traditional chartered bank lending regime or the services provided by mortgage brokers and that industry. I would venture to say that there's still probably, in some, a hesitancy to venture into that marketplace as it's not as widely known or as well known because there's some sense that other lending institutions that have a national profile may be better positioned to serve the consumer. That's far from necessarily the case. The options and opportunities to seek out lending from a variety of sources are much greater today, and that puts us in a certain position and obligation to ensure that we have a regulatory, licensing and educational regime that will do two things, at the very least: It will protect the consumer, provide the consumer with broader opportunities, and enhance the professionalism of the industry overall.

Mortgage brokers range from pretty large and sophisticated operations, frankly, to single-owner operators in small operations. Mortgage agents comprise a key segment, though, of Ontario's mortgage industry. A Mortgage Brokers Act that dates back to the 1970s is, without doubt, no longer adequate for today's marketplace. Clearly, probably in each legislative time frame, each mandate that a government has, are pieces of legislation that it's important and appropriate to bring forward to update, renew and make current. I think this is one opportunity, one of a number of pieces that this government in this particular mandate has the opportunity to influence; that's an older piece of legislation.

The thrust of our new proposed legislation is to develop a comprehensive and streamlined system of rules that will govern mortgage brokers and their agents and provide a much higher level of public confidence in both the capacity of those individuals to undertake the work they are doing on their behalf and also a higher degree of assurance that they're regulated and operate in a fair and responsible manner.

The Mortgage Brokerages, Lenders and Administrators Act would do a number of things. Certainly, we

are looking to improve consumer protection. We're looking to enhance and modernize the overall financial regulatory framework. Key, we're trying to encourage, as we should, greater competition and broader choice for consumers. That broader choice might range anywhere from what one might consider the traditional, "Can I get a better interest rate on my mortgage?" to issues around the term of a mortgage, the length of amortization, the capacity to opt out of a mortgage at a particular point in time, pay-down provisions on mortgages, variable rate mortgage opportunities: the types of initiatives that we have become increasingly familiar with in the past few years primarily on the banking side, primarily in those institutions that have the broad market range. We want to ensure that mortgage brokers and lenders are fully knowledgeable, educated, trained and certified in providing the type of advice around this multitude of options to consumers.

It's an important part of our government's plan to improve Ontario's economic advantage generally. Part of that comes with informing consumers about other opportunities, educating consumers and supporting a new generation of economic growth through modernizing financial services regulations generally.

We've made a lot of progress on other fronts. We certainly did a lot of work and the early slugging on the insurance file as part of that financial regulatory framework. This is another big piece of it. As we talk about the mortgage brokers and lenders, there's ongoing consultation currently with credit unions and caisses populaires about, again, legislation that's currently somewhat dated, that needs renewal as well. I know the Minister of Finance is hopeful and optimistic that we'll be able to bring some matters forward before this Legislature that would begin to deal with those matters effectively as well.

Before I go into some of the detail of the proposed act, at least on a semi-detailed level, I'd like to outline how we got to the decision to do something about the Mortgage Brokers Act and where we are at today here at the beginning of third reading. I'm sure you're familiar with some of this information—the second reading debate. It's interesting to note—and I'll be mentioning the consultation process, but nonetheless—the first reading occurred on February 20 of this year, and we effectively managed to move to second reading by September 28 of this year. With our winter and summer breaks, that's a fairly expeditious process. Here we are at the end of November in third reading and, if the House agrees, we will be able to complete this process in a relatively short period of time from a legislative time frame. It bears repeating, however, because it's a great example of how open, transparent and accessible this process has been and of the success that we have when we have these open processes and ones that are transparent and we seek out consultation that characterizes good governance, that works for the people in the province of Ontario.

Reforming mortgage brokers legislation began with our first budget. Minister Sorbara introduced that concept

in 2004, when he announced the intention to introduce a new Mortgage Brokers Act. In June 2004, there was the release of the first consultation paper for broad public comment. In the fall of that year, the Minister of Finance hosted a briefing of the stakeholders, and the Honourable Mike Colle, then the parliamentary assistant to the minister, chaired a series of round-table meetings with a range of stakeholders in regard to this particular matter.

#### 1600

Subsequently, a consultation draft of the proposed act and draft licensing regulations were released in March 2005. The ministry, on the staff side, then hosted a technical briefing of stakeholders to get down to the nitty-gritty parts of it. Some 50-plus written submissions on the consultation draft were received, which added valuable insights into the drafting of the legislation and some of the constraints that one might find. The proposed Mortgage Brokers, Lenders and Administrators Act, 2006, was developed out of this extensive public consultation and, quite frankly, it has extensive support among the stakeholders.

That consultation didn't stop at that point in time. After Bill 65 went through second reading, it was brought to committee. At the hearings, stakeholders were once again provided an opportunity to provide feedback and voice any remaining concerns they had in regard to the legislation.

We heard, during those committee hearings, from the Canadian Institute of Mortgage Brokers and Lenders, CIMBL, which is probably the single most significant stakeholder in the business and provided the most valuable of inputs during that process. We also heard from the Independent Mortgage Brokers Association of Ontario. So we had not one view from mortgage brokers associations, but at the very least two views of two organizations serving a similar function but maybe coming at the issues in a slightly different way. We heard from the Canadian Life and Health Insurance Association. We heard from Primerica Financial Services, because it affects the way they do their business. We heard from the Ontario Bar Association, the Law Society of Upper Canada and the Canadian Bankers Association, as well as the Ontario Real Estate Association.

So you can see from that that among the range of people we heard from, either through committee or as stakeholders having input into the ministry briefings and consultations, or the consultations that were held by the then parliamentary assistant, the Honourable Mike Colle, or through the representations I've had in my office, having taken on the role as the parliamentary assistant, the consultations have been extensive. I know that the stakeholders outreached to the opposition parties as well to apprise them of the concerns and interest they had in this matter. Certainly, that was most evident during our committee hearings, and I must say during debate, when matters raised by members on all sides reflected the level of consultation that occurred and the issues that were being raised during that period of time.

Among these various organizations there was representation from virtually all the organizations involved

in mortgage brokering in Ontario, whether it was on the lending side, the sale of property side or on the regime that manages that process on behalf of the consumer in the form of legal advice, being the principal stakeholders from whom we heard the most. Their input was tremendously valuable, both from the political side in assisting the minister in finalizing the legislation and the ministry staff in developing the legislation. Without that level of consultation, the legislation as presented would not have received the degree of broad support that it has.

The government chose not to stop at that point. At the subsequent clause-by-clause review of Bill 65 that we had during the hearings, after hearing from the various stakeholders, we worked with the members opposite to accept what we think is a very important amendment to the legislation. The amendment has made it an offence for mortgage brokers, lenders or administrators to “give, assist in giving or induce or counsel another person or entity to give or assist in giving any false or deceptive information or document” when dealing in trading in mortgages in Ontario. That may seem a little convoluted, but it’s not really. Simply put, the amendment has made willing participation in mortgage fraud on the part of mortgage brokers and/or agents an offence.

In October of this year, the Honourable Gerry Phillips, our Minister of Government Services, introduced Bill 152. That particular piece of legislation would ensure property owners neither lose their homes as a result of real estate fraud nor become responsible for fraudulent mortgages. Certainly, all members on all sides have had discussions to this point, whether it be in question period or on a private member’s bill or government bills, on this matter of mortgage fraud.

We thought that the amendment, as presented by members opposite, was an important inclusion, an important enhancement to the legislation, and we’re pleased, following the discussion we had there, to be able to support its inclusion as a further entrenchment of the need to provide security to those involved in the acquiring of mortgages that those they were dealing with would be held to account if they acted in some fashion that would put the lender at any risk. We certainly appreciate the members opposite for adding this prohibition against the provision of either false or misleading statements. That addition to Bill 65 is welcome. It has made the consumer protection measures included within the act even better for Ontarians.

The work that has been done on this new act, from the first mention of it in the budget bill of 2004 through to our third reading debate being led off today and the drafting of the regulations, is a tremendous example of our willingness to work with and for the people of this great province. The transparent process by which we prepared this legislation will help ensure that it works for the people, that it works for the businesses that are in the business of providing mortgages and that it works generally for the economy of this great province.

This act, as I mentioned, has the support of a variety of stakeholders. I would venture to say that it has the

support of all the stakeholders. There may be some tweaking and variations, where one stakeholder may not be 100% happy with every part of it, but we heard strongly from the stakeholders that not only was the direction right but that we’ve included many of the elements that the stakeholders felt were important to them. This includes the consumers, the lenders and the brokerage industry. All of them have certainly been in support of an overhaul of the current legislation, and they were asking for this matter to be dealt with. They recognize that a sound regulatory climate is absolutely critical to ensuring the continued confidence of borrowers and lenders, which is necessary to make financial markets work and certainly to make the real estate market work, which is such an important part of the economy of the province of Ontario.

We’re delivering on an early budget commitment to build a strong economy and a culture of transparency and accountability to the people.

The proposed new act that we’re debating today doesn’t signal the end of our commitment to updating the regulation of the mortgage brokering industry. There’s still the matter of the regulations. As you know, the legislation will put in place the framework for the balance of the efforts, that regulatory part of the regime that really results in the implementation of any piece of legislation.

Draft regulations and draft investor-lender disclosure forms were released for consultation recently. They’ve also been posted on the Ministry of Finance website for anyone who would care to review them. The issue of disclosure has been an important part of the overall discussion.

The draft regulations to be consulted on at this time concern a variety of things. They certainly include the matter of exemptions, and I’ll take a moment or so to talk about those.

#### 1610

We heard, as I said, from the legal field. We heard from the accounting field. We heard from the chartered banking part of the industry. Clearly, there are those who have training and skills that they’ve acquired through their professional development, whether that be a lawyer who may very well have dealt with matters that would be included in the mortgage brokerage business. We heard from the accounting field, because clearly they have a set of skills that would be applicable to mortgage brokering. We heard from those in the real estate business, who already have the mortgage brokerage designation should they choose to pursue that. And we certainly heard from the major financial institutions that are federally regulated and thus have their own set of rules and laws governing how they function but also a very complex and comprehensive set of structures in place to deal with mortgages. All of those groups expressed a concern and an interest that as we develop the regulatory framework, the educational framework, we take into account the skills that they have, the knowledge they have, in applying those.

Thus, as the regulations are being drafted and consulted on, we'll be looking obviously at where there are appropriate exemptions in whole, if that be the case, or certainly in part where it's appropriate. We're looking at a variety, within the regulations, of the regulated kinds of activities: What are the types of things that we're going to directly manage? We want to look at the standards of practice: What is it that we're going to be asking brokerages to do? Where is the bar going to be set for the ethical operation of a brokerage? What's the nature of their business? Certainly the brokerage will have lots of opportunity to comment on those standards of practice.

We've incorporated a new concept: Each of the brokerages will have to have a principal broker. They'll have to have one broker in charge, someone who will ultimately accept the responsibility for the function of the brokerage, the brokers and the agents who might work within that; someone, at the end of the day, at the top of the food chain, in essence, in that business who will be accountable if there's a need to find that direct accountability. We've had good support from the industry on the issue of establishing the principal broker's duties.

We're looking closely, obviously, at the licensing of agents. Probably we won't be as familiar with the current regime where someone who has a mortgage brokerage licence will be able, effectively, to hire staff and appoint them as agents with no real formal training, necessarily. They may have some good administrative skills, they may actually understand the business, but they're not required to have a formalized educational and training and licensing regime. We don't think that's appropriate in a marketplace where more than one quarter of people are using mortgage brokers and, I dare to say, probably as many may very well be seeking out mortgage brokers as an option to the more traditional banking environment for seeking mortgages. One would anticipate and expect that the mortgage brokerage industry may see more than its current 25%-plus of business moving in their direction in the years ahead.

Further regulations are to be released at a later point in time, albeit not too much further in the distance. We've seen, from the timing on this bill, once we managed to complete the consultations, draft the legislation and actually bring it forward, that it's moved in a fairly expeditious fashion. I'm confident that we're going to be able to, with the stakeholders and with the ministry staff, move the regulations forward in a fairly efficient and effective manner. They'll certainly include additional materials concerning the standards of practice for the administrators of mortgages, for the brokers and for their agents.

We've espoused the principles, as I said earlier, of openness and transparency thus far and we have no intention of stopping now. Stakeholders are being given the opportunity to comment on the draft regulations, to suggest amendments to those regulations, certainly to add their voice and opinion; in other words, do what they've been doing ever since the process of drawing up this act first began with the introduction of the concept in the minister's budget of 2004.

Another related example of our work with the stakeholders involves the rather comprehensive review of the educational requirements for the mortgage broker industry in Ontario. This has been spearheaded by FSCO, which here in this House we know as the Financial Services Commission of Ontario. A consultation paper on the educational requirements was released on August 31, 2006, and included an examination of various course offerings that are currently available, the delivery mechanisms for educational opportunities, and equivalencies for other professionals and those who might be out-of-province applicants. I already mentioned earlier the issue of lawyers, accountants and those with other skill-set training and that we have to be cognizant of the skills they already have in developing educational requirements, but more importantly in ensuring that we're not duplicating effort in the process.

The aim was to ensure that the industry participants have a level of competency appropriate to their roles and responsibilities. For most of us the taking out of a mortgage, the purchasing of a home and in some cases the establishment of a business are probably among the most important financial decisions we will make, because often it's two, three and four or more times during the course of a professional working life that one might consider taking out a mortgage. When we consider that level of investment, particularly in today's marketplace, when probably the average house in the greater Golden Horseshoe is \$250,000, \$300,000-plus—in Toronto much more; in some areas somewhat less—if you look at a family that maybe has three or four homes in their lifetime, it's not hard to see where \$1 million in transactions for an individual family is occurring. One wants to ensure that those participating in this business have the competencies for the responsibilities in the role they're being asked to undertake on behalf of the consumer.

The consultation concluded just last month and was instrumental in maintaining an open, transparent and somewhat informal discussion regarding the regulation of mortgage agents and brokers. It's not only the formal part. I think the informal part of the consultation is important, particularly with the stakeholder groups that have offered their advice continuously through the process to improve the thinking along the way, and it's been a two-way street.

A new educational program is expected to be developed for 2007. We can't yet be sure of the exact time in 2007, but that's our target. In updating and modernizing the act, the goal remains to ensure that everyone involved in mortgage brokering is knowledgeable about what they're doing and proficient in the business they've chosen to engage in.

We want to ensure that they meet educational standards and will be regulated in the same way. We want a uniform standard in the mortgage brokering industry which would enhance both consumer protection and consumer confidence. That, in turn, certainly benefits not only the industry but, equally important, the consumer.

Stakeholders are supportive of the proposed proficiency standards for the agents and brokers. There are

some different perspectives on the competency and delivery of the education requirements. Not everyone is 100% on exactly the same page as we speak. For example, there is one train of thought that looks to a standard exam and standardized curriculum throughout the province for this industry. There are others who endorse a system where we may have multiple curricula, seeking a very similar, or the same, output but not necessarily exactly the same class or informational structure. There will be others who would support a multiple-curricular system with a standard provincial exam but maybe only at the broker level, not necessarily for all of the agents. Where there is a higher level of responsibility, the standardization of the exam process ensures some stability, particularly when we talk about principal brokers. When we get to that level, we want to ensure that there is a standardization, as one view, across the province of Ontario.

**1620**

So there are still some variations on a theme, the theme being that we need an educational regime that develops competencies that may not otherwise be in place, and we need a testing mechanism that ensures that those competencies are actually in place.

Now, I haven't mentioned the delivery model in particular, but clearly in today's age things are different than they were 30 years ago. The tradition of spending X number of months in a classroom in a given environment, given geographic location, might work for a segment of the population interested in this particular initiative, but today's marketplace is different.

We need to recognize that people are carrying on this business in greater numbers, because they have a greater portion of the marketplace, and thus need the opportunity to be trained, have those skill sets, in different parts of the province of Ontario and maybe differing delivery agents. It may be that our college system remains the best suited to be able to deliver on the educational program. It may be that the organizations that represent mortgage brokers have a role to play in the delivery of the program. It may be that some partnership form similar to that might be the best way.

There is also the issue of distance education. Many of our universities, if not all, offer programs that one can do online, on the Internet or by video conferencing. There is no reason that those provisions shouldn't be considered as one develops the educational program to ensure the greatest opportunity for those who want to pursue this avenue of professional development. They shouldn't be denied by virtue of geography or particular time structures.

Those who hold a variety of views around this critically important part of the development of the regulatory regime have had an opportunity to express those opinions and tell us why they think their strategy is the best one suited for those who are entering into or are currently in, but need to upgrade and meet current standards—why they should be implemented in that fashion. That is what the consultation is all about: It's getting the broadest

number of views within a spectrum, taking the best of those and finding how they're going to work effectively, and providing feedback to those who are engaged in it before one comes to a final conclusion.

With the role of mortgage brokers, with the taking of mortgages through mortgage brokers, with the seeking out of those options expanding across the province of Ontario, this is absolutely the right time to modernize Ontario's regulatory framework and to strengthen the consumer and investor protection as it relates to what I often say is the single most important investment of lending that individuals and families do multiple times in their—I want to come back to that and say that it's not the \$250,000, it's not the \$300,000. In many families' cases, we're talking investments of well over a million dollars during their lifetime. In making those choices, we want to ensure they have the best opportunity for not only the best product but the best service that goes with that, with a high degree of confidence.

I've had the opportunity in the amount of time that we have here today to touch on some of the highlights of the legislation, which will replace legislation that is some 30 years old and certainly in need of updating. I know that when we were in committee, there was an interesting amendment proposed by the member from Erie–Lincoln on the naming of the bill. We didn't adopt that, but if he's going to speak to it—I know third reading is the opportunity to change the name of legislation; I think that's how the process works—he may want to comment on that. I think it's fair to say that even if he doesn't, the minister's staff worked very hard on this process and were aptly led by the then executive assistant. I'm not sure what his title was in those days. But certainly he has worked closely with the Honourable Mike Colle in his former life within finance and even as an opposition member. Mr. Arthur Lofsky has been instrumental in working with stakeholders on the political side of the equation, and I want to thank him for the support he's provided to me during my engagement in this, having taken it over some 16 months ago, and carriage for this legislation through this process.

Clearly, after 30 years it's time for this legislation to meet the modern age. I'm standing here and I hear this humming on my hip going off, and that's the BlackBerry as it vibrates.

**Mr. Tim Hudak (Erie–Lincoln):** It's supposed to be turned off.

**Mr. Arthurs:** It's not ringing, it's just vibrating. I'm not answering it, even to read it.

It's a whole new world that we're in when it comes to technology, and shouldn't it be a new world that we're in when it comes to people investing principally in their homes and having opportunities available to them?

I want to re-emphasize that it's my view that we have significant if not complete support from our stakeholders. That includes the consumers and the brokerage industry in the introduction of this piece of legislation and its carriage through to this point in time. I think that has been exhibited through the entire process.

I'm asking all members of the House for their support of the proposed legislation so we can continue the process of finalizing the regulations, getting the educational regime in place and actually getting the full implementation of a new piece of legislation in place to help modernize the financial regulations in Ontario in this particular area and provide the consumer with the confidence and the protection they need so that when they're seeking out their mortgage from organizations that traditionally maybe haven't had the level of confidence that the big banks have had, they will have similar confidence in that industry and can make those choices comfortably; that as they reach out for the broadest of options and explore all of the opportunities, mortgage brokers will be a viable option for them, above and beyond the current marketplace of some 25%-plus of that overall market.

I've been pleased to be a party to this process and have a chance to work with the stakeholders and the staff, and certainly with the members opposite, particularly in committee and during debate on this piece of legislation. I'm hopeful that as we wrap this debate up there will be support for the legislation.

Finally, as I said when I opened up, the minister would dearly have loved to have been here today to address this matter at the beginning of third reading. Those other matters kept him away, but he does feel that it's an important part of the regulatory regime. Any time a government has the opportunity to address legislation that is 30-plus years old and that will meet a modern era standard, that is an important milestone that will stand us in good stead for a long time to come.

Mr. Speaker, I want to thank you for the time today and look forward to the balance of the debate this afternoon.

**The Deputy Speaker:** Further debate?

**Mr. Hudak:** I'm pleased to respond upon third reading of Bill 65 on behalf of the official opposition.

I always enjoy the comments of my colleague the member from Pickering–Ajax–Uxbridge, who I also want to commend on the way he has handled this bill, both in discussions here in the Ontario Legislature and in the finance committee as well. Through him to the minister and the minister's staff, we were very grateful to have received a copy of the regulations for Bill 65—to be clear, draft regulations. I appreciate that effort from the ministry to make sure that the official opposition critics, Mr. Prue and myself, had an advance copy to consider those regulations.

They have likewise been shared as of Friday, if I understand, with stakeholders—in fact, publicly available to not only the major stakeholders. We call them “major” because they're the ones that were before the committee, for example, or have written to the ministry or to the opposition critics about Bill 65. But they're available not only for stakeholders but for the general public as a whole through the ministry's website for those who are interested in the mortgage brokerage industry.

As I begin, I do want to thank my colleague from Pickering–Ajax–Uxbridge for his efforts. It was good to

see that they took the opportunity to send draft regulations around while we are considering third reading of the bill.

Those draft regulations, I believe, are due back January 19, 2007, so some interesting Christmastime reading for those engaged in Bill 65. I think members will recall from the debate here on second reading a number of weeks ago or at committee several weeks ago that pretty well everybody agreed that a lot of the details would be in the regulations. The official opposition was supportive of Bill 65 in second reading. We took a supportive tone as well in committee, and I will be recommending that my colleagues support Bill 65 upon third reading in the Legislature today.

**1630**

We will look forward to hearing from stakeholders and interested taxpayers about their views on the regulations that have been presented, as of Friday, to the general public. I will get into those details in a bit, but I do want to make it clear that the official opposition will continue to follow this process. We're pleased to see the open nature of these consultations on Bill 65 and look forward to feedback from concerned parties.

It reminds me a little bit of when I was the consumer and business services minister. We brought forward CP21, consumer protection in the 21st century, which had significant portions that needed consultation among industry stakeholders and taxpayers at large; for example, the funeral services industry. Since the bill was passed in 2002, I believe, unfortunately some regulations still have to be finalized. There have been several rounds back and forth between the ministry staff and interested parties. But I do want to say on a positive note that I have an understanding, from previous experience, that sometimes it does take a great deal of effort from staff both in the minister's office and in the civil service to work on this level of detail, because one or two words in one direction or another, a hyphen or a period in the wrong position, may give a meaning entirely different than what was intended. I think it's important to be careful in that process. We'll look forward to mid- or late January of next year for feedback on the regulations surrounding Bill 65.

I always do like to say that as we address finance bills before the Legislature, we can take them in the context of the finances of the province of Ontario as we stand. I want to reiterate, as I discuss Bill 65, my ongoing concerns and those of the PC caucus about the rate of spending growth of the government as a whole. We have certainly seen an approximately 8% average program spending increase by the Dalton McGuinty government, which leaves in the dust the spending increases of the previous Bob Rae and David Peterson governments. We have also seen a significant increase in taxation that has taken money from the pockets of seniors and hard-working families in the province of Ontario. Ontario is one of the most uncompetitive jurisdictions when it comes to business taxes, I think ranking only second to Saskatchewan in all of North America. If I understand correctly, Saskatchewan is currently reviewing their corporate taxation.

Certainly, when you see approximately 120,000 well-paying manufacturing jobs fleeing the province of Ontario in the last two years, it must give all decision-makers here in the assembly great pause. I do hope that as Bill 65 moves through the legislative process—now, I know there's some ongoing work with the regulations, but perhaps as the minister's and the parliamentary assistant's time is freed up, we'll see some greater activity now, a focus on reducing the burden of taxes on working families, seniors and businesses in our province to kick-start job creation, particularly in the manufacturing sector.

Also on the same topic, you'll remember that I asked the Premier today about income splitting. Income splitting has been proposed by the federal government beginning January 1, 2007. This would allow pension income to be split among both spouses, so by way of example, if you have a retiree with an annual pension income of some \$40,000—this is the example I brought forward to the Premier and the finance minister in consecutive question periods—with a spouse who has no pension income, pension splitting effectively would allow one spouse to declare \$20,000 in income and the other spouse a further \$20,000. The tax savings, as you can imagine, from hitting the lower marginal tax rate are substantial; in fact, I understand about a \$2,500 tax savings to that senior couple with very modest incomes. That modest-income couple is seeing taxes increase; they've seen utility rates increase. Pretty well everything has gone up, aside from their pensions. Ontario's portion of that \$2,500 in that example is \$500. There is concern among retirees and seniors' groups that the intention of the current government is to claw back that \$500. I certainly hope that is not the case, but I would like to hear a direct assurance from the finance minister and his staff here today that they have no intentions whatsoever of doing so and will allow that federal initiative to be passed on fully to Ontario's pension earners.

One of the important reasons for that is that it kicks in January 1, 2007, and this was announced back in October by the federal finance minister, Jim Flaherty. So the time constraints, as you can understand, are relatively tight. I mentioned that Bill 65's regulations are due back January 19. I know work will be done even when the House is not sitting, but I would ask that some attention be devoted to getting an answer to the income-splitting question in advance of the January 1, 2007, implementation of this new tax advantage. My understanding is that if the provincial government determines that it's not going to pass on those tax savings, it effectively means that the tax collection agreement with the federal government will be torn up.

Since 1962, the province of Ontario and the federal government have co-operated on the collection of tax, obviously to save money, to save the administrative costs and to pass on those savings, ideally, to taxpayers. Given that that's been the case since 1962, that also means, by definition, that the term "taxable income" is the same, whether it's the provincial or the federal government.

The federal government's move on allowing for income splitting of pension revenues means that the definition of "disposable income" is changing federally and would therefore have to simultaneously be changed provincially. If Premier McGuinty and the finance minister, Minister Sorbara, decide not to go ahead with that, they would have to declare a different level of taxable income for pension earners than the federal government, which would effectively mean the elimination of the tax collection agreement and untold costs in the Ministry of Finance—the hiring of more staff, a different computer program—in order not to pass on those savings. Some of those savings, I guess, for the provincial government would be clawed back by the additional costs of this new tax collection agreement.

So while I'm on the topic of Bill 65, the mortgage brokers act, I do want to encourage the Ministry of Finance staff, who have worked very hard on this act, to promptly declare that the province of Ontario has no intention of clawing back the savings that will result from income splitting for pension income. In fact, I believe the Manitoba minister has already said, with some enthusiasm, that Manitoba will pass through those savings. So to the minister's obvious right-hand man, the éminence grise behind the finance minister, I will convey my strong urging—

*Interjection.*

**Mr. Hudak:** Well, to whomever that definition fits on the opposite side, I say to my friend the Minister of Public Infrastructure Renewal, please pass on the good word to allow those savings to be passed through for our retirees to benefit from income splitting of pension earnings.

I know my colleague Mr. Arthurs covered a lot of the aspects of Bill 65 in his discussion. He talked about some of the consultations that were behind it and the committee process. There were a number of amendments that the official opposition brought forward to Bill 65. I do want to say, happily, that one of the amendments brought forward by the official opposition did get accepted and is now part of the act. I thank Mr. Lofsky and Mr. Arthurs for working with the official opposition in making sure the language brought forward fit with the language of the bill in order to become a part of the act. I also want to thank Alan Silverstein, who was very helpful in offering advice on the topic of that amendment, which was combating mortgage fraud to ensure that mortgage brokers did not in any way engage in or allow any activities which could get you close to that line of mortgage fraud under this act. I'll get to the exact language momentarily.

While I'm on the topic, I do want to thank Mr. Silverstein for his advice on Bill 65. Of course, Alan Silverstein is well known to members of this committee. In fact, I know my colleague from Vaughan would know him because he lives in the Vaughan area, if I recall, in that riding. Mr. Silverstein is a well-known lawyer and, very importantly, a very well-known advocate on behalf of consumers. In fact, I referenced my time as consumer minister a little bit earlier in my remarks, and Mr. Silver-

stein was very helpful in my time as minister, somebody you could always depend on for prompt and solid advice on consumer protection issues. He has also been featured in the *Toronto Sun* on a number of occasions, highlighting the problems of mortgage fraud and the unfortunate lack of activity by the current provincial government to combat that.

**1640**

In return, my colleague from Barrie–Simcoe–Bradford, Mr. Tascona, has brought forward his own private member's bill with respect to mortgage fraud. I know that those who are interested in Bill 65 will also share great concern over mortgage fraud. I believe that bill is being debated this evening. I do hope that Minister Phillips will heed the advice from Mr. Tascona and incorporate some of Mr. Tascona's very important enhancements to consumer protection to fight mortgage fraud contained in his private member's bill. I think the province would be better off in many ways if that advice is taken by the minister and made part of his act, which I believe is Bill 152. I can get to that level of detail in a little bit, but while I was on the topic of Mr. Silverstein, I did want to mention his great assistance in Bill 65 as well as with respect to Bill 152.

There were some amendments that we brought forward as the official opposition that did not pass in committee. The first one I brought forward basically struck out subsections 6(7) and (8) of the bill. The reason we did this was that there was a very broad exemption in the bill which left it up to the government, to the Lieutenant Governor in Council, to define exemptions. There are, as there should be, strict rules around who can be involved in the business of mortgages: who administers mortgages, who would be involved in the sale, what kind of details it would have to convey, for example, to prospective lenders or borrowers.

Lawyers, as well, are a profession that gets some special treatment in this legislation because of that fine line between their work as lawyers, as those who are helping to administer the purchase of a home, for example, and at what point—the bill would try to address—they stop being lawyers and become mortgage brokers. Where would one draw that line and definitions of activities and clarity over the work of lawyers? So it is understandable that lawyers would have some degree of exemption under this act. The real estate brokers as well have been very active, and I congratulate Jim Flood for his advocacy on behalf of the real estate industry as to how they should fit into Bill 65.

The general concern that the official opposition had with subsections 6(7) and (8) of the bill was the broad exemptions. I think I used, just for effect, the notion that MPPs could be exempted from this bill. If MPPs so choose, they could go out and sell mortgages and get in that business. Obviously that would not be something any government would particularly consider unless the MPPs were well qualified. But certainly in the language of the bill, those types of exemptions would be allowed if you interpret that literally. Based on that concern, we sug-

gested that subsection 6(7) and (8) of the bill be struck out. Now, I know that in the mortgage brokers' regulatory package here before us, the government tries to, I guess, clarify qualifications for a licence and such. Hopefully I'll have a chance to get to that in the time available, which we'll keep an eye on, because we're very worried about this Mack truck exemption rule that exists under the bill in section 6.

Another aspect that had some considerable debate was a motion that I brought forward for subsection 7(1) of the bill, which basically said prohibition against multiple offices unless licensed. I believe this was brought forward, if memory serves, by Jeff Atlin, who was a director and chair of the government relations committee of the Independent Mortgage Brokers Association. I know that CIMBL, which was referenced earlier, had objected to this particular provision, feeling that the principal broker regulations imparted to the act would mollify concerns that the opposition would have about the arrangements between different brokerage offices. In that titanic battle between Murphy and Atlin, Murphy won out in round three or round four, I guess, of that struggle. Certainly CIMBL made a strong case, and I accept that that motion was defeated, and we'll look to the regulations to ensure that the goals of that motion are incorporated via reg. as opposed to an exact change in the bill. But I do thank those from the independent brokers' association for at least bringing forward a suggestion for debate at the committee.

Another important aspect that we brought forward for debate at committee dealt with standard examination. I thought CIMBL had some very strong ideas in this regard. I know it will be for future consideration, and I appreciate the responses from the parliamentary assistant when we queried him at committee about the government's plans.

My suggested amendment to subsection 14(1) of the bill basically said:

“Issuance of licence

“(1) The superintendent shall issue a licence to an applicant who,

“(a) satisfies the prescribed requirements for the licence; and

“(b) in the case of an applicant for a mortgage broker's or agent's licence, has successfully completed a prescribed examination.”

We basically, if this had passed, had put right in the bill that there would be an examination—prescribed by regulations, of course. You need time to work out the details and to consult. Unfortunately, that was voted down. I know there is some discussion in the regulations package with respect to licensing in testing, and it is something we will continue to follow as this moves forward.

But I thought CIMBL's advice in this regard to have some sort of standardized education and standardized testing to ensure that those who engage in the business of mortgage brokering have the highest qualifications to reassure consumers that those individuals they're dealing



with, the men and women in the offices helping people as they purchase a home and purchase a mortgage to support that home, are of the utmost standard and qualification—I think that the vast majority are at that standard. It's always important to continue to raise standards.

There are, unfortunately, some examples we have seen in the newspapers of people who have been taken advantage of when it comes to mortgage fraud. I know that groups like CIMBL, the independent brokers and others engaged in Bill 65 want to combat, obviously, that type of fraud. That's why we appreciate some of their advice on strengthening Mr. Phillips's bill in addition to Bill 65.

You will recall, of course, that in addition to the prescribed exam, I did have a grandfathering provision for those who are already qualified as mortgage brokers. Similarly, there are grandfathering provisions that are part of the regulations that have been brought forward. I think that's sensible. When you're transitioning from one regime to another, I think it's important to always examine whether a grandfathering approach is relevant and useful, and I believe here that it is. So we're pleased to see in the regulations that the grandfathering notion is adopted in several of the regulations.

I know my colleague the Minister of Public Infrastructure Renewal is very concerned about section 27.1 of the bill.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** I was just talking about it.

**Mr. Hudak:** He and my friend from Mississauga were just talking about section 27.1, and they'll remember the debate we had at committee because I had brought forward, you'll recall, the motion about duty of disclosure or other information. Just to summarize—it's a bit of a long amendment—basically we looked at what had been proposed by CIMBL, what has been used in other provinces, to say that if a mortgage broker or a brokerage is engaging with a borrower-lender, there's a duty to reveal the relationships that exist so that people can make their own decision based on the incentives that may spin out of that. People want to know, for example, what kinds of fees are changing hands, what kind of information is changing hands. Our view, as you can see through the amendment proposed, was that we would put that in legislation. The government's response was, "While we appreciate it"—the government seemed to appreciate the amendment; they just didn't agree that it should be in legislation. They thought it would be best in regulation.

**1650**

I do note that in the package of regulations, they do talk about representations to the public, beginning on page 36, and then disclosure at part V, beginning on page 42. So while I had hoped that it would be part of the bill itself, I do understand that, from time to time, there is a view that this level of detail should be in the regulations, and that's what the government chose to do with respect to section 27 of the bill. I'll look forward to advice from those who are concerned about this as well as my

colleagues from Don Valley East and Mississauga West on section 27.

To summarize: As I said, the nature of the relationship between the brokerage or broker and the borrower and lender should be made public, should be disclosed: a description of the products that the brokerage or broker offers; a description of fees, commissions or any other kind of compensation, including compensation based on volume of the business, or other factors or gifts, such as a payment for travel expenses and attendance at seminars etc. If I were a consumer dealing with a mortgage broker and that mortgage broker was advising me to deal with company X as opposed to lender Y, I think it would be important for me to know if company X had a special relationship with that mortgage broker; for example, if that mortgage broker had taken a trip to Las Vegas for a seminar. Those types of things should be revealed for perfect clarity when engaging in this substantial relationship.

I think we all know that for the vast majority of Ontario residents and those watching and listening today, a purchase of a home is probably the largest purchase they'll make in their lifetime, and a mortgage is the greatest debt they will take on in a lifetime. When making that kind of very important decision as an individual, as a couple or as a family, knowing the relationship a mortgage broker has with the various companies—his or her incentives—and lending firms is important. Therefore, I had hoped that amendment would go through as part of the bill. But I was pleased to see a lot of similar concepts in the proposed regulations that are before us today.

I had also offered a slightly different approach to duty of disclosure in one of my other amendments which wasn't as prescriptive. It left aspects to regulation. Again, it unfortunately did not pass, but I do see that, in many senses, its spirit lived on. Can I at least say that? The spirit of my amendment passed. Amen.

This was the one I originally crafted that passed. We changed the language somewhat. We're always pleased to see it when this happens—that an opposition amendment becomes part of the bill. My original amendment was to subsection 44(1) of the bill, which is a prohibition on false or deceptive information. It read as follows:

No licensee "shall give, assist in giving or induce or counsel another person ... to give or assist in giving any false or deceptive information or document when ... dealing in mortgages ... trading in mortgages ... carrying on business as a mortgage lender ... or administering mortgages."

Again, I want to thank Mr. Silverstein for his advice on that and the companion motion that amended paragraph 9 of 47(1) and subsection 44(1), which prohibit false or deceptive information. We did work with Mr. Lofsky and Mr. Arthurs, ensuring that the bill would be amended in that way. We're always appreciative of that. I don't need to dwell on it much more, because I am going to get to the changing of the title of the act later, which I still hope—can we amend it in third reading? Mr.

Speaker, can we amend the bill in third reading if we have all-party support?

**The Deputy Speaker:** It's my understanding that you can do almost anything if you have unanimous consent, but there are some things that you can't do, and the Clerk's going to help me on that one right now.

You have to refer it back to the committee. I knew that, but I just left that out.

**Mr. Hudak:** Thank you, Mr. Speaker. I appreciate that.

So we have the opportunity to refer this bill back to the finance committee. Mr. Hoy from the Chatham-Kent area is Chair, as a matter of fact. It would be a simple amendment.

All right, I'll skip right to it. I will end the drama and the suspense right now and I'll move immediately to this particular amendment, because I know my colleague the Minister for Public Infrastructure Renewal will be very interested in this one, section 66 of the bill, which is the short title. In committee I moved that section 66 of the bill be struck out and the following substituted:

“Short title

“66. The short title of this act is the Arthur Lofsky Act....”

**Hon. Mr. Caplan:** I like it.

**Mr. Hudak:** See? I thought the Minister of Public Infrastructure Renewal would like it.

**Hon. Mr. Caplan:** That's my constituent.

**Mr. Hudak:** Oh, yes. Mr. Lofsky's father lives in the riding of Don Valley East.

**Hon. Mr. Caplan:** Do you want the address?

**Mr. Hudak:** We don't need the address for Hansard, but maybe Mr. Lofsky senior—

**Hon. Mr. Caplan:** Doctor.

**Mr. Hudak:**—Dr. Lofsky will lobby his member, the member for Don Valley East and the Minister for Public Infrastructure Renewal, to support my amendment. Of course, thanks to the advice of the Speaker, we'd have to take that back to committee to make that change, but I'm just sensing that kind of tripartisanship here this evening in favour of Mr. Lofsky.

We did move this forward a bit tongue-in-cheek, but I do want to commend Mr. Lofsky and his colleague, Sarah Hanafy, for their work on this bill and working with the opposition. I've never quite figured out who is the superior in the offices—Ms. Hanafy, I'm getting the signal. So Mr. Lofsky reports to Ms. Hanafy. That's probably why this was killed. Sarah Hanafy brought the hammer down and she said that we can't do the Lofsky act. I understand. So maybe at committee I'll move forward an amendment that would call it the Sarah Hanafy and Arthur Lofsky Act in return.

I seek all-party support, unanimous consent, to send this bill back to committee to change the title of the act to the Sarah Hanafy and Arthur Lofsky Act. Do I have unanimous consent?

**The Deputy Speaker:** Even before I got up I heard a no to your request.

**Mr. Hudak:** Thank you, Mr. Speaker. It's always worth trying. One of my colleagues opposite said, “Just call it Sarah.” The relevance of the individuals you know by one name, like Lincoln and Kennedy and of course John F., not—

**Hon. Mr. Caplan:** The other Kennedy.

**Mr. Hudak:** Maybe you thought that way; I thought John F.; although Mr. Kennedy coming out against the motion to recognize Quebec as a nation I thought was an interesting move in the leadership politics.

We tried. I say to my friends Ms. Hanafy, Mr. Lofsky: We did our best to send it back to committee. I know you're looking forward to more committee time with me on a finance bill, maybe in the new year. Nonetheless, I did bring that motion forward to amend section 66 of the act, which was the short title of the act. Mr. Prue and I thought for a while that we had Mr. Arthurs on side, but then the heavy hand of Sarah Hanafy came down.

I will move on to a couple of other topics with respect to Bill 65. As I said, we have now for public perusal the consultation drafts of regulations, which, for those listening at home who feel so compelled, can be downloaded from the Ministry of Finance's site. They are invited to send their feelings by January 19, 2007, in about seven weeks' time or so, to the Minister of Finance.

I would encourage them, too, to send them to the opposition critics—to me, the member for Erie-Lincoln, and Mr. Prue, Beaches-East York—because we would enjoy having their input on this bill. Of course, my e-mail is tim.hudak@pc.ola.org. Simple referrals, I think, will cause some ongoing debate through the regulatory process, through the consultations.

There is no doubt: It's challenging to get the language right around this. There are people on both sides of the issue. I refer you to page 11 of your copy of the regulations for Bill 65—at least, it comes up as page 11 in my copy—simply titled “Exemptions from the Requirements to Be Licensed” and then “Simple Referrals.”

#### 1700

When it comes to referring borrowers to lenders, this regulation, if it was adopted by cabinet, would say, “A person or entity that refers a prospective borrower to a prospective mortgage lender is exempted from the requirement in section 2 of the act to have a brokerage licence or a mortgage broker's or agent's licence if the person or entity complies with both of the following requirements:

“1. Before or at the time of making the referral, the person or entity advises the prospective borrower in writing,

“i. that the person or entity has received or will or may receive a fee or other remuneration, whether directly or indirectly, for making the referral, and

“ii. of the nature of the relationship between the person or entity and the prospective lender.

“2. The only other information that the person or entity gives to the prospective borrower is the name, address, telephone number, fax number, e-mail address

or website address of the prospective lender or of a person who acts on behalf of the prospective lender.”

I think you understand the importance of the language around simple referrals, because basically there is a broad-based exemption for individuals who engage in simple referrals, subject to the circumstances described in regulation. So here we have the ministry's draft of regulations when it comes to prospective borrowers to lenders under the “Simple Referrals” definition. I think it is important that they note, for example, that a fee will be received. I don't think it says, though, the level of the fee. It just says that a fee will be received, as opposed to the exact amount of the fee that is received. I look forward to advice on that. The level of the fee I think will be important to many people. We certainly heard at committee that some were concerned that substantial fees were being given for simple exchanges of information and therefore maybe some other work was being done in return for that substantial fee, so perhaps that's something the ministry will consider, as to the value of the fees. I believe Mr. Prue and I had brought forward some advice around publication of fees or disclosure of fees during our committee hearings.

“Referring lenders to borrowers,” which will probably be the usual circumstance for consideration as well: Again, the fees or other remuneration will have to be disclosed and, importantly as well, consent in writing to give the prospective lender “the name, address, telephone number, fax number, e-mail address or website address,” as specified by the prospective borrower.

Lastly, as part of this, “Referral for no fee or other remuneration”: If a simple exchange of information took place without a fee being charged, the exemption would likewise be granted. So again, nothing in these two sections above affects the rights of a person who doesn't have a brokerage licence or mortgage broker's or agent's licence to refer those individuals I discussed, those two-way transactions, for no fee or other remuneration.

I know those who are reading along in their regulations packages will see that we then get to the section on lawyers and the governing of activities surrounding lawyers in their work when it comes to mortgages. I believe that the Ministry of Finance staff are probably very careful in their language. The Ontario Bar Association, among others, had highlighted the importance of getting the language right when it comes to the work of lawyers in administering mortgages, trading in mortgages and dealing in the mortgage industry. I look forward to their advice on that section of the draft regulations.

In the interests of time, despite the obvious excitement from my colleagues across the way, I will leave out the other exemptions that come under this part of the act, the simple referrals, and go directly to the issue I had referenced before, the education standards that would come into effect if these regulations as they stand are adopted. I'll note that under the section “Eligibility to Be Issued a Mortgage Broker's Licence” there is a reference to, “The individual has successfully completed a program of education for mortgage agents approved by the super-

intendent for the purpose of paragraph 5 of subsection 10(1)” in the act. Similarly, “The individual has successfully completed, within three years before applying for the licence, a program of education for mortgage brokers approved by the superintendent.”

This is followed by grandfathering exemptions for education and experience. I'll refer individuals to what's called page 21 on my copy to see if they have the balance right when somebody could be licensed based on their experience and how recently they have engaged in this business.

I do hope that some of my suggestions, as well as those that came forward from CIMBL, become part of the regulations either in this package or, if there's a revisit of these issues down the road, around the testing requirements. Hopefully our advice is followed as part of that.

I had mentioned another one of my proposed amendments to the bill that did not get adopted. The parliamentary assistant indicated that this would be followed up in regulations, and that's governing different brokerages that are in a business relationship. The government said they would address that through the principal broker regulations in the bill. This would put particular responsibilities on the principal broker to make sure that high standards are applied through all the brokerages that fall under that principal broker, and we hope that there will be some satisfaction. Again, I look forward to advice on this set of regulatory proposals to see if it matches the standard we had brought forward in amendments from the official opposition.

I want to emphasize again that I think Ontario can have the highest of standards by ensuring that items like presentations to the public and disclosures to prospective clients are consonant, to ensure that individuals understand the relationship between a mortgage broker, a lender and a borrower. I had mentioned some of the things I had brought forward, specifically one of our amendments. Again, the parliamentary assistant had indicated that they would instead do so through regulation. Indeed, in the regulatory package, a number of items to talk about: the duty of disclosure to borrowers and lenders that have a similar—actually, they have significant detail here and, I think, a similar principle that I had brought forward in an amendment on behalf of the official opposition.

In the interest of time—I know that my colleagues from the third party are looking forward to once again engaging in discussion on Bill 65. Again, while I do have finance staff here, on Bill 151 we had brought forward amendments in the same spirit that we had brought forward amendments on Bill 65. Unfortunately, due to a very tight motion in the House, debate was severely restricted at committee. Bill 151, the way it was handled, was probably opposite to the open relationship between the government and the opposition parties on Bill 65. We had hoped that that same spirit would carry on, and it was with regret that I saw a couple of amendments we had proposed that did not even have a chance to be debated at committee.

My colleague from Parry Sound–Muskoka is here. Bill 151, as you know, is reworking the Provincial Land Tax Act so that the Minister of Finance would basically act as the mayor and council and could set tax rates in unorganized areas in northern Ontario, as a municipal council would. My colleague Mr. Miller and my colleague Mr. Ouellette, who is the northern development and mines critic, are both here tonight, both giving me solid advice on this, because if the taxes are going to go up on properties in unorganized territories, it seems very reasonable that that money would go back in services for taxpayers in that area. The fear that my colleagues had, that they asked me to bring forward at committee, was that the bill would allow the Minister of Finance basically to collect the funds here to Queen's Park, and Lord knows how he would spend them. There are no restrictions on dropping the "G" from OLGC, for example. We're running out of letters there, but he may choose to drop another letter from OLGC.

I had hoped that those amendments had gone through in the spirit that those had gone through on Bill 65; unfortunately, they did not. Hopefully I'll have a chance to talk about Bill 151 down the road. But given the happy coincidence that my colleague from Oshawa and my colleague from Parry Sound–Muskoka are here this evening, I did want to again re-emphasize the importance that if the government does go ahead with the provincial land tax reform and is increasing taxes on residents in unorganized territories, at the very least the government should guarantee that the money goes back to support services in those areas.

Again, I appreciate the opportunity to debate today on Bill 65. Again, the official opposition are supportive of this legislation, and we appreciate the hard work of the minister, his PA and his hard-working staff in bringing this bill forward. We look forward to the discussion on the regulations in the time ahead.

1710

**Ms. Cheri DiNovo (Parkdale–High Park):** It's my pleasure to speak on Bill 65. Certainly, I give thanks to the member from Pickering–Ajax–Uxbridge and the member from Erie–Lincoln, who have shared their thoughts.

I know that the members opposite are waiting with bated breath to hear what the New Democrats are planning on doing about this legislation. Just so that they can relax, I should say that we, of course, are planning on supporting this legislation. However—and there's always a "however"—there are some concerns. I want to use some of my time in going over some of those concerns and hope that when this and if this goes back to committee—we hope it does—those concerns can be addressed in the body of the bill and not later on.

The government has said, and the member from Pickering–Ajax–Uxbridge has said as well, that the government in enacting and hoping to enact this bill is hoping to do three things: (1) to protect consumers, (2) to bring better regularization and (3) to provide better competition within the process. It's exactly within those

three mandates that we have some concerns partly about what's not in this bill.

I want to say, before I go any further, that we're certainly appreciative of the work of mortgage brokers and lending agencies in this province. My husband and I are just in the process of buying a house. We're going through a mortgage broker, not through a bank. We've had excellent service, and we're pleased that that option exists for us. Like many other Ontarians, I know that it's not only the service but it's also the interest rate that draws us there. As has been noted, there has been a huge shift in the way that Ontarians look for mortgages and negotiate mortgages over the last 30 years since this act has been brought back. Now 26% of all Ontario homebuyers are going through a mortgage broker. Apparently, 10 years ago that was maybe one in 10 to one in 15. So certainly the field has shifted dramatically.

I know also that this bill has significant support. It has support, as you've heard, from the Canadian Institute of Mortgage Brokers and Lenders, the Independent Mortgage Brokers Association, the Ontario Real Estate Association, the Law Society of Upper Canada, the Ontario Bar Association and the Canadian Bankers Association. So I want to thank those bodies as well.

**Hon. Mr. Caplan:** And now the New Democrats.

**Ms. DiNovo:** And now the New Democrats, as the member opposite has so accurately pointed out.

For those who are watching at home and perhaps wonder what this actually does, I want to go through a little bit of the history of this bill so it brings everyone up to speed. What is in the act? The Mortgage Brokerages, Lenders and Administrators Act, 2006, basically updates the Mortgage Brokers Act, the act that currently regulates mortgage brokers. That's what we've been discussing this evening. Under the old act, persons who carry on the business of lending money on the security of real estate are required to be registered with the superintendent of financial services. Certain financial institutions and employees acting on behalf of an employer are not required to be registered under the act because they are considered to be adequately regulated elsewhere; I'm going to speak about this in a minute. Individuals authorized to deal in mortgages on behalf of a mortgage broker, commonly called mortgage agents, are not required to be registered under the old act. Real estate brokers are deemed to be registered under the old act.

Under the new act, the following activities are regulated: (1) dealing in mortgages in Ontario; (2) trading in mortgages in Ontario; (3) carrying on business as a mortgage lender in Ontario; and (4) carrying on the business of administering mortgages in Ontario.

The new act also provides for four types of licences to be issued by the superintendent of financial services: a brokerage licence, a mortgage broker's licence, a mortgage agent's licence and a mortgage administrator's licence.

Corporations, partnerships, sole proprietorships and prescribed entities that carry on the business of dealing in mortgages, trading in mortgages or lending money on the

security of real property are required to have a brokerage licence. Corporations, partnerships, sole proprietorships and prescribed entities that carry on the business of administering mortgages in Ontario are required to have a mortgage administrator's licence. And individuals who deal in mortgages or trade in mortgages are required to have a mortgage broker's or mortgage agent's licence.

The new act does not deem real estate brokers to be licensed. Also, under the new act financial institution and their employees are exempted from the requirement to be licensed. This includes employees of financial institutions who do not work out of the offices of their employer. Individuals and institutions that provide simple referrals are exempted from the requirement to be licensed if they provide specified information to the prospective lender and prospective borrower and comply with additional requirements that may be prescribed by regulations. Lawyers also appear to be exempted from the requirement to be licensed.

The old Mortgage Brokers Act imposed—and I haven't heard this discussed this evening—foreign ownership restrictions on mortgage brokers. That act also requires a prospectus to be filed with the superintendent in respect of mortgage transactions involving land outside of Ontario. The new act does not include these sorts of restrictions.

We've heard it said that this process has been transparent. Certainly, a great deal of work has gone into this bill and on the committee dealing with this bill—so much work, in fact, as you've heard my colleague from Erie-Lincoln discuss it, that it's been almost a year to get to this point. You also heard him express a concern that we wish that the same transparency accompanied the discussion of Bill 151, instead of closure. So it's taken almost a year to get to this point. A great deal of input has already gone into it, and yet there are still some issues—issues that truly need to be dealt with, in the upcoming months, we hope.

This legislation, as it stands, does not determine the regulations. Certainly the minister of the day or the superintendent could vary those regulations dramatically. So of course we're looking forward to seeing what those regulations will look like. I draw the attention of the Speaker and others in the House to Bill 94, which sought to deal with regulating accountants. It was legislation similar to this bill, and yet now we have, when we look at the situation with accountants, a great deal of strife, a great deal of concern. Looking back, was it really a waste of time or not that the legislation dealt with Bill 94 in that way? We'd like to see that what happened with Bill 94 does not happen with Bill 65. And what that requires is that more detail be built right into the bill rather than as an adjunct. We hope that happens.

We note with some concern that there's not a penny for consumer education and protection allocated in this bill, and, in that sense, consumer redress. Although of course the bill does what it should do in some respects, which is to update the act from 30 years ago, we're concerned that it still doesn't go quite far enough for con-

sumers. When a consumer finds a problem with their mortgage broker or lender, where do they go? What happens? What is the process there? I notice that the Ombudsman is not discussed or noted here. We would like to see some discussion of the Ombudsman's role where Bill 65 is concerned.

**1720**

We also see that in this bill there are these exemptions. They're the exemptions presumably because of their own regulatory bodies. I gather the government hopes that their own regulatory bodies will take over in terms of regulating these other professions. Still, the exemption of them is worrisome and concerning, especially where educational bottom lines are concerned. If not those exemptions removed or those bodies included in this bill, we would certainly like to see where, in their own regulations, education comes into play. Again, this is for consumer protection. There, we see lawyers are exempt and employees of financial institutions are exempt. Even those you heard who are off-site and those who make referrals are also exempt from the body of this bill. If they are exempt, then we would like to know why, in particular, and what is it in their own regulations that covers the concerns that a consumer might have about education? We'd also like to see, in those who make referrals, what kind of education we're requiring of them, or are we requiring anything of them? Again, it doesn't go into specifics here.

I was pleased, by the way, to see that section 37 of this bill was struck out upon further reading in committee, I gather. This is section 37(1). It also bothered some of the stakeholders I spoke to. The Ontario securities council has the same powers to appoint a receiver in the investment business. That has been problematic, so I was happy to see that go. Looking at this bill through the eyes of a consumer, where they find redress, where they find an appeal process, what happens to them when something does go wrong?

Foreign ownership: I haven't heard a lot of discussion about foreign ownership here tonight. I wonder if this is something that should be looked at in committee in great detail. I wonder if this is a concern to anybody else who happens to be watching or listening about Bill 65.

I grew up in an era where there was Canadian nationalism. We were concerned about who owned the province of Ontario, who actually owned the land of the province of Ontario. Do we feel comfortable with a lack of regulations around this? Do we feel comfortable with the possibility that foreign ownership could own half or more of Ontario? I don't know. Again, it's not in this bill. One would want to see in the regulations, hopefully, something, at least a discussion around why all of a sudden it's left out, why we're not concerned about who owns land and who doesn't own land and whether it's important that Canadians own Canadian land or not. Hopefully, when this goes back to committee—we hope it does—that serious discussion of foreign ownership of our land will come into play there as well.

One of the things that I like to do when I look at a bill that is from a field that I'm not in is to discuss it with

stakeholders. Interestingly enough, a couple of the stakeholders whom I discussed it with have the same cautionary note. Again, I don't see this cautionary note in here, because there's not a lot in here in terms of the regulations, cautions or exemptions, and why. One would hope that this be brought forward in committee and dealt with in some detail.

One of the cautionary notes that came from both brokers and financial planners was about insurance. It was about errors and omissions insurance and fraud insurance and why there are no provisions in this bill for brokers and their agents to carry fraud insurance or errors and omissions insurance. This is looking at this bill from a consumer's point of view and also from a mortgage broker's point of view. One would hope that there would be in this bill some attempt to deal with that. Other regulatory bodies and other regulated bodies have to carry insurance, both errors and omissions, and fraud. Of course, we would like to see something around that as well.

One of the stakeholders whom I consulted was also concerned that there didn't seem to be anything in this bill making it mandatory for mortgage brokers to belong to provincial and national associations—that would seem to be a reasonable chain of command in terms of regulations—and that perhaps there should be some accountability of those provincial and national associations, not only of the mortgage brokers themselves—perhaps there should be some accountability of those associations, not only of the mortgage brokers.

So again, another concern. I didn't see it in the bill. I would hope that that concern is brought up at committee and would hope that the honourable members who have put in a great deal of time would put in just that little bit of extra time to make sure that these loose ends are tied up for the protection of the consumer.

As well, I noted the fines that were laid out in the bill. They ranged from \$10,000 in some instances up to \$200,000. Again, a question: We know that there are lending institutions and mortgage brokers of various sizes here. Perhaps these fines are onerous for someone who's small. Perhaps these fines are not large enough for somebody who represents a very large holding or a very large corporation. We would want to look maybe at some of the rationale behind the size of the penalties because we all know that, unless something can be enforced, it need not even be enacted. So enforcement is the question: How does one enforce what this bill attempts to enforce?

It gives the superintendent some considerable powers—police powers almost—to go into brokerages and look through records, etc. But what happens then? How does one enforce this bill, these regulations, on the very brokers and brokerage agents that this bill concerns?

Those are some of the concerns that we have as New Democrats. We have concerns about really the teeth of this bill: the financing, the matter of appeal. How does that happen? We have concerns about the lifting of the foreign ownership restrictions. That's a broad discussion.

It's a discussion that needs to happen and here's a good opportunity for that to happen. How do we feel about the very land that we stand on here in Ontario being foreign-owned, the majority of it? There's nothing in this bill as it stands now to prevent it, whereas in the old mortgage act there was.

Does the old mortgage act need updating? Of course it does; it's 30 years old. We bow to all of this incredible wisdom that's represented by the stakeholders here. But there are cautionary notes, and these notes are more than cautionary in the sense that they present a kind of slippery slope. We want the committee to really look at these: the insurance issue, the foreign holdings issue, the education issue, the enforcement issue and the lack of any money at all towards consumer education, which is paramount here, and for consumer redress.

There are larger issues, of course, as well for New Democrats than Bill 65 and what we'd like to see. Instead of debating Bill 65, we would like to have the chance to debate something coming from the other side of the floor about property tax. This government has refused to even look at the issue of property tax until after the next election. We think that's a particularly callous move. I know in my riding we have seniors in danger of losing their houses right now because of MPAC assessments. We'd like to see some movement on that now.

We know that our Ombudsman, in his wisdom—and it is wisdom—has made 22 recommendations around how MPAC could be reformed and informed, and this government has done nothing to move on those recommendations until after the next election. I know that my colleague Mr. Prue has not only done excellent work on Bill 65; he has also released a fact-finding mission's conclusions. It's called Ouch Assessment, and anyone listening and watching could find this at [www.ouchassessments.ca](http://www.ouchassessments.ca). You'll find there some concrete proposals for how we could make MPAC better, how we could address the issues of property tax which we haven't yet addressed. We would like to have a chance to debate that.

We'd like to have a chance to debate housing in its broader sense as well. I have a question to Mr. Gerretsen, the minister in charge of housing, as to how many units this government has provided in that \$300- to \$400-a-month range. Why \$300 to \$400 a month? Because this is the amount of money that anybody earning minimum wage as it now stands, anybody on Ontario Works or ODSP, can afford. So we can't really talk about units of affordable housing unless we can talk about how many units this government has provided at that. I've yet to get an answer to that question. I suspect that the answer is in the single digits. That's frightening. It's appalling because this government promised to provide 20,000 units of affordable housing. So again, we as New Democrats would like to have that discussion in the House.

**1730**

To conclude, to go back to Bill 65, and I know my colleague Mr. Bisson is going to have a lot to say about it

as well, those are our concerns. And they're not only our concerns; they're concerns of the stakeholders in the business whom I consulted. The concerns are about adequate insurance for brokers, both errors and omissions and fraud insurance. That's for the protection of them and also for the protection of the consumer. We're concerned about foreign ownership and the lack of discussion around the entire topic of foreign ownership in Ontario. We're concerned about the exemptions as well. Why are financial institutions and their employees exempt? Why are lawyers exempt? Perhaps there are good reasons, but we'd like to see those reasons enumerated, and we don't see that in this bill. If the exemptions have to do with their own regulatory bodies, then we'd like to see how they're governed by those regulatory bodies and what they're expected to do in terms of education and meeting certain bottom lines in the industry.

So with that, I'll conclude. Thank you for this chance to speak on Bill 65. As I say, certainly we'd like to see it move forward, but we'd like to see it move forward to committee where these myriad smaller points and not-so-small points can be dealt with in some detail.

**The Deputy Speaker:** Further debate? The member for Timmins–James Bay.

**Mr. Gilles Bisson (Timmins–James Bay):** Thank you, Speaker. I didn't realize there was no more time in the other caucuses.

I want to take the opportunity to put on the record a number of comments in regard to this legislation, the first of which I want to say is that we as New Democrats support this particular bill. We think it's a step in the right direction. We do think there are some things that could be done to make the bill better, and unfortunately that didn't happen at committee. For whatever reason, the government decided in its majority to not agree to some of the amendments that were put forward. At times in this place, Mr. Speaker, as you know well, that could be the reason why the opposition would vote against a bill. But in this particular bill, we think there's enough sufficiently good in this bill to allow it to go forward in its present format. We're not going to oppose it, as you can see in this debate. We're allowing this debate to go forward in a fairly timely manner because we think it's important that there is regulation around this whole issue.

I want to put on the record a couple of things; first of all, one of the comments my colleague Madam DiNovo had made, which was the whole issue of consumer education. One of the things that we need to recognize is that at the end of the day, the people who are the utilizers of whatever service need to have more information dispensed to them so that they're able to make some informed decisions. Speaker, you know as well as I that people need to make decisions on very complex matters, and at times, if they don't have that information in front of them, sometimes they make some bad decisions. Speaker, certainly not you; certainly not me. Oh, then I would be lying, right? Because we've made bad decisions in the past too. I'm sure we can point to a few of them, and that is because at times we have not had the

information before us to be able to make those decisions in a way that would have been to our advantage.

One of the things that we think is important is that the government be engaged, along with the professions that are involved in this activity of mortgages, to have the onus of trying to inform the consumer of their rights and what they need to be looking for when it comes to whatever activity they're doing when it comes to the issue of a mortgage. We think that's somewhere we could have probably put a little bit of teeth around the legislation and, quite frankly, could have not been a cost to us. It's a cost that should be borne by the industry. But for whatever reason, the government decided not to go down that way. I wish they would have; they didn't. But like I say, at the end of the day it's not going to stop us from voting in favour of this legislation.

Another part of this act that I have some problem with because it's a bit of a philosophical one, or an ideological one, I guess would be a better way of putting it, is that financial institutions that are involved in this business will be exempted from having to qualify their staff to be regulated under this act. It's the big guys, right? We all know the banks: They're poor; they don't have any money. Everybody knows banks; if the banks make \$1 profit a year, they'd be really lucky. You know I'm being facetious, Speaker. The major banks in this country make literally billions of dollars of profit every year. You look at the statements in regard to financial earnings of banking institutions in Canada, they're among the richest of the corporations out there in Canada. It's not unknown to see a first quarter result of \$300 million or \$400 million in profit on the part of one bank, and we're afraid to say, "Go and qualify your staff so they are not exempt under the legislation dealing with mortgages"? I just have a bit of a hard time with that particular aspect. That's something I would have liked to see, that everybody be treated the same.

Why is it that we always pick on the little guy? It seems as if this government and previous governments, when they're doing legislation, tend to say, "Let's regulate the little guy and let's not take on the big guy." I think that's a problem, because a lot of us come from the small business sector. That's where I'm from. I quite frankly get kind of tired—and I'm a New Democrat saying this, so please understand what I'm saying—of government trying to regulate their way through things on the back of the smaller businesses and not making the larger corporations live up to the same standard. This is one of those examples in this legislation, where we're saying a small institution or a real estate agent or whatever is going to have to go through this process of having to qualify their people under the regulations, but they're not going to have to do that if they work at a bank.

I just think, that poor old bank, we know they didn't make any money last year. I guess McGuinty is saying to the banks, "We've got to give you guys a break because you're so poor. You didn't make any money last year so we'll give you another freebie." I'm quite tired of that. I

would like to see the big guys treated with the same kind of rules that we have to work with at the smaller end. My theory is this: The large banks and larger corporations have all kinds of money to help themselves and protect themselves. The people who need to be protected and helped are the people at the bottom end: the small business sector, the working class people, those people who work hard every day in their business or their job to make a living to support themselves and their families, and in the case of the small business, maybe a couple of other families. We need to do what we can to support the small business people and not put all the onus on them. We need to make sure that the big guys don't get yet another advantage.

That reminds me of a story. The federal and provincial governments at one point were looking at changing the way we deal with insurance sales. There was a proposition at one point that the banks would be able to sell car insurance and home insurance at the point of sale where you're getting your loan. I always thought, man, what an unfair advantage that would be for the large banks. Imagine, you walk up to the CIBC and say, "I want to borrow \$30,000 to buy a car. I've got 10,000 bucks and I'd like a \$30,000 loan to buy a car." And you sit down and the loans officer says, "Well, Mr. Wilkinson, come on in. Sit down in front of me. We've got a deal for you. As a matter of fact, we can include the insurance." Poor Mr. Wilkinson across the way is going to go, "Well, I don't want them to say no to my loan, so I'm going to agree to sign on the dotted line and get the insurance sale at the same time." I think you and I would agree, that's a really unfair advantage against those small brokers who are trying to make a living selling insurance.

If that proposal had been accepted at the federal level with the banks and at the provincial level with the credit unions and the caisses populaires, we'd be in a situation where the big guys—you know, they're not big enough as it is? They don't have enough money coming in? They'd corner yet another market and all us little guys at the other end—I'm not an insurance broker, I want people to know; I'm an electrician by trade. I think insurance brokers—it's a business, it's a fair business, it's a legal business, and we shouldn't be giving that part of the business to another major corporation so in the end they can get even richer. How much money is enough for the big banks? They don't need our help. Those guys are doing quite okay without us. You figure out the money they're making on credit cards, on bank cards. The bank card issue is an interesting one because the banks won't even tell the committee in Ottawa that's responsible for banking how much money they make through fees, through bank machines. It's a machine to print money, literally.

And that's my point in this debate, in regard to this legislation. I don't think that large financial institutions should be exempted from any regulation that a small business has to go through as well. I think they need to be treated the same way. Those big guys have got enough things going their way. They don't need the provincial

government to help them out some more and then disadvantage an honest, hard-working small business person somewhere in northern or central or western Ontario. I don't think that would be the right thing to do.

I want to take this opportunity, because it is a finance bill, or a municipal bill as well, to deal with—actually, it's a finance bill, so it allows me to do a couple of things. I'm looking at you, Speaker, for a little bit of help here.

1740

**The Deputy Speaker:** It allows you to speak to Bill 65.

**Mr. Bisson:** No, but it's a finance bill, right?

**The Deputy Speaker:** You speak to Bill 65 and I'll sit here very quietly.

**Mr. Bisson:** You'll sit here very quietly. That's why we love you, Mr. Speaker: because you'll sit there very quietly and you'll accept this argument. That is, the whole issue around mortgages and the ability to buy property is also the ability to pay for and maintain that property once you own it. One of the things that we're seeing now is the whole issue of taxation on secondary residences or, as we would call them, cottages. There is a move afoot in the province of Ontario to say that all those cottages that are out in unorganized communities will be charged the same assessment as if they were living in a community. All I'm saying is that I won't be able to get a mortgage for a cottage or build one if I've got to pay the same taxes in an unorganized territory as you would in a municipality. So I argue the following: I really think that we need to make an amendment to the Assessment Act. That amendment seems to me a fairly simple one—and I know municipalities will get their feathers ruffled when it comes to this. Those people who own a house in a municipality—for example, you live in community X and you own a house, and you pay taxes on that house. You pay your education tax and you pay your municipal taxes on that house. Fine; not a problem, because you and your family get the service from the school board and the municipality, so you should pay those taxes. But I really think there needs to be a second level of assessment when it comes to your cottage. Why should you, in the same municipality, pay full taxes on your house and then go to your summer residence and pay full taxes on your cottage at the same rate? It just seems to me it's a grossly unfair issue, and as it relates to this act in regard to mortgages, you will not, as time goes on, be able to afford cottages—and I think they're a good thing for people to get for all kinds of reasons—on the present system of assessment.

I don't know about your riding, but I can tell you that in the riding I represent there are a lot of places in Hearst, in Opasatika, in Val Rita, in Moonbeam—my God, it's huge in Moonbeam—in Kapuskasing, Fauquier, Smooth Rock Falls, Timmins. A lot of people in those communities own cottages. For the most part, except for the city of Timmins, their cottages happen to be in unorganized communities. So somebody living in Kapuskasing pays their municipal taxes, and if they've got a cottage



out in Rufus Lake or Saganash Lake or wherever it might be, they're going to have to pay full tax as if they lived in Kapuskasing. There's no water, there's no sewer, there's not even a road. You have to basically fly in or take a bush trail to get to your cottage, and you're going to have to pay full municipal assessment. I think that's just wrong.

We need to recognize what it is. It's a seasonal home that people use for probably a total of about 60 days a year. Most places don't have hydro; they don't have the basic amenities; they haul their own water or they may have a pump that they power up with a generator. And we're going to say, "You pay taxes as if you're within the town of Kapuskasing or Opatatika or Hearst" or wherever it might be? I think that's grossly unfair. I think we need to make sure we have a taxation system that recognizes that the services you get should be a determinant for the taxes you pay. I think that's something that should be looked at in the confines of this legislation and others.

With regard to this act, the other part I want to talk about is those particular ones that are going to be licensed under the act. There are some really interesting articles that were written in regard to this particular issue. The problem is that you should always highlight all of the things you read so you know when you're in debate which part you want to refer to. Now I'm going to have to go by memory, because obviously I can't find very quickly the part that I wanted to refer to in this article. Anyway, my point was this: Under this act, we're going to be regulating the activities of certain people within this industry. I think that is an important thing to do, because we've all seen some really bad examples of how mortgages are dealt with.

I have to tell you this one story. People are not going to believe me, but this actually happened. A fellow came walking into my office about 10 years ago. I'm not going to give the name of the guy or the institution, because it wouldn't be fair. I don't have permission to do that, so we'll just call them both "X" and "X," all right?

So this guy comes walking into my office, and get a load of this. Pages, one day you're going to have to buy a house, and you've got to understand how this scam goes.

A guy walks into my office and says, "I went over to the bank in town"—I won't say where it was—"and I got a mortgage on my property to pay off the person that I bought the house from," because he bought the house and somebody else in the community had held a mortgage on it. So this particular individual had been paying for five or six years on the mortgage to an individual because it was a private sale. The reason he had done this was that he had gotten into financial troubles when he was single, he had gone bankrupt, and the banks would not touch him. So the only way he was able to get a mortgage was to go to an individual and have an individual hold the mortgage.

Now, as you know, there are people who are in the business of selling mortgages and holding mortgages, so this particular individual held the mortgage for this

particular guy to buy a house. The house, at the time, wasn't very expensive. It was an older home, and the mortgage on the house was about \$60,000.

The guy got a job. He worked in one of the local mills and he made some good money, and he was married and his wife worked. They had some kids, they had a decent family income, and then they started fixing up the family home. So he started doing work, replacing windows and plumbing, all the things you do in order to renovate houses.

To cut a very long story short, he goes to the guy he originally got the first mortgage from and he gets a second mortgage because he needs a little bit of money to finish what he started. He needed about another 10,000 bucks, because he had put about \$15,000 of his own money into it. He sort of ran up accounts at the building supply stores and he had to be able to pay off the building supply stores, so he went and got a second mortgage for an additional \$10,000. He continued to pay, and his mortgage rate was close to 20%.

He was sitting down one day at the mill and was talking to the guys around the lunch room table. Guys are talking about their mortgages, and this guy—I don't have another way to put it: He didn't know he could get a better deal. He just figured he was locked into this because he had gone bankrupt years before. He was paying the penalty, and he would have to continue paying an almost 20% mortgage.

Somebody said, "Hey, listen, Mr. X, you work hard, you've got a job, you've been full-time for five or six years and you've always paid your bills. Go to the bank. They'll lend you the money now. They can secure you because they know you have an income."

So Mr. X goes to Bank X and gets himself a mortgage. The bank says, "Not a problem. You can get a mortgage," and at that time they were at 4% or whatever it was. He signs the mortgage and basically starts making his payments at the bank. All right. End of story, you would think, right?

About a year later, the guy shows up at my office. They're going to repossess his house. I say, "What do you mean, they're going to repossess your house?" This is why we need this act, right?

Well, it turns out, when I started looking into it, that the guy had been paying the money to the bank but the bank had sent the cheque to pay the first and second mortgages to a lawyer. The lawyer in transition held the money inside an escrow account and had not paid off the guy who owned the mortgage. You know as well as I do that there could be a lot of money being made by certain people holding money in escrow accounts. For some reason, it was never being paid. Now, it turns out that this lawyer got in trouble, not just because of this, but he was involved in a whole bunch of other things and ended up getting in legal trouble. We'll just leave it that way.

But the point was, he was about to have his house repossessed. The sheriff's office had basically been given duly served papers from the courts on behalf of the person who held the first and second mortgage on the

original mortgage, and they were about to repossess the house.

Here's the worst part: The bank knew about it and did absolutely nothing. The bank, who gave the cheque for \$70,000 or \$60,000 or whatever it was—I forget the number—to the individual who held the money in escrow—and I'm trying to not divulge who all of these people are, because it's unfair because I don't have permission—did nothing. They knew that the house was about to be repossessed and they were doing absolutely nothing.

I say to the guy, "Come with me. We'll go to the bank together." So we jump in my truck, we drive up to this particular bank, and I say, "I want to see your loans officers in charge of this guy's mortgage."

The guy says to me, "Well, I think Mr. So-and-So's got a problem." I said, "No, buddy, Mr. So-and-So has no problem; I think you've got a problem. If you guys don't fix this problem real quick, I'll be out here with MCTV, Daily Press and anybody else I can get to talk about how incompetent you guys are at dealing with this particular guy's mortgage, because he's about to get his house repossessed as a result of an error that your bank has made."

It comes back to my point. What happened there is that the person who managed the account obviously wasn't as qualified as he needed to be, and we're going to exempt the banks from having to qualify their staff and we're not going to exempt mortgage brokers from having to qualify their staff? Where's the disconnect? So at the end of the day, we've fixed the problem for this individual constituent, but he's but one guy, one individual. How many other people get themselves in situations where they can be defrauded of their homes as a result of improper paperwork or, as I would say, incompetence on the part of the person who was dealing with that particular mortgage? That's why I wanted to say, in this debate, that we shouldn't have exempted the banking institutions from having their staff qualify. That example tells me that at times we need to make sure that the banks do a proper job.

What is worse about this particular case is that the bank wouldn't own up to its own mistake. They kept on

saying it was the individual's fault. I don't know what he did wrong. All he did was to make his mortgage payment every month as per the contract he signed, yet they were going to make him pay the price. They weren't interested in finding a solution. I just find that highly regrettable on the part of that banking institution and highly regrettable on the part of the people who were involved in that particular incompetence. I don't think it was a question that somebody knowingly defrauded by the bank. I think it was a question of incompetence on the part of the bank, and somebody knowingly trying to defraud in between, and the bank never caught on to it. I think that was a really sad thing.

Juste pour finir le débat sur ce point-là, comme parti néo-démocrate, on va supporter cette législation. On sait qu'il y a une couple de parties dans la législation qui auraient pu être améliorées, tel que j'ai proposé dans ce débat. Il faut s'assurer à la fin de la journée qu'on donne des protections aux consommateurs.

Les deux points que j'ai faits : on a besoin d'investir dans l'éducation des consommateurs pour s'assurer que ce monde-là est capable de prendre des décisions basées sur les informations qui font du bon sens. Ils comprennent bien leurs droits et ils comprennent comment le système marche. Deuxièmement, on a besoin d'être sûrs que tout le monde dans le système, y compris les banques, a la responsabilité de s'assurer que le « staff » dans leur système est qualifié pour pouvoir faire l'ouvrage qui est nécessaire dans ces institutions.

Je vous remercie, monsieur le Président. Vous avez été très patient. Comme d'habitude, c'était un plaisir. Je regarde encore pour avoir une autre belle opportunité ici à l'Assemblée législative de participer dans le débat avec tous les collègues qui ont écouté ce débat. Je suis sûr qu'ils vont prendre mes commentaires à cœur.

**The Deputy Speaker:** Mr. Arthur has moved third reading of Bill 65. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

This House is adjourned until 6:45 of the clock.

*The House adjourned at 1753.*

*Evening meeting reported in volume B.*

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