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Tuesday 28 November 2006

Mardi 28 novembre 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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The House met at 1845.

ORDERS OF THE DAY

ELECTORAL SYSTEM
REFERENDUM ACT, 2006

LOI DE 2006 SUR LE RÉFÉRENDUM
RELATIF AU SYSTÈME ÉLECTORAL

Resuming the debate adjourned on November 20, 2006, on the motion for second reading of Bill 155, An Act to provide for a referendum on Ontario's electoral system / Projet de loi 155, Loi prévoyant un référendum sur le système électoral de l'Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Shelley Martel (Nickel Belt): It's a pleasure for me to participate in the debate tonight. It would be no surprise to the government, because my colleague Michael Prue has already spoken, that we will not be voting in favour of this legislation. We have some very serious concerns. They were very well and very clearly outlined by my colleague the critic, Mr. Prue, but I want to reinforce some of the concerns he raised when he spoke in his lead-off about the bill.

Frankly, the concerns he raised and that I'm going to reinforce really stem from the fact that there are provisions in this bill, Bill 155, which are significantly different from recommendations that were made about electoral reform by the select committee on electoral reform. That committee, an all-party committee, was established by this assembly and was given the mandate to look at electoral reform. It was also given a broader mandate in terms of putting in the report some of those other election procedures, voting procedures and parliamentary procedures that might be looked at.

The question I have for the government with respect to the report that was made by the select committee and the recommendations is, why weren't the recommendations of the committee adopted by this government, and why don't they find their way into this bill, with two small exceptions? The committee, made up of all members of the Legislature, all parties represented, voted unanimously on the 10 recommendations. I have to ask the government, what was the point of the committee's work if the government didn't accept the recommendations from that committee? I think that group, in a very non-partisan, impartial way, did some really good work. I give credit to

all the committee members, two of whom are now in cabinet. I regret, however, that the government didn't see fit to adopt the recommendations, particularly key recommendations around the percentage that is binding for a vote and the important issue of who sets the referendum question. The committee made some very important recommendations in this regard, and these have been totally disregarded by the government. The government has chosen to do something altogether different, which I think will have some very serious ramifications on whether or not there will be a referendum and what the outcome could be.

From my perspective, it's important just to read into the record what the committee had to say about electoral reform, because I think they took their job very seriously and recognized that any electoral change could have significant consequences or ramifications for those who are voting in that jurisdiction. The committee said this at the start of their report:

"The committee wishes to highlight the significance of electoral reform, given that the electoral system has a direct bearing on the party system, the balance of forces within Parliament, the prevailing mode of government (e.g., majority, minority or coalition), and the political engagement and representation of the public.... The committee concludes that,

"(a) electoral reform should not take place without due consideration of the long-standing political traditions that Ontarians appear to value, such as stable government, and the close identification of members with local geographical constituencies; and

"(b) electoral reform should not take place without due consideration of the probable effects on the party system, on the composition and functioning of government, and on the effectiveness of Parliament."

1850

One of the other mandates of the committee that I just want to put on the record dealt directly with the issue of the referendum, which of course Bill 155 deals with. The committee said as follows in its report: "The committee's mandate includes considering the process 'for the referendum to be held following a review of electoral reform by a citizen assembly ... and [it] may make recommendation on the requirements for a winning referendum.' Having heard from various experts in Ontario, and having consulted with electoral officials in a number of jurisdictions, the committee had several observations and recommendations." I will address those as I outline my concerns.

The first issue where the committee made a recommendation, and the government has chosen to do something altogether different, has to do with the setting of the referendum question itself. Subsection 3(1) of the bill states, "The referendum question, both in English and French, shall be established by an order of the Lieutenant Governor in Council." That means, in simple language, that it will be the cabinet of the day that will set the referendum question.

What did the select committee have to say about the important issue of who sets the referendum question, who has responsibility for setting that question? The select committee said the following in recommendation number 6: "Responsibility for the referendum question(s)—including the wording and the number of questions to be asked, and the number of referendums to be held—rests ultimately with the Legislature, acting on the advice of the citizens' assembly, the select committee on electoral reform and, if required, Elections Ontario."

So the committee was very clear that the responsibility for setting of the question rests with all of us, all members of the Legislature. We can act on the advice of the citizens' assembly when they bring forward their information and their recommendations. We should certainly incorporate what the select committee had to say, given the good work they did on this issue and, if necessary, take into account what Elections Ontario has to say in this regard. That was the recommendation.

The committee had this to say to support that recommendation on page 46 of their report:

"Responsibility for the Referendum Question

"In British Columbia's referendum, the question (Should British Columbia change to the BC-STV electoral system as recommended by the citizens' assembly on electoral reform? Yes/No) appears to have been drafted by the assembly and accepted by the government. In the press release accompanying the announcement of the second referendum, scheduled for 2008, the BC government notes that 'A referendum question will be crafted by the government and will be debated and voted upon in the Legislature.' While visiting the Electoral Commission Office in Scotland, the committee learned about guidelines that are used by the office to advise the government on the objectivity and neutrality of the wording of referendum questions." There's an appendix that outlines that process further.

What is clear is that the select committee made it very clear that responsibility for the referendum question should not be the government's, should not be cabinet's—in fact, had to be the responsibility of all members of the assembly, taking advice from other quarters into account.

Why? Because there's nothing impartial about the government setting the question. That becomes very partial, very partisan, and it needs to be a much broader group of people who participate in that if we are at all serious about having a question that people understand, that people will engage in in terms of debate, that will make sense for the changes that are proposed.

I find it very regrettable that on this important issue of who sets the question, who has that responsibility, the minister and the cabinet would decide that what the select committee had to say after all its deliberations was for naught, meant nothing, had no impact and no significance, and, instead, it will be the government itself who will make that very important decision. I think that taints the whole process from start to finish, if indeed there will be a referendum question. We don't know that, but this is what the bill sets in place, given what the citizens' assembly might say to us. But I don't see how people can have faith in a question that was not adopted by all members who have been sent here by representatives from the ridings that we represent, representatives who should have a say in determining what that question will be.

That's the first very serious concern I have.

Flowing from that is the next section in the bill, which says—this is subsection 3(2)—"The wording of the referendum question shall be clear, concise and impartial." The issue, again, relates back to recommendation 6, where clearly the committee says that the assembly should be dealing with this on the advice from other parties. If it's only the government, indeed only the cabinet that's setting the question, then it's only the cabinet that makes the final decision about whether or not that referendum question is clear, concise and impartial. There's nothing impartial about that at all. That is a very biased circumstance. I think that taints the process. I think it is unfair when any change in an electoral system will affect all members of the Legislature, not just the governing party, indeed not just the cabinet. There should be, there needs to be and there was recommended to be advice, input and participation by all members. That the government has chosen to ignore that is a question that the government has yet to answer: why they thought it was fit to do something different from what had been recommended by a committee of members of this assembly.

The next very serious issue has to deal with a decision threshold. This appears in section 4, entitled "Decision threshold":

"4. The result of the referendum is binding if the recommended electoral system is selected in,

"(a) at least 60 per cent of all the valid referendum ballots cast; and

"(b) more than 50 per cent of the valid referendum ballots cast in each of at least 64 electoral districts."

That's what the government has decided will be the threshold. That is quite contrary to the recommendation that was made by the select committee. Recommendation 4, on page 6 of the committee report, says the following, "The referendum should be binding upon a vote of 50% plus one, and the support of 50% plus one in at least two thirds (i.e., 71) of the ridings, or any other formula that ensures the result has support from northern, rural, and urban areas of the province." So it was very clear that after all their deliberations, after all their review of other political systems and how they work, the committee

unanimously adopted a recommendation that said the decision threshold had to be 50% plus one. I don't know where the minister or the government got 60% from and I don't know why they think 60% is legitimate.

Let me return again to what the committee had to say on this important matter. This is on page 45 of their report, under the title "Margin to Make Results Binding."

"In British Columbia, the referendum legislation stated that the vote was binding on the result of 60% (either yes or no), plus a simple majority (the same way yes or no) in 60% of the constituencies. The final result was 57.7% in favour of BC-STV, and a simple majority in favour of BC-STV in 77 of 79 constituencies. The BC referendum was thus not binding either way. Some have argued that it was therefore advisory, and provided a comfortable margin for the government to have moved forward with the proposal, if it had so wished," which the government did not.

"In New Zealand, the referendum that brought in MMP was binding on the result of a simple majority (50% plus one vote).

"Arguments for a supermajority (i.e., anything more than 50% plus one) tend largely to be about whether or not changing the electoral system is too important to be undertaken with the barest of margins. The committee heard of no other instance (other than in British Columbia) of an electoral reform referendum with a supermajority (i.e., not in Scotland, Wales, Italy, Ireland, etc.), and although most of the advice the committee received was for a simple majority (50% plus one), there were dissenting opinions. At the same time, the committee was unhappy contemplating a situation such as that in BC where there is a 'grey zone' where the result is fairly conclusive, but is not binding. Other possible conditions were discussed, such as requiring support in specific regions, or in rural versus urban ridings, or setting a threshold for voter turnout that would have to be crossed in order to validate the result."

After that is the committee recommendation: "The committee recommends" again "that the referendum be binding upon a vote of 50% plus one"—the two important references there are "binding" and the threshold of 50% plus one—"and the support of 50% plus one in at least two thirds (i.e., 71) of the ridings, or"—as the committee also decided—"any other formula that ensures the result has support from" across the province.

I would have thought, given the experience in British Columbia, that this government would absolutely have not used the threshold of 60%. It seemed to be the only jurisdiction the committee looked at where that had been used, and frankly the results in British Columbia were, as we have seen, very dismal indeed. It does make me wonder whether, if the government was not interested in electoral reform, it would move to a threshold that clearly was close in British Columbia, but not close enough to achieve electoral change and electoral reform change. Clearly, if the committee had looked at a number of jurisdictions and this had been in use in a number of

jurisdictions, then the government would have some ground to stand on.

1900

I remain very concerned and pose the question again: Why is it, in light of this very important recommendation made by the select committee representing all parties of this Legislature—a unanimous recommendation—that the government refuses to accept the wisdom of that committee after their deliberations and instead would move to a threshold that, as we have seen in British Columbia, was doomed to fail? It makes one wonder if we are not absolutely setting ourselves up for failure if the citizens' assembly recommends a referendum with the 60% threshold that appears in this bill; if we are not just setting ourselves up for failure in the same way British Columbia did.

I guess, if you're not interested in electoral reform, that's the way you go. If you are interested in electoral reform and in looking at what works in other jurisdictions and what will engage people to vote again in a way they are not engaged now, you would probably go with something different. Fifty per cent plus one recognizes, for example, how Newfoundland got into confederation and represents voting that has taken place in Quebec on a number of referendum issues. That is the threshold that has been used, and I see no good reason for the government to use something else, especially in light of the failure in BC and of what this House's own select committee recommended.

I also remain very concerned about public education. The committee had a really good recommendation around informing the public of the changes and ensuring that there was a party—not political party but an agency or organization—that would have responsibility for ensuring that the public was well aware of the changes that were required long before the referendum, so the public could make an informed decision about that referendum question. The committee said in its recommendation number 7, "Elections Ontario (or another appropriate and neutral body) should be charged with the responsibility for ensuring that every voter receives adequate information about the arguments for and against each side of any question that is put to the people. Elections Ontario (or another appropriate and neutral body) should also be asked at the earliest opportunity to prepare a plan for an effective, participatory, pro-active public education campaign, with an emphasis on enabling voters to participate in town hall meetings or other community forums."

I recognize that the bill is about setting in place a potential outcome, because we don't know what the outcome from the citizens' assembly is going to be. Having said that—I just read into the record what the committee has recommended around public education—I want to look at what the government has proposed in this regard. This is done in section 19, the regulation-making section.

Frankly, the government doesn't appoint Elections Ontario to be in charge of ensuring that every voter gets

adequate information about both sides—not Elections Ontario, not any other body. Elections Ontario is given the responsibility of “prohibiting any person or entity from organizing a campaign to promote a particular result in the referendum or advertising for that purpose unless the person or entity is registered with the Chief Election Officer....” So if you want to be on one side or the other, you register, as a lobbyist would, with the Chief Election Officer.

Secondly, the Chief Election Officer is responsible for dealing with applications, including registration, to make sure that whatever criteria are going to be set for registration are met.

Thirdly, the Chief Election Officer has to provide information to the public that relates to the registered referendum campaign organizers. So the only responsibility of Elections Ontario around information on one side or the other is to give the public information about who is registered on one side or the other, and then you go yourself and make your inquiries about what they have to say. That’s a far, far cry from what the select committee recommended, which was that Elections Ontario or another body be given the important task of making sure every voter had information, for and against, on the question—on the questions, if there were more than one—and that it was the responsibility of Elections Ontario to make sure that that organization got into the hands of all potential electors the necessary information about the changes proposed, for or against, so people could make a legitimate decision.

No doubt that costs money. One of the problems in British Columbia was that the government there did not allocate enough money for a good public education campaign to be undertaken. The government allocated about 25 cents when vote BC said about a dollar per voter would have been necessary to make sure that voters were clearly advised about the positions for and against and were clearly informed about their choices.

This bill is silent on any kind of funding that the government proposes if indeed there is going to be a referendum process. But more importantly, I think the bill negates the important recommendation that was made by the committee to have Elections Ontario or another organization truly responsible for a major public education campaign—town hall meetings etc.—that would give both the pro and the con with respect to the question. Again, one needs to ask the government why they didn’t take the recommendation of the committee seriously in this regard.

So I have serious concerns about the bill. I don’t know why the government didn’t accept all of the recommendations of the select committee. I am certainly opposed to the changes they are making that are different than the recommendations made by the committee.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mrs. Linda Jeffrey (Brampton Centre): I wanted to use the limited time I have tonight to talk about the future instead of the past. We have the luxury in this House of

getting clippings from all over Ontario. I read a really nice article that I thought I would share with members in the House tonight. It was written in the Owen Sound Sun Times by Anita Droog. She is actually the citizens’ assembly member from Bruce–Grey–Owen Sound. She’s the member from Bill Murdoch’s riding. She was born in Toronto but some of her childhood was spent in Holland. She worked in Canada in 1964 and now lives in Durham. She’s been married for 33 years and has two children, and they’re proud grandparents. She wrote a really nice article in the paper to kind of explain her role as a citizens’ assembly member, and I thought I would share that this evening. She wrote:

“I have driven past this wonderful building many times, but had never been inside to see what it’s all about. We as Ontarians should be proud of this beautiful building, its heritage and all that it stands for.

“We at the Citizens’ Assembly on Electoral Reform were able to see this handsome monument after hours, as we were waiting to have dinner with the Lieutenant Governor of Ontario, James K. Bartleman. During the dinner, he told us of the different kinds of electoral systems he has come across during his career.

“As you may know, our mandate is to assess Ontario’s electoral system, and others, and make a recommendation whether Ontario should retain its current system or adopt a different one.

“You might be asking, why do we need to look at our electoral system? And how do we get there?

“We at the assembly are starting this learning process from the ground up. We need to look at how well our system works and why our voter turnout is declining. We also need to see how the number of votes a party receives is reflected in the number of seats” that they earn.

I guess I wanted to share that with people tonight because I think these individuals are putting a lot of time and effort into the process that we think is very important. Our referendum legislation is an example, and clearly a practical way that we show the importance of our level of work.

Mr. Norm Miller (Parry Sound–Muskoka): It’s my pleasure to add some comments to the speech of the member from Nickel Belt this evening on Bill 155, An Act to provide for a referendum on Ontario’s electoral system.

The member did a good job of talking about the select committee on electoral reform, which was an all-party committee that met a year and a half ago or so, and the recommendations that were made by that committee. She correctly points out that the threshold for a referendum which has been picked by the government is different than what was recommended by the select committee on electoral reform. This bill, Bill 155, is really about the rules for a referendum that would be held on October 4, 2007, after the Citizens’ Assembly on Electoral Reform makes a recommendation on how we elect people to the Legislature here in Ontario. If they make a suggestion for a change—and I would suggest that people who are spending eight or nine months looking at electoral sys-

tems are likely to come up with a change—that sets the rules for the referendum, including the threshold.

1910

Another item that the member from Nickel Belt talked about was public education. She correctly points out that in BC, one of things they learned from the electoral reform process they went through was that they didn't allocate enough money to educate both sides of the question of whether you were in favour of their new system. The system they chose was a fairly complicated one called "single transferable vote," which really required quite a bit of education for people to make an informed decision. That's something the select committee on electoral reform here in Ontario pointed out needed to be addressed if we're going to deal with electoral reform here in Ontario.

Mr. Gilles Bisson (Timmins—James Bay): I want to echo some of the comments made by my colleague the member from Nickel Belt. It's a bit of an odd process that we're into. First of all, the government is saying that all of the work these people are going to do in order to try to give us some recommendation as to what should be on the ballot question, come next election, is going to be for naught because they're going to set the bar so darn high that at the end of the day there's no chance that it's going to get passed. Even if you got 60% of the vote, it's got to pass 60% of the ridings in Ontario. It's really interesting that in Canada we allowed Newfoundland to join this great nation with 50% plus one, we allow Quebec to separate from Canada at 50% plus one, and then we turn around and we say in this particular instance we are going to set the bar so high that basically no change is possible.

This is a bit of a sham, and I think it's a real slap in the face of those people who have been set to do the work we have asked them to do when it comes to consulting with people of Ontario. You've got a lot of eager people, like people in my riding who have been appointed—Lise, who has done some really good work, cares about this issue passionately—and you're saying, "After you've done all this work, you've got this 60% bar that you've got to pass." In democracy we have a thing that's called 50% plus one. It seems to me that the government should at least live up to the same standard.

I want to get an opportunity a little later to speak to this more fully, and I look forward to that opportunity, but I want to say to the government quite clearly that we understand what this is. This is the government trying to tell Fair Vote Canada and others, "We're all for change, we're all for moving to PR, and we're going to set a process by which to do it." But the process is so limited in its final outcome because of what you set as the bar that it will be pretty darn hard to get anything done by way of a referendum.

Mr. Richard Patten (Ottawa Centre): I want to respond quickly to the member from Nickel Belt and also the member from Timmins—James Bay. Of course, we all know that in this whole debate these numbers have a vested interest in terms of which group you're talking to.

If you're talking to the Green Party, of course, they want seats. They're anxious to see it maybe at 45%. Can you imagine 51% to separate from a country or 51% to change the whole way in which you democratically elect people?

I would refer some of the members to an article that was done by John Ibbitson, who talks about the history of this country. He talks about Meech Lake. Every single province had to sign off on a change in how we had our Constitution, a change in how we had a Senate arrangement, a change in how we had our representation with different things—every single province, 100%. So don't tell me that 51% is the most just and fair when you're changing the total structure of the operation of your country and you're saying one more person on this particular day, in that particular province, in that particular part of Ontario is the person who is going to make a difference. No, it's not decisive enough. I'll tell you, I was on that committee, and there was a lot of debate on that. Frankly, I went along with the majority but I suggested 55% would be a good figure to have, in that particular range. I'm not ashamed to say that. Our party is open. We share our views amongst each other. We have these kinds of discussions, and that's fine. But 51%: In other words, 50 people there, 50 people there and one person say, "We're going to decide the future." What a divisive arrangement you have in this particular province, this city, this country or what have you. I suggest to you, rethink that. Read the article, "So What Signals a Consensus?" by John Ibbitson.

The Acting Speaker: That concludes the questions and comments. I'll return to the member from Nickel Belt.

Ms. Martel: I don't know when John Ibbitson became such an authority on electoral reform. He writes one article, and this is what the government clutches onto in terms of their defence.

Mr. Patten: I'm not the government.

Ms. Martel: Well, the government did. Your other colleagues the other day, when this was debated, clutched onto this argument about how John Ibbitson had written this article and said that 60% is a threshold, and shouldn't we listen to him. For goodness' sake, the select committee unanimously makes a recommendation of 50% plus one. You know what? I trust their judgement. They're elected members of Parliament. I think they've got more authority on electoral reform and elections than John Ibbitson does. I really regret that the government has failed to accept the recommendations of the select committee, after all the good work that was done, after the committee looked at other jurisdictions and saw that they used 50% plus one and after the committee saw the failure of 60% in BC.

You know what? We've got 103 people who the government has set up to do very good work, and they're going to do very good work. You know what's going to happen if they decide to have a referendum because they want change? That bar is going to be too high. We have set them up for failure, because the government has

chosen a bar that was too high in British Columbia and a bar that hasn't been used anywhere else.

I wonder why it is that the government has yet to tell the members of this assembly why they didn't think the work of that committee was good enough, why they didn't think the judgment of those committee members—honourable elected members in this assembly—was good enough for the government to accept in Bill 155. It's not just the issue of the threshold; it's also the important issue of who sets the question, because when cabinet sets the question, that is not impartial and that is not legitimate. That taints the process right from the start. It is most regrettable that the government is moving in that direction.

The Acting Speaker: Further debate?

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):

Mr. Speaker, just before I start to speak to Bill 155, I want to advise you I'll be sharing my time with the member from Nipissing.

I'm very encouraged and excited about the debate that's been going on here in the Legislature, not only today but the earlier debate that went on. Early on in this mandate, my first mandate here, I had the opportunity to bring forward a private member's resolution at that time, as opposed to a bill, and it was on exactly this matter. As a matter of fact, it preceded by a short period of time Minister Bryant's introduction of legislation dealing with the establishment of a citizens' assembly and the like. The debate in that particular one-hour private members' time was interesting. All parties engaged in it. There were quite a number of members in the Legislature, which was very encouraging. It certainly showed that there was a tremendous amount of interest on all sides in the matter of electoral reform and how we might proceed in that regard. I think at that time, some of the folks felt that what I was bringing forward was a motion that was talking to proportional representation as an immediate outcome, as opposed to talking about a process that one might undertake and the reasons for that.

I want to speak a little bit about some of the important reasons why we're now into at least a third set of discussions here, plus the public engagement, which is the most important part. But this is our opportunity as well to have on the record, for the benefit of those watching, why we want to explore alternative electoral reforms and determine whether or not there is a better system, or if the system we have is as effective as we can have at this point and should continue.

We've had a lot of discussion around some of the issues, such as the gender balance in this place. We have talked a lot about the sparsity of female members of the Legislature, and those percentages really haven't changed very much, in spite of the population base. Time permitting, I'd certainly like to comment later on the assembly reform that might be required, how we do our work inside here, in addition to how we elect people. We've heard about that during the select committee process as well. But clearly, the public is interested; the experts we've heard from, the public we've heard from

are interested in ensuring that this place is better reflective of the community at large. One of those elements certainly is the male-female ratio within this place. There may be better mechanisms to achieve a more reflective balance of the community in that regard.

1920

I think a lot of the discussion has centred around the demographics of our province. We're not the province we were 50, 80, 100-plus years ago; we're a very different province. We've changed our attitudes in this province, in this country, in regard to the different makeup of our communities, and this place doesn't fully reflect that. We need to be cognizant of the opportunities the public have to explore means and mechanisms to make this place more broadly reflective of the community in which we live.

There's been lots of discussion during this process about the disengagement of young people in particular and how we create an environment for another generation of not only political interest but public interest in participating in the electoral process, both at the polls and within the system of selecting candidates, of working during the course of mandates on behalf of parties. That's all been part of this broader discussion around electoral reform. It's not just how we elect people; it's much more about how we engage the population of this province the next generation and the future generation in their community to ensure that democracy in the province remains strong.

Clearly, over the years, we're increasingly familiar with a diminishing voter turnout, whether it's at the federal level, the provincial level or, probably most starkly, at the municipal level. We've just come through a municipal election, and one only needs to look at the voter turnout in various jurisdictions throughout the province to recognize that fewer and fewer of our citizens are seeing relevance in exercising the franchise they have. They may still be interested in what's happening at town hall, but they're certainly far less interested in taking the time to go out and mark a ballot for their municipal councils or their school trustees. This discussion, this public discussion, should be as much about the engagement of communities, about involving young people in this process, about better reflecting the demographics, the change in our province, about better reflecting the gender balance in places like this, and maybe less so on some of the minutiae.

I had the opportunity just last Friday to have a young lady, a senior student at high school doing her OACs, preparing for next year, ideally to go off to the University of Ottawa and pursue political science and maybe law—and she's chosen to engage in this process as a student and through the citizens' assembly. She was interested in my views generally on the process. She was interested in what I thought would be the best outcome, and I respectfully declined to provide a definitive view in that regard, because that's what this process is about. But she was anxious in talking about having gone out to meet with some of her peers at the various schools and the

level of interest, or lack thereof, that they were taking. To me, it was quite encouraging that a young person at that age would take on this task and would want to go out and meet with her peers. In some cases, she was saying, in meeting with some of them at student councils, there was a tremendous amount of engagement and interest because they had already expressed some interest. In other venues, in a broader sense, her peers were saying, "So what's this all about?" We're probably missing the mark along the way in educating young people just to get them ready for their opportunity to vote.

I had the opportunity to participate on the select committee, and it was a rewarding experience. I had the opportunity to hear from a vast array of individuals and groups, those with academic and practical experience in governance models. I had the distinct opportunity, as one of the subset of that committee, to travel with peers on all sides to Europe. We visited Germany, Scotland and Ireland on a 10-day whirlwind tour there and back. During that time, I had the opportunity to talk not only about the electoral processes and configurations; we had the opportunity to talk about the work environment for legislative members.

Interestingly, as a side note, in Scotland they provide daycare within their assembly building, so that if young mothers, or not-so-young mothers—as the case may be—or fathers, but primarily mothers—are elected to the assembly, they can bring their children and have them cared for, be able to work and see them during the day and do those things. While it's certainly the type of thing that encourages or provides a window of opportunity primarily for mothers to engage in the electoral process as candidates and as members, they structure their schedules so they finish their business day, for the most part, at what might be thought of as a more reasonable hour than we do here some evenings, being 9:30 or, on occasion, midnight. They finish their workday at 6 or 6:30, maybe 7 at the latest, and because of their physical environment, many people can make it home, but they can keep what might be considered a more real family life. So there is functional reform that we might consider outside this process within the context of this assembly.

As I say, I had the opportunity to share those experiences with some of my colleagues in those jurisdictions, each of them being different, each of them approaching governance differently, each of them selecting members of their Legislatures in a different way. The one thing I found of particular interest, though, was that every system had, at least in part, a first-past-the-post means of electing many of their members. Regardless of the variation that was chosen, there was a fundamental theme that was not unlike what we have here today.

I think what we're doing here is important. It's important because of all those other activities we're trying to achieve or the engagement we're trying to achieve. I'm hoping, as we finish this and the citizens' assembly in this process continues, that we will continue to encourage through this process the engagement of more and more of our constituents in the electoral process.

Mr. Speaker, thank you for the time, and I'd just say that I will share my time with my colleague from Nipissing.

The Acting Speaker: I recognize the member for Nipissing.

Ms. Monique M. Smith (Nipissing): I'm delighted to speak tonight to Bill 155. I had the privilege as well of sitting on the select committee on democratic renewal with some of my colleagues who have spoken here tonight, and it certainly was a learning experience. As a lawyer, as a former staffer here at Queen's Park, as someone who studied politics and as someone who has lived the political life through my family and now in my own adult life, it was an interesting exercise to see how people view the political system, the voting system.

We had deputations from a number of different groups who were trying to put forth their view of how the system should run and why. Different goals were expressed by different groups. Some, as my colleague stated, were looking for more representation for women, how to engage more people in voting, how to engage our younger people in voting for the first time. These were all interesting discussions that we had.

We also obviously discussed different forms of voting and different electoral systems that we see in Canada and around the world. I had the privilege of travelling with three of my colleagues out to Vancouver and Victoria, where we met with people who had served on the citizens' assembly there, and we studied first-hand the model that BC adopted.

The province of British Columbia went through an extensive exercise of consultation through their citizens' assembly and put together a referendum question that was voted on, as the member from Nickel Belt alluded to. We did take a great deal from our discussions with the members of the citizens' assembly, the people who ran the whole process, some of the elected officials who were involved in setting up the process, and I believe we have taken some of the best recommendations they had in that process and brought them forward here in Ontario in order to best serve our citizens as they choose how they wish to be governed in the future.

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What we're doing today through the citizens' assembly is setting out an exercise for all Ontarians to participate in a discussion on how we run our elections in the future. I think this is really an unprecedented exercise for the province and one that I'm hopeful citizens will engage in and participate in fully.

Tonight, in Nipissing and in Thunder Bay, our citizens' assembly members are meeting with citizens of Ontario. It's open to the public. In North Bay, our meeting is being held as we speak—yes, they're speaking now—from 7 to 10 at the Indian friendship centre.

Our discussion in Nipissing is being run by our citizens' assembly member, Rollie Gibeau. Rollie is a retired gentleman. He has lived in North Bay for 20 years. He has been married for 45 years. He is a former appraiser, with the Canada Mortgage and Housing Corp.

for 30 years. He travelled around a bit in that job, settled in North Bay, and decided that he wanted to use his retirement time productively and came out when called for the assembly activity. Rollie also volunteers with PhoneBusters, and I had the privilege of actually running into him at the PhoneBusters celebration just 10 days ago and having a chat with him about his role on the citizens' assembly, how it was going, how engaged he felt in it. He did express to me some concern about the meeting tonight and getting enough people out, so we helped him out with that and made sure there was some press coverage on the fact that the meeting was being held. I'm happy to report that we had about 35 people there tonight, including some students from Nipissing University who are studying political science and including some media students from Canada College who are taping the proceedings for TVO. So we've engaged some young people in the exercise even at the local level, and I am hoping that the discussion will be fruitful tonight in Nipissing and that people will come away with much more information about the process and the different proposals that are being discussed.

The media is there as well tonight, which I am encouraged by, and hopefully there will be some good coverage so that those who weren't able to attend the meeting will hear about it and know about the exercise that we've undertaken and the input that the average citizen in Ontario can have in this process in determining how we're going to vote in the future.

Some comments have been made about the threshold that we have set for this vote. I was on the select committee that made the recommendations. We had a full and frank discussion, and I have to say that there were many views in committee on what threshold should be put on the vote. The member for Nickel Belt said that BC was the only jurisdiction to adopt the threshold that is set out in this legislation. In fact, that's not true; so did PEI. These are really the only two jurisdictions in the country that have undertaken an exercise in democratic renewal to the extent that we are doing here in the province of Ontario.

This could be a foundational shift for the province, should the citizens' assembly recommend a change in voting procedures. I think that in order to adopt any kind of change of that magnitude in our system, in our democratic process in the province, we need to make sure that a good majority of Ontarians support the decision. I don't think we're going to increase the engagement of our citizens in the province in the voting system if they don't endorse the changes that we want to bring in. So without a 60% threshold, we wouldn't have that strong endorsement from Ontarians for any kind of change.

The member for Nickel Belt also raised some of the concerns that we heard about the education process and people's engagement in the process once a recommendation has been made, or how they will be educated, moving towards a referendum. We heard a lot about that. The member from Beaches–East York was with me in Vancouver. We heard a lot from the citizens' assembly

about their frustration in the education process. In the regulations in Bill 155 we set out a process for educating, a neutral process for giving the information to Ontarians so that they can make an educated decision on whether they approve or not the recommendations of the citizens' assembly.

I want to just go back to some of the discussion by the member for Pickering–Ajax–Uxbridge about our students' involvement and our youth involvement. Through the process, the Ministry of Democratic Renewal has also engaged a youth assembly, and I think this is really an interesting idea that our government has embraced and set out for our youth. This wasn't tried in British Columbia. This is an idea that I think was homegrown.

Jessie Paul, from my riding, attended the citizens' assembly for our youth in Huntsville. Jessie goes to Nipissing Secondary School on the Nipissing First Nations reserve, which is in my riding. Unfortunately, Jessie and I haven't connected yet. I called him a couple of times. We haven't quite caught each other, but he left me a message asking me some questions heading into the assembly and I know he was very much engaged in the process.

I hope that all the students from the 103 ridings who attended the students' assembly will have had an opportunity to benefit from that and learn, as we did, about the different electoral systems that are available worldwide, the pros and cons of each, and determine what they think, as students, would be appropriate moving forward, because one of our many goals is to engage the youth of the province in voting, in the democratic process, in taking their social responsibilities seriously. So if we have youth across the province, as the member from Ajax discussed, who are engaging their fellow students in a discussion on electoral reform, I think we are going a long way to improving awareness among students of their democratic rights, of their obligations as we'd like to see them, and engaging them in future electoral reform but also in the electoral process in the future.

As I said, I was privileged to sit on the select committee. I think we did some very good work. I was delighted to hear the member for Nickel Belt talking about the good work of the members of the committee. I think it's the nicest thing she's said about me in a long time so I just wanted to note that for the record. I certainly had an exceptional time on the committee, hearing about the different systems that are in place and really how people feel that they reflect or don't reflect their reality and their presence in the province. I hope that through this legislation, through the citizens' assembly, through the engagement of 103 Ontarians who are really putting a lot of time and effort into this process, we will come to a place where we will be discussing again what is next for the future of Ontario, what Ontarians really want to see in an electoral process and how Ontarians feel we can engage our youth and more Ontarians and new Ontarians from all walks of life in the electoral process so they feel that they too are represented here in

this House on a daily basis. Mr. Speaker, I thank you for the opportunity to speak to this bill this evening.

Mr. Garfield Dunlop (Simcoe North): I'm pleased to rise this evening to speak to the comments of the member from Pickering–Ajax–Uxbridge on Bill 155, the referendum act.

I'm one of the people in this House who has a hard time looking at change in the future on how this House operates because I believe we've had a very stable system in the province of Ontario. I think that's one of the main reasons why something like 120,000 people per year come from out of the country and want to make Ontario their home. So I think we've done a lot of things that are really right. But if we're expecting the citizens' assembly to report back with some magical solution that's going to make all these people come out in droves to support politicians at the time of an election, I think we're making a big mistake.

The conduct that happens right here in this House, the conduct of the government, of the opposition and of the third party, for example, means a lot when people—we continually hear about the parliamentary language, the parliamentary decorum etc. that happens here, but above all I think it's the actions of the government. When you get a government that's breaking 50, 60 promises that they made in the previous election, how can that attract people to want to be excited about politics? How can it attract young people to want to get out there and vote? Just today, I put questions on the order paper, and five questions were unanswered. Five questions that were required by this Parliament to be answered by the minister were not answered. They were put off until after the House adjourned. If we improve those types of things, then I think we might be ready for some other changes. As far as I can see right now, we're just going down the Americanization of politics with our four-year term that we've set up.

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Mr. Khalil Ramal (London–Fanshawe): First of all, I want to thank my colleague from Pickering–Ajax–Uxbridge and the member from Nipissing for speaking to this bill and explaining to the people of Ontario and to us about the process the bill went through, through the committee and through a group that went to many different places and many different countries to study it, to examine how we can reform our electoral act in Ontario.

I wasn't part of the team that was in charge of conducting the formation and structure of this bill, but I heard the member for Nipissing, who was a very active member on that committee. Apparently there were many different opinions about the threshold; it wasn't one set opinion. Therefore I don't know—I wasn't there, as I mentioned—but in the end, it's a very important step toward opening it up for the people of Ontario and to people who complain all the time about our system in Ontario. I want to tell you that I don't think this bill will favour one way against the others. It's opening it up for the people of Ontario, so that in October 2007 the people

of this province cast their ballots for or against one system.

Talking about the education system, as the member for Nipissing mentioned many different times, we opened it up to the students for the first time ever. Many students from across the province participated in that. I had a chance to meet one of them last Saturday in London—one of the active youth in Ontario. He told me about that experience. He was so impressed and he was so happy because we, the adults of Ontario, trusted him. We asked him to come and join us, and tell us what he thinks about elections in the province of Ontario. It's a very progressive idea, and therefore, I think, a good step in the right direction.

Mr. Norman W. Sterling (Lanark–Carleton): I was also part of the kickoff for this students' citizens' assembly.

I do object to the cost of this overall exercise. It was close to \$400,000 for 103 students. That's about 3,500 bucks per kid to go up to Deerhurst Resort: 103 for \$400,000 is over \$3,500 per kid to go up to Deerhurst Resort—a very, very nice resort. I've been able to afford to stay there one night.

Interjections

Mr. Sterling: Come on, guys. You are spending a fortune on this exercise. You set the threshold in this bill at 60%, so nothing's going to happen. You're going to spend I don't know how many millions of dollars—maybe \$10 million—on the actual citizens' assembly, and you've said in this bill, “We don't trust the decision you're going to reach,” because you've set it at 60%.

This process which this government has entered into is a farce—it is a farce. It's expensive, the way you've chosen the citizens' assembly is not legitimate, and nobody is going to pay attention to this process as we go forward.

We need real reform to this place. Let's get down to it. Let's have the government start keeping its promises. Let's have the government start showing one scintilla of integrity, which they haven't shown to date.

Mr. Bisson: You should never rise to the bait of responding to another opposition party's comments, but the issue that we spent \$400,000 as somehow a terrible thing when it comes to trying to figure out what democracy is about and what we want to do to increase democracy is, I think, a bit thick. We have spent billions of dollars in the name of democracy on wars and different things, and we understood that was necessary at the times our country has faced it. When we spend \$400,000 on young people coming together in order to tell us what they think about democracy, that, I think, is money well spent.

As a New Democrat, I just want to say that I don't agree with the comments by the member of the Conservative Party. However, I agree with him on one point, and that is the whole issue of the 60%. Hopefully I'm going to get an opportunity later in debate to get into this in more detail, but if we don't trust our citizens by saying to them, “You have to get 60% plus one in order to change

our electoral system,” I think it’s selling them short. We allow people to choose governments by less than 50% because we know in this province, because of the first-past-the-post system, we elect governments at 38% of the vote and we say that’s okay. We can give a majority to a government at 38% of the vote, but somehow or other we need to have 60% of the vote to be able to change our electoral system. We say to workers on the picket line, “When you vote to refuse or accept a collective agreement by way of the Ontario Labour Relations Act, you need 50% of the vote in order to decide to accept or reject that offer.” That’s good enough for the OLRB. Why isn’t it good enough for the changing of the electoral system?

I remind people of our own history. Newfoundland joined our Confederation on a vote of the people of Newfoundland at that time of 50% plus one. If we had suggested 60%, Newfoundland would not be part of Canada and Canada would not be what it is today. I say to the government, shame on you for raising the bar to 60%.

The Acting Speaker: The member for Pickering–Ajax–Uxbridge has two minutes to reply.

Mr. Arthurs: I certainly want to thank the members from Simcoe North, London–Fanshawe, Lanark–Carleton and Timmins–James Bay for their comments with respect to both my and the member from Nipissing’s time on this particular matter.

Let me start with how I find some of the discussion interesting, having done some of the travel and having been involved in the select committee. I’m sure that other members on all sides who participated in that may not share the same view, but had the same experience.

There was a question of stability. The system works because it’s stable. When we were in Germany, it was the night of their national election. We actually arrived in time for their gathering. The really interesting part over the next few days was the discussion around who was going to be in control of the government. It wasn’t about lack of stability, in spite of the fact that they have a coalition government. The big issue was the fact that they brought down the government; the government brought itself down. They normally have a very stable government in spite of coalitions, in spite of what in effect we always think of as a minority government, because they have structures in place where the coalitions establish their policies ahead of time and you know how the system is going to work. But it was a really interesting discussion when you think of minority governments and how they would come and go, but there, the big issue was the fact that the government brought itself down, not that there was any degree of real instability in the government.

The member from London–Fanshawe made reference to the variety of views, and it’s true. There was a great variety of views from the select committee, and it was our job to provide advice. Our job was not to dictate to the government what they would do with that advice, but it was to provide advice, the best advice we reasonably

could as a committee, with all the various views for them to consider. And that’s exactly what happened.

The Acting Speaker: Further debate?

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I have been looking forward to participating in this debate on Bill 155, the Electoral System Referendum Act, 2006. Obviously, as the title suggests, we’re debating legislation that would allow a referendum if what’s referred to as the citizens’ assembly recommends changes to our electoral system.

I feel we need to clarify at the most basic level what we mean when we use a term like “electoral system.” A crude definition would be the method by which we elect our representatives. Many of us have heard arguments against the current single-member plurality system and the first-past-the-post system, as it’s been commonly referred to. I’m sure for most of us during the last election, during nomination night, we heard these arguments again and again, in my case from the representatives of the various parties who were running in that last election.

Very simply, under our current system, the candidate with the most votes wins, period. It’s fairly simple, something we are certainly used to in our democratic society. But opponents of the single-member plurality often point out that only three major countries in the world continue to use the system: the United Kingdom, the United States and Canada. But let’s not forget that this system is also used by all the provinces, the US states, and it’s used in civic elections.

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Come January and February, I will be attending a very large number of meetings of farm organizations, and often at their annual meetings they do have elections for their president, their chair, their secretary, their delegates to broader provincial conventions. Basically, they vote, and whoever gets the most votes is the one who takes the office.

Often, states and provinces represent larger populations than many countries, meaning the single-member plurality, in my view, is not on its way out; it’s widely used in so many elections of so many various kinds, as I’ve made reference to, throughout the western world.

Nevertheless, it is important, I feel, to figure out just what Dalton McGuinty has up his sleeve with respect to this particular legislation. Opponents of the single-member plurality argue that the present system distorts the relationship between the votes and the seats, which then creates policies unrepresentative of the wishes of the people. I’ve heard this referred to as electoral fraud.

I made reference to the election in 2003. I, for one, would have to agree that electoral fraud took place at that time. Many will recall, again, those television commercials where Dalton McGuinty is quoted as saying, “I will not raise your taxes.” He got the votes. People voted for Dalton McGuinty, thinking they were voting for balanced budgets and no tax hikes. Very clearly, Dalton McGuinty has never seen a tax hike he didn’t like. He and Finance Minister Sorbara literally tripped over each other to get

down to the wire trying to be the first tax-and-spend Liberal in that new government that came in in 2003.

The most common phrase I heard three years ago right after that election was very simply, "Hang on to your wallet." People didn't vote for tax increases, and that's what they got. The status quo did fail. That's something we're trying to rectify with legislation like we're debating this evening. The status quo did fail, because there's no mechanism in place to get Dalton McGuinty to tell the truth. I suspect he'll try it again next year, but this time people in Ontario will know better.

In Ontario we do see public cynicism and distrust of the political system, a system that many perceive is out of control. In my view, that has a lot more to do with the endless stream of broken promises by this McGuinty regime than the electoral system itself. I suggest that change lies there, not with a change in the present system.

I do have some recommendations on a more positive approach for enhancing democracy.

(1) Keep campaign promises. I feel that's a cardinal rule, not necessarily a revolutionary change to our system.

(2) No attack dog antics from our health minister, for example, or any other member of what at times is an out-of-control Liberal caucus.

Mr. Dunlop: The pit bull warrior.

Mr. Barrett: The pit bull warrior was just made mention of by my colleague.

(3) Don't choke off debate on human rights legislation.

(4) Let's turn question period into answer period. I do hear that now. That phrase is becoming part of the common lexicon.

And the big one: Keep promises.

Tonight we're debating whether or not we should have a referendum. Looking back at 2003, Dalton McGuinty promised to abide by the Taxpayer Protection Act. He promised that if he wanted to raise taxes, he would hold a referendum. I remind the members that we're debating legislation tonight with respect to the advisability of holding a referendum. Taxpayers voted for him on that caveat, that he would keep his word and keep taxes down, and if he was going to raise them—he signed off on the Taxpayer Protection Act—on that condition only, then he would hold a referendum.

Well, we know what happened. Dalton McGuinty T-boned Ontarians with the largest tax increase in the history of the province. That was done in his first year in power. He tried to increase taxes on food. Do you remember that one, Speaker? He continues to raise tobacco taxes, three times and counting. Over the last three years, we have seen a phenomenal increase in the illegal tobacco trade, the contraband trade in tobacco, much of it in my riding. I now have probably 300 illegal smoke shops within my riding. Just in the past two weeks, three new ones were created just outside of Hagersville, for any of you members here who are smoking illegal cigarettes.

They want to claw back the GST cut. He was opposed to cutting taxes for seniors. I think he may grudgingly accept the income tax splitting, but only because Dalton McGuinty knows he can't get away with increasing taxes on seniors.

So we have a Premier who promised a referendum before raising our taxes. It's fairly simple: Ontarians now know that they can't believe a word that he says. He'll promise anything to anybody if he thinks it will get him re-elected.

Interjections.

Mr. Barrett: It doesn't stop there, members opposite. Let's not forget when Dalton McGuinty took autistic kids to court so he could break his promise to increase funding.

Given the track record of this current regime, there's no doubt that public cynicism is high right now. The public should be outraged at the massive electoral fraud McGuinty committed in 2003 through his broken promise campaign.

Dalton McGuinty made his bed with all of the broken promises; now he has to lie in it. Just to clarify, he's essentially lying down in his bed breaking promises; he's not lying in his bed telling lies. I didn't mean to suggest that.

I've long believed that we need to modify our electoral system so that we can properly hold promise-breaking politicians to account. In March 2004, I introduced the Recall Act. It was a private member's bill, as some may remember. It would have provided Ontarians with the opportunity to fire their MPP if they were dissatisfied with his or her performance. If it had passed, the Recall Act would have amended the Election Act to establish a process by which members would be recalled. Under the bill, a qualified voter in a member's electoral district could apply to the Integrity Commissioner to approve the issuing of a recall petition with respect to that member on the ground of conduct unbecoming to a member. The Integrity Commissioner would have been required to hold a hearing within 60 days, unless he or she deemed that application to be frivolous. If the Integrity Commissioner determined that the member had, on the balance of probabilities, engaged in conduct unbecoming of a member, the commissioner would then approve the issuing of a recall petition and the chief electoral officer would have issued one in the member's own electoral district. Qualified voters in that district could then register as canvassers to collect signatures. If within a year the petition was returned and signed by 25% of the certified voters, the chief electoral officer could then organize a referendum, which would be required to pass by 50% plus one.

If the member was the Premier—and this legislation did account for the recall of the Premier in the province of Ontario—both the petition and the referendum would no longer be limited to the member's riding. It would require 25% of the province on the petition and 50% plus one on the referendum.

In 2003, the McGuinty Liberals supported the use of referenda via the Taxpayer Protection Act. In 2004, they

opposed the Recall Act and, in doing so, voted against improving our electoral system using referenda. They flipped in 2003, they flopped in 2004, and tonight they've flipped again. They once again support the use of referenda as a means, in their words, to improve the electoral system. These flip-flops form the root of what I see: the public cynicism, in particular in the last three years, with respect to not only this government but, by extension, with the electoral system itself.

Mr. Dunlop: They're cynical because of these guys.

Mr. Barrett: I think you're right, honourable member.

I was reading chapter 5 of the Liberal Party's 2003 broken promise manual. Of course, I'm talking about the democratic renewal portion of that platform. I read with interest when Dalton McGuinty said, "Public consultation on major legislation used to be automatic. Now it is the rare exception."

In the past week, we've seen the most callous of all Liberal broken promises. Despite assurances from Michael Bryant that consultation would continue, this McGuinty regime used closure to axe consultation on the human rights legislation. That's Bill 107. John Tory offered a reasonable compromise that would have allowed more public consultation on Bill 107 and still allow it to get to the House for a vote. It's reprehensible that McGuinty refused this offer.

Tonight, we're debating electoral reform, yet in his platform on electoral reform McGuinty promised to hold public consultations. That promise was broken by Bill 107. The way I see it, a government that breaks its promises has no legitimacy, and for that reason I call for adjournment of the debate on Bill 107.

The Acting Speaker: Mr. Barrett has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. Call in the members. This will be a 30-minute bell.

The division bells rang from 2001 to 2031.

The Acting Speaker: All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing.

The Deputy Clerk (Ms. Deborah Deller): The ayes are 5; the nays are 32.

The Acting Speaker: I declare the motion lost.

I return to the member for Haldimand-Norfolk-Brant, who has the floor.

Mr. Barrett: We continue debate on Bill 155, the referendum act. In my deliberations, I have discovered a number of other promises broken, beyond the commitment for more hearings on Bill 107, which triggered that recent vote.

Take a look at page 1 of chapter 5 of the McGuinty broken promise manual. McGuinty promised that his plan for electoral reform wouldn't cost taxpayers a penny. This raises some serious questions. One came up tonight: How much has the citizens' assembly cost so far? I know the member for Lanark-Carleton presented

us with some figures. How much will the referendum cost? How much has been allocated for future meetings of this citizens' assembly? I cannot accept the Dalton McGuinty indication that these items are free.

Mr. McGuinty also claims that the citizens' assembly is truly neutral, that it can choose not to recommend changes to our electoral system, if it so desires. But on page 2 of chapter 5 of the McGuinty broken promise manual, Dalton McGuinty has already promised to introduce Internet voting. Which is it? Will our referendum be on the Internet? Will it not? Could this be another broken promise?

On page 3, McGuinty promises not to have partisan ads. This is one of the newer McGuinty broken promises.

Laughter.

Mr. Barrett: I heard a chuckle over that one.

On page 8 of chapter 5 of the broken promise manual, we read, "We will require public hearings for all major legislation." This begs the question, was Bill 107 not a major piece of legislation? Or is this yet another broken promise?

I'm concerned over the cynical way Dalton McGuinty has dodged and ducked public consultation on 107. His own caucus recommended more public hearings. His Attorney General promised more public hearings. Taxpayers footed the bill for those advertisements. I know the advertisements for more public hearings were in my area newspapers, yet the McGuinty government reneged on those promises.

In question period, Premier McGuinty will not come clean on his broken promises on this matter, the matter of Bill 107, which just shows how eager one can be to silence dissenting opinion or to restrict input.

Quite honestly, if Dalton McGuinty is prepared to reduce this Ontario Legislature and public debate to a laughingstock, I don't see any reason to be here this evening. I therefore call for adjournment of the House.

The Acting Speaker: Mr. Barrett has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

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

The division bells rang from 2036 to 2106.

The Acting Speaker: All those in favour of the motion will please rise and remain standing.

All those opposed will please rise and remain standing.

You may take your seats.

The Deputy Clerk: The ayes are 5; the nays are 30.

The Acting Speaker: I declare the motion lost.

I believe the member for Haldimand-Norfolk-Brant still has the floor.

Mr. Barrett: Continuing on, I do want to thank everybody for coming out tonight. I am concerned, however, that this proposed legislation represents a one-way street

with respect to electoral reform. Over the years, our electoral system has evolved to meet challenges. If passed, this bill would authorize the government to hold a referendum on possible change to the electoral system, as we know. But what happens if we change the electoral system and we find out we've got a system that's worse off than where we were before? I feel we need a bit of a safety valve. We need to have an option—perhaps to have another referendum to revert back to the current system if people in Ontario deem that necessary.

So there may be a case for changing electoral systems. With the public cynicism that's out there due to not only broken promises but Liberal behaviour within this House, people might be unnecessarily biased against the current system. Prior to changing electoral systems, we need to change the way people behave in this House. That means no more saying and promising anything to be elected, that means restoring decorum to this Legislature, that means keeping election promises and, essentially, that means converting question period to answer period.

With regard to Bill 155, I do question the sincerity of the people opposite and in particular the Premier. On February 1, 1997, Mr. McGuinty said, "I'm not a big fan of referenda." A year later, on February 14, 1998, Dalton McGuinty showed no love for referenda. He said, "I have concerns and reservations about the kind of legislation that ties the hands of legislators, which effectively treats them as being incapable of making the right kinds of decisions." A month later, Dalton McGuinty said, "In principle, I don't like referendum legislation." He goes on to say, "When you've got legislators who are truly responsive to their constituents, you just don't need referendum legislation." Those are the words of Mr. McGuinty, yet now we have the Premier promising to hold a referendum. If Dalton McGuinty is now in favour of referenda, I consider that to be one of the most stunning policy reversals, perhaps, in the history of this particular Legislature. I don't believe he's going to go through with it. Again, we look at past history. Why would I want to believe that?

If I have more time, and I know we're going to wrap up this particular section of the debate, but I feel it's very important that we analyze possible outcomes of this bill.

The Acting Speaker: Questions and comments?

Mr. Bisson: If there ever was a time that demonstrates the need for electoral reform and changing how we do business in this House, then this is probably a good time for that, because what you have going on tonight is a situation where the government has decided to amend the human rights act in a way that is not only in keeping with what the opposition isn't opposed to—in other words, government is trying to make changes that the opposition is opposed to, and not only the opposition, but, quite frankly, most of the people who really know something about the Human Rights Commission. We have the human rights commissioner and the heads of various government agencies who are basically knowledgeable in this area all telling the government, "Don't do what you're about to do." They've decided to go forward,

because they feel they have a majority, with less than 50% of the popular vote.

I just say to the members across the way, it's somewhat appropriate that we are basically in the debate about electoral reform at the same time that the government is trying to force through changes by way of a majority, which they didn't get, with more than 50% of the vote.

Laughter.

Mr. Bisson: God, they're not even listening to the debate. If you listen to the laughter and chatter next door to me, about four seats over, they're not taking it seriously. I think it's rather sad.

There are plenty of citizens in this province who, like me and others in this House, believe that the democratic process of what we do in this place is important. But what they sometimes fail to see in this democratic process are the results that the majority of the people want to have as an end result. I think this bill in regard to the Human Rights Commission is one of those examples. It's rather sad that we find ourselves in this position. I say to the government across the way: You can't have it both ways. If you're serious about democratic reform, you have to act as if you're truly a government that believes in the principle. Clearly, you're not doing that with Human Rights Commission vote. That is why the Conservatives are doing what they are. I just say to you across the way, I think it's a shame and I think it reflects badly on the government.

Mrs. Jeffrey: I thought for just a nanosecond tonight I was going to be able to agree with the member from Timmins–James Bay. I thought he was going down the right route saying tonight that it was a perfect example of needing electoral reform, but then he went off on another tangent. I thought he was going to talk about democratic renewal, so I'm disappointed.

I guess it's unfortunate we're ending the debate tonight in this format. I'm so disappointed with some of the comments I've heard tonight—the member from Lanark–Carleton and the member from Haldimand–Norfolk–Brant—the cynicism, the distrust, the feeling of telling the public that they're wasting their time and that they're not interested in the process.

Based on the kind of enthusiasm we've seen from our student assembly and from our residents around Ontario—we've seen that they're smart people who want to be involved; they're enthusiastic and they're prepared to put the necessary time in—I don't think anybody on the government side is threatened by their interest in this process and that they want to be involved. We are not predetermining the outcome. We're waiting to see what they say.

We know that they're doing their homework now, and they're in the middle of the process of asking the rest of Ontario how they feel about this. It's very important that we provide our support and not keep questioning and second-guessing what they're doing and questioning their motive or their intent. I don't think anybody there is doing it for the wrong reasons. They're very enthusiastic. They're putting the time in. We should appreciate that

and trust that they're going to be thoughtful and methodical in what they bring back to us. I have every faith that they're going to bring back a good decision based on the information that they've learned about this month.

Thank you for listening tonight. I hope the rest of Ontario has as much enthusiasm about this as I do.

Mr. Sterling: It's interesting to note that Judge George Thomson, who is heading up the citizens' assembly, has said specifically to the citizens' assembly, "Thou shalt not touch the institution of the Parliament of Ontario." So anything that goes on in this place tonight or in the past is not even going to be dealt with by the citizens' assembly. What is going on tonight in this assembly has nothing to do with the citizens' assembly that is assembled.

Second, I want to talk a little bit more about the financing of the students' assembly. The students' assembly was funded by \$200,000 from the minister for democratic renewal. Do you know where the other \$150,000 or \$160,000 that assembly has been given came from? The Trillium Foundation, out of the \$100 million communities are supposed to get across the province. The Trillium Foundation was not created to fund government initiatives. This is an Ontario government initiative, and the government has robbed the Trillium Foundation of \$150,000 to \$160,000 to support their government initiative. That money could have done a lot to help in my constituency. It could have helped some municipal libraries in small communities or it could have helped some recreation groups in my communities. If this minister wanted to go for this initiative, she should have funded all the money from her own budget and not robbed communities across Ontario from their fund for recreation and other uses in our own communities.

Mr. Patten: I have to comment again to my friend from Timmins–James Bay, who continues to propose this partisan line that, no matter what you say, 50% plus one is the God almighty benchmark for decision-making, which we all know is not true. We all know it is in the vested interest of his party to get more seats, or parties that have no seats, to propose something along those lines of 50% plus one.

I find it interesting that the member from Lanark–Carleton talked about using some government funds to encourage opportunities for young people to participate in learning something about democracy. Education, as he well knows, is not an inexpensive venture. Some of these young people perhaps would not have those kinds of experiences without government support, and I'm sure there may be a fundraising element and a sacrifice by some of the families to encourage some of those young

people to participate in this. Regardless of what he thinks about what may be the ultimate outcome, the important thing is having young people understand specifically the inner workings of the electoral system processes, which is not easy to understand, and most people don't understand it. So I have to disagree with my good friend from Lanark–Carleton on this particular issue.

I must also say that if we looked deep within our hearts, we would know that the standard for changing a whole system has to be better than one person over and against everybody else who disagrees. That's not good enough.

Mr. Sterling: Or one party.

Mr. Patten: Or one party. Fair enough, member from Lanark–Carleton.

The Acting Speaker: The member for Haldimand–Norfolk–Brant has two minutes to reply.

Mr. Barrett: The member for Timmins–James Bay essentially—and I'm sure we'll hear more from the member—has asked us to step back a bit and examine this proposal. The member for Lanark–Carleton has asked us to examine the books, to follow the money, if you will, and one trail does lead to this raid on the Trillium Foundation, something that does seem to be supported by the member for Ottawa Centre.

As far as this legislation and the comments on the citizens' assembly, I can speculate that they'll probably propose some form of proportional representation. It's 107 ridings in the next election. If it was a pure form of proportional representation, each party would submit a list of 107 names, and rather than directly electing MPPs, citizens would vote for their desired party. I think we could do the math on that one.

The member for Brampton Centre made reference to what we've been hearing a lot of this evening, those two words "cynicism" and "distrust." I am distrustful. I'm concerned. If we move away from electoral districts, if we move towards concentrating power in the hands of party elites, local citizens lose out. They obviously have fewer access points for their government, fewer access points for hands-on assistance with respect to the FRO cases and the birth certificate cases that crop up so often in our own ridings. So rather than being a silver bullet, in my view this proposal for proportional representation would remove accountability from the system, reduce accountability and detach people from their elected representatives.

The Acting Speaker: Thank you very much. It being close to 9:30 of the clock, this House stands adjourned until tomorrow at 1:30 p.m.

The House adjourned at 2121.

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