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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 11 December 2006**

**Lundi 11 décembre 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 11 December 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 décembre 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### GOVERNMENT'S RECORD

**Mr. John O'Toole (Durham):** I rise today because the government continues to say anything to get elected while failing to address the real problems facing the people of Ontario.

Nowhere can this be seen more clearly than in the recent Auditor General's report. In fact, it's just a long list of examples of Dalton McGuinty's lack of respect for taxpayers' money. Just take, for example, the executives from the children's aid society driving around in \$60,000 SUVs and the misuse of corporate credit cards.

The Dalton McGuinty government is spending \$5.7 billion more than he promised in the last election. He has increased spending in non-health-related ministries by almost 20%. Ask yourself: Is it any better?

The Auditor General's report shows that this government has not kept its promise; indeed, a promise to the people of Ontario during the election. The McGuinty government must be held accountable. It's time that Dalton McGuinty started to take the job seriously about respecting taxpayers' money and stopped treating it as if it's Monopoly money.

In my own riding, I could often recite the concerns I've had with the degree of public spending. The lack of accountability is what's more important. When you come down to a government that would say anything and perhaps do anything to get elected, one has to begin to question one's trust in a government that doesn't keep its word.

#### HEALTH CARE

**Mrs. Carol Mitchell (Huron-Bruce):** I stand today to inform the Legislature about more good news regarding health care coming from the riding of Huron-Bruce.

The Clinton family health team that was announced during the summer is now in full operation and has just recently hired two new nurse practitioners and one lead administrator to help staff the operation. This is in addition to the six family physicians who are already under the employ of the family health team. The Clinton

family health team has also been approved for a social worker, and a psychologist will also be employed. This will offer a wide range of services to the community.

The family health teams will also be beneficial for attracting new doctors and other health care practitioners because doctors will be aware that these teams create a very supportive environment where they don't have to work on their own.

We are all aware that people do not become ill only between the hours of 9 and 5. The residents of Clinton and surrounding areas will benefit from improved access to health care services thanks to the new family health team and its staff.

The Clinton family health team is one of 150 created by the Dalton McGuinty government since April 2005. These family health teams are a very innovative idea for delivering the very best health care to those who are not within close proximity of large urban medical centres, and they are another example of the many ways that this government is improving Ontario's health care system, especially for all of our rural communities.

#### GOVERNMENT'S RECORD

**Mr. Ted Chudleigh (Halton):** I stand today on behalf of thousands of Ontarians who have been marginalized by the misguided policies, broken promises and betrayal of the McGuinty Liberal government. Since taking power in October 2003, Ontario's economy has gone from Canada's first to worst. Once the proud engine of Canada's economy, Ontario has now become the economic caboose of this country. This government's dismal record on the economy has seen the demise of the forest industry in northern Ontario and now the beginning of the demise of the domestic auto parts industry in southern Ontario. An industry that once boasted over 106,000 jobs has seen its workforce cut by over 10,000 jobs in less than two years under the McGuinty government.

Sources indicate that 3,000 jobs have been lost at Magna, with more to come; 770 at Dana Corp.; and 280 at Dura Automotive. The list goes on and on.

Where is this government on this file? Announcements and reannouncements aren't solving the problem. They only show that this government will say anything to get re-elected. Throwing money at something doesn't make a problem go away, Premier—unless that problem is the CEO at Hydro One.

A year ago, this Legislature passed a motion calling on the government to come up with a comprehensive plan on jobs and the economy. To date, we have seen nothing.

This is yet another broken promise from this government. The list of broken promises is growing extensively. These broken promises are directly affecting the fate of thousands of Ontarians who used to work in the auto parts sector or the forest industry and now find themselves out of a job as a consequence of your government's lack of planning.

#### HEARING LOSS

**Ms. Judy Marsales (Hamilton West):** I rise in the House today to thank Richard Bowring of the Hearing Foundation of Canada and Principal Bill Yull and Vice-Principal Gary Birch of Gordon Price public school for inviting me to join a Sound Sense education presentation.

If props were allowed in the House, perhaps I should have my iPod and my earbuds in and be doing a rap to speak to the statement that I present. These presentations are taking place all over Ontario in schools today. Hearing loss is a serious public health concern that affects more than one in 10 Canadians. This presentation was creatively designed to enhance understanding by our young people. Research shows that the better children hear, the better they learn.

With the support of the Ontario Trillium Foundation, the Hearing Foundation of Canada launched its Sound Sense: Save Your Hearing for the Music campaign. This campaign is being presented to grade 6 students, teaching them the importance of protecting their hearing from loud noise. The Sound Sense program teaches young people what a marvellous sense hearing is. But, most importantly, it teaches our young people how they would suffer hearing loss. I took their advice this weekend and put earplugs in when I found myself in front of a very large, loud amplifier.

I want to thank the students and staff of Gordon Price public school for their wonderful tour, demonstrating their pride in their school. Everyone I met was so welcoming and gracious, and a special thank you to Jaclynn Fitz-Maurice and Anna Choi for their leadership role in the student council of Gordon Price public school.

1340

#### GOVERNMENT'S RECORD

**Mr. Jim Wilson (Simcoe-Grey):** Dalton McGuinty doesn't want to talk about his record of broken promises, weak leadership and inability to get results for the people of Ontario. This government is trying to change the channel from the reality that wait times are going up, the doctor shortage is getting worse, cars are stuck in gridlock and crime is on the rise.

As the Auditor General reported, this government allowed \$60,000 to be spent by the children's aid society on SUVs instead of using that money to help foster children in need. The McGuinty Liberals have cobbled together damage control when they should have been focused for the last several months on acting to help Ontario's most vulnerable children. They have failed miser-

ably to end the culture of misspending at Hydro One by refusing to justify a \$500,000 bonus given to the company's president after he chose to break the rules and charge \$50,000 in expenses to his secretary's credit card. On health care, Dalton McGuinty refuses to be open with Ontarians about wait times after he ran misleading ads, only to be found out by the Auditor General that his wait time numbers are bogus.

It's time that Dalton McGuinty started to get serious about respecting taxpayers' money and stopped treating it like Monopoly money. After another sitting of this Legislature, we've seen Dalton McGuinty continue to say anything to get elected and re-elected.

Dalton McGuinty's leadership is weak, and he's failing to get better results for the people of Ontario.

#### ENVIRONMENTAL PROTECTION

**Ms. Andrea Horwath (Hamilton East):** As I knew would happen when the minister's long-delayed public meeting about the soot problem in Hamilton East was finally held last week, people are disgusted by the lack of McGuinty government action on this environmental nightmare.

They are angry that no charges have been laid against the corporate polluters even though the minister knows or strongly suspects who is responsible. No amount of Liberal double-talk can erase this greasy, falling black soot that has caused widespread property damage.

The Minister of the Environment has spoken so proudly of the McGuinty government's response to date, but Hamilton East residents know better. One woman at Thursday night's meeting echoed the sentiments of everyone: The soot is ruining the quality of their lives. No matter where it came from, it's the minister's job to protect the environment and ensure that the soot sources are identified and stopped.

According to respected local environmentalists, there are incidents of emissions every day, yet the Ministry of the Environment has not charged or fined anyone. What a disgrace.

For six months, my pointed questions and letters to the minister about a deluge of carbon emissions raining down on homes and businesses were met with the minister's claims that everything that could be done was being done. Meanwhile, Hamilton Liberal MPPs were as silent as the sound of falling carbon emissions.

Ministry monitoring efforts were insufficient and have provided no positive resolution for residents. At the meeting, affected parties were told that the ministry is going to start taking a more aggressive role in dealing with the emissions. People rightfully want to know why the McGuinty government hasn't always taken an aggressive role with industries that don't follow environmental rules. They generally believe, and I agree, that there's too much talk from the McGuinty Ministry of the Environment and not enough—

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

### GO TRANSIT STATION

**Mr. Bob Delaney (Mississauga West):** It's Lisgar day in the Legislature today. When northwest Mississauga's rapid growth began in the late 1980s, we were served by just one GO train station: Meadowvale. Since then, some 110,000 people have moved into Lisgar and Churchill Meadows, me among them, and others have commuted to our area from Georgetown, Brampton and Halton Hills.

We needed another GO train station between Meadowvale and Milton years ago. Getting it was my first priority once elected. Our city councillor Pat Saito, whom I have to praise, originally began this quest in the early 1990s, but she had the door slammed on her by the two governments that preceded ours. Working together, Pat and I showed that two governments can work together and get things done.

The city helped GO acquire the land and get it rezoned. Our government put a new GO train station at Lisgar into its plans in 2005. Last Friday, I hosted transportation minister Donna Cansfield, Councillor Saito, GO and GTTA dignitaries and the Lisgar Residents' Association for the official groundbreaking of the new Lisgar GO train station located where Argentia Road meets Tenth Line.

We're going to get a new GO train station in 2007 in the summer. We'll be able to take 900 cars off the road, park them at Lisgar, get on the train and get downtown. That was a promise made and a promise kept.

### FAMILY VIOLENCE

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** The Women's Rural Resource Centre in my riding of Lambton-Kent-Middlesex is delighted to be a part of the province's Neighbours, Friends and Families campaign. Neighbours, Friends and Families is based on the growing knowledge that the warning signs of women abuse are recognizable and people can call for intervention before these women are further injured or die at the hands of their abuser. This campaign is another part of the McGuinty government's \$68-million domestic violence action plan.

Family violence was the secret that rural families avoided discussing during the farm crisis in the 1980s. No one spoke about the potential of abuse, even the neighbours, friends and families who suspected it. We all knew the story of the woman who hid in the ditches as her abuser hunted for her and her children, afraid that she would be seen from his pickup, as she tried to escape a situation that no one else wanted to acknowledge.

Violence issues specific to rural areas started to be identified by rural women's groups, things such as a lack of emergency housing close to home, no transportation and a lack of a 1-800 line so that victims could call for help without having to be identified to the abuser by the month's phone bill.

We now have rural shelters coordinated by groups like the Women's Rural Resource Centre in Strathroy, but

more needs to be done. The code of silence is coming to an end in rural Ontario, but everyone needs to be involved, and that is why programs like Neighbours, Friends and Families are so important to us.

### ONTARIO GREENHOUSE ALLIANCE

**Mr. Bruce Crozier (Essex):** The Ontario Greenhouse Alliance, a group consisting of Ontario's vegetable, flower and pepper growers and making up the second-largest agricultural industry in Ontario, is at Queen's Park today in the members' east gallery.

The alliance, located here in Ontario, represents the largest cluster of greenhouse production in North America. In the ridings of Essex and Chatham-Kent-Essex, greenhouse growers make a significant contribution to our economy and our rural communities. As this sector grows, so do other industries in our ridings like trucking, packaging and warehousing.

In Essex county and Chatham-Kent, as well as the Niagara Peninsula, the greenhouse sector produces well in excess of \$300 million of crops, and the almost 1,000 greenhouses in the Leamington and Kingsville area account for over 80% of the total number of greenhouses in Ontario.

Together, greenhouse operations in Ontario are responsible for over 35,000 direct and indirect jobs, bringing substantial benefit to our rural economies, like that in Essex. For every dollar of greenhouse activity, the economy as a whole experiences output impacts of \$2.81. With the farmgate value of the Ontario greenhouse industry for 2004 estimated at \$1.1 billion, the total economic impact is \$3.9 billion. The industry is also a strong contributor to the province's annual exports.

I welcome the Ontario Greenhouse Alliance to Queen's Park today and remind all members to stop by the legislative dining room this afternoon, meet some of the members and pick up a beautiful greenhouse poinsettia.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Mrs. Julia Munro (York North):** I beg leave to present a report on agencies, boards and commissions, The Liquor Control Board of Ontario, from the standing committee on government agencies and move the adoption of its recommendations.

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

Does the member wish to make a brief statement?

**Mrs. Munro:** This report is the first of six to be presented. The committee has undertaken a review of six government agencies. This review today reflects the deputations made to the committee and the consequent recommendations made by the committee.

I move adjournment of the debate.

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

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms. Andrea Horwath (Hamilton East):** I beg leave to present a report from the standing committee on regulations and private bills regarding Bill 124, clause-by-clause and public hearings. I want to thank the staff and the clerks for helping me get through my first government bill as Chair. I now move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Ms. Horwath from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill, as amended:

Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions / Projet de loi 124, Loi prévoyant des pratiques d'inscription équitables dans les professions réglementées de l'Ontario.

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

The bill is therefore ordered for third reading.

#### INTRODUCTION OF BILLS

##### OUTDOOR HERITAGE DAY IN ONTARIO ACT, 2006

##### LOI DE 2006 SUR LE JOUR DU PATRIMOINE DE PLEIN AIR EN ONTARIO

Mr. Parsons moved first reading of the following bill:

Bill 170, An Act to name the last Saturday in September in each year Outdoor Heritage Day in Ontario / Projet de loi 170, Loi désignant le dernier samedi de septembre de chaque année Jour du patrimoine de plein air en Ontario.

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

The member may wish to make a brief statement.

**Mr. Ernie Parsons (Prince Edward-Hastings):** Ontario is the envy of the world in terms of our rich supply of natural resources. Ontarians have access to hunting, fishing, observing wildlife, boating, canoeing, spending time at the cottage, hiking, camping or enjoying winter activities such as skiing, snowshoeing or snowmobiling. However, as our province becomes increasingly urbanized, I see an opportunity for all Ontarians to be reminded of the many rich blessings we have.

To accomplish this, this bill, if passed, will establish the last Saturday of each September as Ontario Heritage Day.

#### MOTIONS

##### CONSIDERATION OF BILL Pr29

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I believe we have unanimous consent to move a motion without notice respecting the notice requirement of a certain private bill.

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

**Hon. Mr. Bradley:** I move that standing order 87 concerning notice of committee hearings be waived with respect to consideration of Bill Pr29, An Act respecting Sheena's Place, by the standing committee on regulations and private bills on Wednesday, December 13, 2006.

**The Speaker:** 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, December 11, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved government notice of motion number 260. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1354 to 1359.*

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

#### Ayes

Arnott, Ted	Fonseca, Peter	Phillips, Gerry
Arthurs, Wayne	Hardeman, Ernie	Pupatello, Sandra
Bartolucci, Rick	Hoy, Pat	Racco, Mario G.
Bentley, Christopher	Jeffrey, Linda	Ramal, Khalil
Berardinetti, Lorenzo	Klees, Frank	Ramsay, David
Bradley, James J.	Kular, Kuldip	Runciman, Robert W.
Brownell, Jim	Kwinter, Monte	Ruprecht, Tony
Bryant, Michael	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Caplan, David	Martiniuk, Gerry	Sorbara, Gregory S.
Chambers, Mary Anne V.	Matthews, Deborah	Sterling, Norman W.
Chudleigh, Ted	Mauro, Bill	Tascona, Joseph N.
Colle, Mike	McGuinty, Dalton	Van Bommel, Maria
Crozier, Bruce	McNeely, Phil	Watson, Jim
Delaney, Bob	Miller, Norm	Wilkinson, John
Di Cocco, Caroline	Milloy, John	Wilson, Jim
Dombrowsky, Leona	Mitchell, Carol	Witmer, Elizabeth
Duguid, Brad	Munro, Julia	Wynne, Kathleen O.
Duncan, Dwight	O'Toole, John	Yakubuski, John
Dunlop, Garfield	Parsons, Ernie	Zimmer, David
Elliott, Christine	Patten, Richard	
Flynn, Kevin Daniel	Peters, Steve	

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

**Nays**

Bisson, Gilles  
DiNovo, Cheri  
Horwath, Andrea  
Kormos, Peter

Marchese, Rosario  
Martel, Shelley  
Murdoch, Bill  
Ouellette, Jerry J.

Prue, Michael  
Tabuns, Peter

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 64; the nays are 10.

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

## STATEMENTS BY THE MINISTRY AND RESPONSES

### RESEARCH AND INNOVATION

#### RECHERCHE ET INNOVATION

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I rise today in my role as Minister of Research and Innovation to proudly share with the members of this House our government's next steps to further strengthen Ontario's economy through innovation.

To state the obvious, Ontario's future success will be shaped by our ability to compete and win in the global marketplace. And in that marketplace, speed counts for a lot, because in today's global economy it is no longer just about the big overtaking the small. More and more it's about the fast overtaking the slow.

Nous voulons que notre province fonce en avant : que l'Ontario soit rapide quand il s'agit d'engendrer de nouvelles idées, rapide quand vient le moment de les transformer en biens et services qui susciteront une forte demande, et rapide à bénéficier des bons emplois et de la qualité de vie élevée qui en découlent.

In short, we want a fast Ontario, an Ontario that is fast to generate new ideas, fast to convert those ideas into highly sought-after goods and services and fast to benefit with good jobs and a high quality of life.

Human beings are the only species blessed with the power of imagination. We are all born with creativity, and never has it been more important to Ontario that we harness the power of Ontarians to imagine and create. Tapping into the creative potential of Ontarians and building a stronger, more innovative economy means we're going to need a plan to get us there.

Earlier this year, I asked my ministry to help me develop a strategic plan to position Ontario as an innovation leader. Today I am presenting our strategic plan for consultation with stakeholders across the province. In crafting this plan, we consulted with researchers, industry, the private sector, academic institutions and other government ministries. Their advice reflects a comprehensive understanding of the importance of innovation and our collective desire to enhance its positive impact on Ontario. I appreciate their support and guidance.

I especially wish to thank the Ontario Research and Innovation Council, under the capable leadership of Dr. Adam Chowanec, and whom I would ask members to recognize for his good work, as he is in the gallery today.

I must say that the members of the Ontario Research and Innovation Council, a group of exceptionally talented and accomplished Ontarians who are working for the province as volunteers, are individuals who have helped me a great deal, through their careful deliberations and sound advice, on how Ontario can create an environment that is both innovation-focused and commerce-friendly.

Our plan demonstrates our commitment to creating that environment in Ontario so that individuals, businesses and organizations have the tools they need to transform creative ideas into economic advantages.

Our plan has some very clear goals. Ontario will be the preferred location to grow knowledge-based businesses. Ontario will attract the best and brightest scientists and innovators from around the world with R&D excellence and efficient commercialization. Ontario will attract increased private sector investment in R&D, becoming a leader in the rapid introduction and adoption of innovative products. Ontario will produce the highly qualified workforce an innovation-based economy demands. Finally, the Ontario government will lead by example, with integrated and coordinated innovation initiatives across all ministries and a culture of innovation in our own operations.

We want our strategic plan to be truly representative of the needs and desires of the people of Ontario. To ensure this, we will conduct a series of public consultations in every region of our province over the next few months. I've asked my parliamentary assistant, John Wilkinson, and my deputy minister, Dr. Alastair Glass, to lead these consultations. I encourage all members of this Legislature and anyone with a keen interest in our future prosperity to visit our website at [www.ontario.ca/innovation](http://www.ontario.ca/innovation) to read our draft plan, find out how to participate in consultations and give us their best advice.

L'innovation est une condition sine qua non si nous voulons bâtir une économie plus vigoureuse et plus compétitive.

Quand nous y parvenons, quand nous créons des emplois ici grâce à des idées d'ici, la population ontarienne profite des avantages que procurent de bons emplois, des possibilités professionnelles stimulantes et des collectivités plus dynamiques.

Innovation is key to growing a stronger, more competitive economy. When we succeed at that, when we create homegrown jobs from homegrown ideas, then the people of Ontario enjoy the benefits through good jobs, rewarding work and stronger communities.

### PROGRAMME D'APPRENTISSAGE POUR LES JEUNES DE L'ONTARIO ONTARIO YOUTH APPRENTICESHIP PROGRAM

**L'hon. Christopher Bentley (ministre de la Formation et des Collèges et Universités):** L'école secondaire est pour les jeunes la période de la vie où ils

prennent des décisions importantes pour leur avenir. Certains décident d'aller à l'université, d'autres aux collèges et d'autres d'apprendre un métier spécialisé, et d'autres encore quittent, malheureusement, l'école sans avoir obtenu leur diplôme.

The McGuinty government wants to help all Ontario students reach their potential. Of course, it's harder to do that if you drop out. Over 70% of all new jobs require some form of post-secondary education or enhanced skills training, so one of the main things we're doing as a government, thanks in large part to the hard work of my colleague the Honourable Minister of Education, Kathleen Wynne, is trying to help more of Ontario's students graduate from high school. In fact, we've set a goal of 85% of students graduating by 2010-11. That's a significant increase over the 68% who graduated in 2003-04.

At the same time, building a skilled workforce is one of the main elements of the McGuinty government's economic plan. Ontario can't compete on the basis of cheap oil, and we don't want to compete on the basis of cheap labour. To succeed in a competitive global marketplace, our economy needs a steady supply of skilled and experienced workers. That's why the McGuinty government has set an ambitious goal of increasing the number of new apprenticeship registrations to 26,000 by 2007-08, and we're currently on track to meet that target.

**1410**

Today I'm pleased to announce the latest milestone to show the progress of the McGuinty government in meeting both of our goals: more high school graduates and more apprentices. The Ontario youth apprenticeship program is the route to meeting those goals. OYAP lets students in grades 11 and 12 earn co-op credits through work placements in the skilled trades. In some cases, employers may formally register students as apprentices while still in high school. This means OYAP students can graduate with their high school diploma plus part of their apprenticeship already completed, giving them experience, direction and a great head start on building a new career.

OYAP has always been a successful program, but today I can announce that the program has reached a new high. A record 24,000 students are expected to take part in OYAP in 2006-07; this is almost double the number of participants in 2002-03. More than 19,000 employers participated in the program as well last year. What this means is that our investment of \$8.25 million in OYAP is producing better results every year, in part because we've been refining the program to make it even better.

Today I visited the automotive technology classroom at Waterdown District High School, where I was joined by my colleague the member from Ancaster-Dundas-Flamborough-Aldershot, Ted McMeekin. We met students who are getting hands-on experience through OYAP by first learning how to repair vehicles in the automotive technology classroom and then going on to get on-the-job training from employers who partner with the school and provide co-op placements through OYAP.

Many of these students go on to apprenticeships, and some may even start their own businesses. All of them come away with skills they can use throughout their lives.

Our government is helping to boost the skilled trades in other ways as well. We introduced the apprenticeship training tax credit to encourage employers to hire and train apprentices in certain skilled trades. We've got the apprenticeship scholarship and employer signing bonus as well. And just a couple of weeks ago, I announced that the McGuinty government is providing opportunities for 800 students in the pre-apprenticeship program. Again, they'll qualify for skilled trades training. Of course, there's Employment Ontario, our new integrated training and employment network which brings together all of Ontario's training and employment and skills services.

For today's students, this is a great time to be entering the skilled trades. Demand is high and will grow even more as large numbers reach retirement age and make room for the next generation of skilled workers.

Our government knows that when we invest in programs like OYAP, we benefit everyone: students, their hard-working families and the economy as a whole. We're working to ensure everyone in Ontario has the tools they need to prosper in the economy of the 21st century.

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

#### RESEARCH AND INNOVATION

**Mr. Ted Chudleigh (Halton):** On the Premier's statement concerning a strategic plan for research and innovation in Ontario, what I find most interesting is this Premier's tendency to say anything to get elected. Now, on the eve of an election year, three years after getting elected, the Premier finally comes up with a strategic plan for research and innovation in Ontario.

We haven't heard from the Premier on this issue before now, and while he stands in the House today touting his plan for research and innovation, his backroom wheeler-dealers are in the process of closing the doors on a unique and invaluable research institute in Guelph. The Turfgrass Institute has a proud history of supporting the turfgrass industry, researching economic potentials of turfgrass and developing innovative techniques to grow and improve this industry. Now the Ontario Realty Corp. is going to sell off this valuable institute to a developer for housing. Apparently, in this case, supporting research and innovation is not what this government is interested in doing. I might add that the turfgrass industry is very upset at this very unfortunate turn of events.

One has to wonder what the real strategy is here, Premier. Is it going to be just to say anything to get elected? It is, after all, this government's policies of broken promises, high costs and high taxes that most hinder investment and success in Ontario?

We hear the hollow words of the goals that this government has planned. The Premier says that Ontario will



be the preferred location to grow knowledge-based businesses. How are you going to do that, Premier, when you're closing research centres? "Ontario will attract the best and the brightest scientists and innovators from around the world"? How are you going to do that, Premier, when you're closing research centres? "Ontario will attract increased private sector investment in R&D." How are you going to do that, Premier, when you're closing research centres?

Ontario will produce a highly qualified workforce. Premier, you can't do that when you're closing research centres in Guelph.

#### ONTARIO YOUTH APPRENTICESHIP PROGRAM

**Mr. Jim Wilson (Simcoe–Grey):** The Minister of Training, Colleges and Universities has a lot of gall this week to talk about the Ontario youth apprenticeship program. Last week, there were several young people sitting in the gallery above him, not 20 feet away from him, with their potential employers. They came here with the Ontario Electrical League to ask him to change the journeyman-to-apprentice ratios in the electrical sector. He's out of sync with his ratios with every other province and territory.

Many of these young people went through the Ontario youth apprenticeship program only to find out there was no apprenticeship position for them because the minister is in the pockets of the unions and he won't change the ratios to allow a one-to-one ratio all the way through the system.

The apprentices were here last week with their potential employers. Those people all took time off work. They were small mom-and-pop shops that want to hire apprentices.

There seems to be a pattern around here. Every time we raise something on this side of the House, they do a re-announcement. This thing has been announced six or seven times and he did it again today. We talk about real jobs, real people, real employees who need jobs.

You've lost 113,000 manufacturing jobs in the last two years alone. In the last two weeks in Collingwood, Alcoa has said that it's going to lay off 330 people. Where's the jobs plan that this Legislature asked you for over a year ago? Magna is laying off over 3,000 workers; Canadian General-Tower, 35 employees in Cambridge; Alcoa, as I said, in Collingwood, 330 jobs; a bankrupt Kingston biotechnology company, Millenium Biologix Corp., 20 employees going; 800 employees laid off at Sterling Trucks in St. Thomas; International Truck in Chatham, 640 employees. In the last two weeks alone, Freightliner LLC has announced it will eliminate 800 jobs in its St. Thomas plant. Navistar is also laying off 700 people at its heavy truck plant in Chatham. In Prescott, 32 people will be out of work at Siegwirk Ink; 108 people in Hanover at Hanover-Hearth Cabinets; Tembec, of course, 229 employees in the last two weeks;

Ford Motor Co. in Oakville, 215 workers laid off in the last two weeks. The list goes on and on and on.

Where are you going? You should be ashamed of yourself. Get back here and bring in the jobs plan that this Parliament asked for over a year ago. Stop re-announcing stuff that doesn't need to be announced and start creating jobs for those young apprentices who were here last week.

*Interjections.*

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

#### RESEARCH AND INNOVATION

**Mr. Howard Hampton (Kenora–Rainy River):** I want to respond to the Premier's statement today. It's interesting that whenever the McGuinty government is confronted with a problem, their response is to promise that something will happen some time down the road, after the next election. The reality is, Ontario is confronted with a massive loss of manufacturing jobs. Almost weekly, hundreds, if not thousands, of workers are losing their jobs.

What is the McGuinty government's response? I think we heard it today. It's not an action plan, it's a consultation plan. They're going to go out and consult with people. I hope the McGuinty government does go to Thunder Bay and consults with the thousands of forest sector workers who lost their jobs not as a result of the world forest products market somehow winding up, but because the McGuinty government is forcing mills that are surrounded by hydro dams where electricity can be produced for one or two cents a kilowatt hour to pay six or seven cents a kilowatt hour for that electricity. The McGuinty government has destroyed those jobs. So I hope you go to Thunder Bay and consult, but while you're there, let me tell you that you'd better have something more than just promises that something might happen after the next election.

**1420**

The reality is that under this government, auto parts jobs are being lost virtually every day, and the auto parts sector is a place where Ontario used to have a technological edge. Do you know what would be really innovative? To make some investments to ensure that we maintain that technological edge. But what's happening here? The McGuinty government is going to consult.

The mining industry is in fact a knowledge-based sector. Every day, new techniques, new technologies, new alloys and new uses are being created. What's the sterling thing that has happened in the mining sector under the McGuinty government in Ontario? The two largest mining companies, Inco and Falconbridge, were sold, lock, stock and barrel, and the McGuinty government didn't even whimper, didn't utter a word. Now, if you want to talk about the future of the mining sector in Ontario, you have to fly to Rio de Janeiro in Brazil or

you have to go to Switzerland. That is the big achievement of the McGuinty government in that sector.

I simply point out again, wouldn't it be innovative if the McGuinty government recognized that pulp mills and paper mills that are surrounded by hydro dams in northern Ontario, that produce some of the lowest-cost electricity in the world, should be able to take advantage of that nature-given benefit rather than penalizing those mills and those companies? That would be real innovation.

#### ONTARIO YOUTH APPRENTICESHIP PROGRAM

**Mr. Rosario Marchese (Trinity–Spadina):** Mr. Bentley's announcement reminds me of late-night TV reruns, which are usually bad. I was expecting another website and, lo and behold we have, as the member from Simcoe–Grey mentioned, another reannouncement of a program that, yes, we support, but it's not new, it's hardly revolutionary and it's hardly original.

If you are a big supporter of co-op programs, as some of us are, why do you present Bill 52, which essentially privatizes a whole lot of programs that are going to be offered by outside institutions, that will not be taught by teachers, and there's no guarantee of that? The government clearly wants to save money. As a result, they will have non-teachers teaching these programs outside of the school system, and they will be, yes, contracted out and privatized. So we'd remind teachers that many of your jobs will be lost, no doubt about it. Many students will be heading out to have these programs where they're going to get 40 hours of instruction, not 110 hours of instruction, where the quality is not assured, where you will not be assured of a teacher and where the programs will be privatized. That's the intent.

We support co-op programs, but I suspect that these are the same co-op programs that are about to be contracted out by this government. That's what we're going to see.

#### VISITORS

**Mr. Norm Miller (Parry Sound–Muskoka):** I want to welcome to the Legislature the class of Jennifer McCreary, from Bracebridge and Muskoka Lakes Secondary School, who are in the east visitors' gallery. They're down in Toronto for the day.

#### DOUGLAS FORD

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I believe we have unanimous consent for each party to speak for up to five minutes to remember a former member of the House.

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

**Mr. Norman W. Sterling (Lanark–Carleton):** It's with a great deal of privilege that I speak on behalf of the Progressive Conservative caucus and our leader, John Tory, to pay our respects to the life of Douglas Ford, who was a member of this Legislature from 1995 to 1999 for Etobicoke–Humber. Doug died on December 22, at the age of 73, from cancer, which had been diagnosed only three months earlier. His family is devastated by the loss of Doug, who was truly the patriarch of his family.

We are joined in the galleries today by his wife, Diane, and three of his children: Randy, Douglas and Rob. His daughter Kathryn was not able to be here with us today. Also here today are six of his eight grandchildren and his former executive assistant, Sherri Walker.

Doug led an extraordinary life, truly a rags-to-riches story. As the youngest of 10 children of a single mom, he was forced to leave school after grade 3 to help support his family and himself. As a young man, he was a significant athlete, playing for the East York Argos and swimming alongside Marilyn Bell when she completed her first crossing of Lake Ontario. As his son Rob said, "He never got across, but he sure made a good attempt."

When Doug met Diane, he said, "Marry me and you will be marrying a millionaire." Well, it came true, but it wasn't quite that easy. In 1962, with four young children, Doug started his own company, leaving a steady job, which became known as Deco Labels and Tags. Through hard work, determination and skill, the company grew and grew and prospered to the point where this company now employs over 150 people in Toronto and Chicago. His sons Doug and Randy now operate that company.

Prior to entering the Legislature in 1995, Doug worked in his community with the Salvation Army Red Shield Appeal, Big Brothers and many groups related to the special needs of children and seniors. He was an active member of the Rotary Club for 38 years and was recognized as a Paul Harris Fellow, an honour given for outstanding community leadership. Mr. Ford was a long-time member of the Etobicoke General Hospital board, once raising \$1.5 million for the hospital's first CT scan machine.

Mr. Ford extended his charitable ways further when he became an MPP. It is a little known fact that Doug Ford, while he was an MPP here, gave all of his salary as an MPP to charity over that elected period of time. I don't know if any other MPP in this Legislature has ever done that.

Doug came to Queen's Park to represent and help his constituents. His motto in business and then in politics was service: "Meet them at the front door." In order to gain access on behalf of his constituents, Doug innovated and used some of his business techniques in order to represent his constituents. My wife, who was working for Al Palladini at the time as his MPP liaison, said she was surprised to receive an invitation from a brand new MPP, Doug Ford, for lunch, as all other MPP liaisons had, because Doug wanted to tell them about Etobicoke–Humber and wanted to gain access to all the ministers'

offices on behalf of his constituents. I'm told that he dealt with ministry staff and bureaucrats in a businesslike fashion in order to gain the best possible outcome for his constituents.

If we look at his career at Queen's Park, his focus was on (1) his constituents, (2) economy in government and (3) small business enterprises. He repeatedly rose in this House to announce the opening or expansion of a small business in his Etobicoke constituency. His interest in striving for efficiency was put to good use on the Government Task Force on Agencies, Boards and Commissions. He had a resolution in this House that dealt with the misuse of health cards. Surprisingly, it still hasn't been completely dealt with, as we found out from the Auditor General's report last week.

Doug was a true-blue conservative, and there was no question about that. In order to get where he did, he was very direct, he was very outspoken; there were no punches pulled with Doug Ford. When he spoke to caucus, he was listened to. In fact, in one instance, his intervention put an end to a government bill because he saw through the fallacies of that particular bill. He was here in this Legislature at every vote for his governing party. He could always be counted on.

Doug believed in loyalty to the end: to his family particularly, to his business associates, to his clients, to his customers, to his workers, to his political party and to his community.

While Doug appeared a little rough on the outside from time to time, he was quite thoughtful in his actions as an MPP. He was very knowledgeable about business issues and a very, very successful investor. His history shows his heart was very big, and indeed he was one of the most generous people who have ever come to this Legislature. He had a great sense of humour, always ready with a good story.

On behalf of my party, I say to his family and friends: I know that you will miss him very, very much. He not only was a great father and a friend, but a great man for his community and for our province of Ontario. You have indeed every right to be very, very proud of his life.

1430

**Mr. Gilles Bisson (Timmins–James Bay):** On behalf of New Democrats, I want to join in this opportunity that we have to say a few words in regards to the work that Doug did while he was here.

Most of what had to be said has already been said by my colleague who was formerly within his caucus, but I want to take this from a bit of a different perspective. He's gone through the accomplishments that he had; he's gone through the various things that he had done in his life, like his volunteer work. I want to take it from a bit of a different perspective, and that is to say that, yes, it's true: Doug was his own person. He really came to this place bringing his own style of politics, believing keenly in what he was about and what he was trying to do. One thing that was never in doubt is that he really knew where he wanted to go in the time that he was here.

I remember at first—being a member elected in 1990 and having been defeated by the Harris government—

feeling a little bit stung by some of the things that Doug would sometimes say in this place when we were participating in debate. But I began to understand why he was the way he was. He was a person who came from nowhere; he was a person who basically had nothing at the beginning of his life. He had a lot of hardship as a young man. I remember talking to him about the fondness he had for his mother and the work that his mother, along with the rest of the family members, did in order to stick together in very difficult times and in a very difficult economic situation, and him having to go to work at a very young age.

The thing that struck me was that, even though he might be a Conservative and I might be a New Democrat, at the end of the day we were kind of trying to go to the same thing, but in a different way. He believed very keenly in the empowerment of individuals. Basically, his whole life was trying to do well for himself and his family, eventually starting a business that was very successful, but when he got the opportunity to accumulate those successes by way of either cash or of time, he gave his own time and his own money back to his community in ways that a lot of us are not able to do and don't have the opportunity to do. I didn't know that he had given up his salary in the time that he was here; that's something that is really unheard of. For him to do that, I think, speaks volumes of his want to be able to give back to society what he got from society in the first place.

Also, when you look at the volunteer work that he did on behalf of his community, it was clear that he felt, as something really inside, that at the end he had been quite fortunate in this society and he had to find some way to give back to those who had helped him and to help those he may have never met to have an opportunity to hopefully succeed in the way that he did.

The other thing I would say about him is that he had a particular interest in trying to find ways of making government work in a way that he saw as more businesslike. I remember being on committee with him a couple of times when we were dealing with agencies, boards and commissions and looking at issues about the mandates of these committees and what were some of the regulations that were in place. He came at it from a very different perspective than most and looked at it more from the business side. That's not to say that's always right, but I respected him and his view.

I think that when members are able to come here—and this is the important part—and not forget who they are once they walk in the door, but remain true to themselves and to their constituents, I think that says volumes about them.

On behalf of New Democrats, we say to the family that we know it's a difficult thing. Some of us have lost parents before. I've lost my father and I understand how difficult that is. I just say to you: You have lots to be proud of when you look at the work that your father did, not only in this House but throughout his life and for your family. I look at all of you and say, he's done a pretty good job. Congratulations.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On behalf of the government members, I would like to pay tribute. It's a privilege for me to pay tribute to Doug Ford this afternoon. I remember Doug very vividly, as most of us would, particularly when he was exercised about some issue that was before the Legislature. Doug always let you know where he stood on an issue—there were no questions about it—and he brought a very practical sense to the Legislature.

His own business experience and, I think, his own life experience were brought out clearly whenever he was in cabinet or in his speeches in the House and, I'm sure, in the government caucus meetings, where other parties don't have a chance to be. What my friend Norm Sterling said about him was probably very true: that on many occasions when there was legislation or a regulatory initiative brought forward of which he was aware, he would be the first one to try to apply his business acumen and his common sense to those kinds of proposals. He was also noted, as those of us around here knew, as a very good constituency person. Again, as a colleague in the then government caucus, Norm Sterling would know exactly what he brought to the caucus in terms of that acumen.

When a person is born into wealth and does very well, we're happy for them. For Doug Ford, who was not born into wealth but had to struggle and had to go to the school of hard knocks with his education—we certainly admire a person who does that. That kind of individual always remembers what it was like back in the old days, when that person had so many challenges to meet in a personal way. For Doug to overcome those challenges sets a good example for many who find themselves in similar circumstances.

In terms of his contribution to committees, there has been reference made to that by the member for Timmins–James Bay. He was active at committees. Some people go to committees and they have more interest than others. I think it could be said of Doug that when he was in committee, he again was prepared to apply his business principles and analyses to whatever a committee happened to be doing.

All parties and all party leaders certainly respect and like loyalty. It could be said of Doug that he was loyal to the cause of what was referred to as the Common Sense Revolution, to Mike Harris, and to the members of the cabinet and the caucus at that time.

He came in at a very interesting time in Ontario. Some significant changes were being made. I can picture him now dealing with government agencies which were in existence, because that's one area where, over the years, we have not had the kind of analysis that perhaps other jurisdictions had. We're back into that now, I must say: looking at government agencies and how they operate. Doug would see the deficiencies and strengths of those agencies and was prepared to share his views not only with the members of the opposition who were in the committee but I'm sure behind the closed doors of a

caucus meeting and in personal conversations with ministers of the day. It was appropriate that Premier Harris would appoint him to review those government agencies.

I had heard that he was an excellent athlete. A lot of the things that we learn of individuals, unfortunately, we learn when we're paying tribute to them, when people are reviewing their lives. I understood that Doug was very interested in the field of athletics and was himself an athlete, and there's something to be said of that.

Sometimes people draw up a picture of a businessman who's hard-hearted and tough with everybody. That's a misnomer for so many. Doug was yet another example of a person who had gone through a lot himself, was a very astute business person, who in his own business applied those appropriate principles but had a heart of gold for others. The fact that he was involved with the Salvation Army, with Big Brothers and with Etobicoke General Hospital is a clear indication of his commitment to his community, giving back what others had helped to provide for him and wanting to serve his constituents, the people of Etobicoke and really the whole province of Ontario. So we all pay tribute to him.

We say to the family, who are assembled here today, that we were all sorry to hear of his passing. But the family can take satisfaction and pride in the fact that he made a wonderful contribution to this Legislature, to the riding of Etobicoke–Humber and, of course, to the province of Ontario.

**1440**

**The Speaker:** I'd like to thank the member for Lanark–Carleton, the member for Timmins–James Bay and the government House leader for their remarks. I assure the family that I will see that the Hansard of today's proceedings is sent to you.

## ORAL QUESTIONS

### ONTARIO POWER GENERATION AND HYDRO ONE

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. I'm asking this question of the Premier because, as the head of the government, he bears the ultimate responsibility for all things that happen in the broader public sector.

On Friday, Tom Parkinson, the CEO of Hydro One, quit under a cloud. He handed in his resignation. At the same time, we heard that he took this decision despite the fact that the board of directors at Hydro One had full confidence in him. After that, we heard that he would be given a severance package in the range of \$3 million.

My question is this: If he did indeed quit and it was his decision, why are we paying him \$3 million in severance?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** There's some good news for the people of Ontario when it comes to what has been

happening at Hydro One and to our broader public sector generally, including agencies like OPG and Hydro One.

There are three points in particular I want to make. First of all, there's a government today in power that has expanded the freedom of information legislation to allow access to Hydro One and OPG, expanded the salary disclosure sunshine list to Hydro One and OPG, and opened up the books of OPG and Hydro One to the Auditor General. That's point number one. Point number two: The Auditor General has in fact looked at Hydro One. Thirdly, the board at Hydro One has agreed to implement each and every one of his recommendations.

Those are the kinds of things that would never have—and, in fact, never did take place under previous governments. We're proud of the fact that we've opened this up to the light of day, that we received some solid advice from the auditor and that the board will in fact act on all of that advice.

**Mr. Tory:** I don't know how the Premier can claim to have any commitment to transparency or respect for taxpayers' money whatsoever when he utterly fails to answer the question that I asked, which was a very simple question: If the man quit under a cloud and the board didn't want him to quit, why did you pay him \$3 million?

In the vast majority of cases, the idea that somehow an individual can quit his or her job, completely leave the company and still receive the equivalent of two years' salary is an idea that just doesn't make sense to most people in Ontario. In the real world, if you quit under a cloud and you leave completely, you quit; no \$3 million. In Dalton McGuinty's world, you leave under a cloud, \$50,000 in expenses are paid through a secretary's credit card and you get rewarded with a payout.

If the Premier is serious, as he said in the past, about changing the culture of entitlement, can he tell us why he didn't seize the first opportunity to say to Mr. Parkinson when he quit, "Sorry. You quit under a cloud. Your decision. No payout"? Why didn't you say that to him?

**Hon. Mr. McGuinty:** I want to assure the leader of the official opposition, the people of Ontario and hydro ratepayers particularly that the very best advice we got was that this was the least expensive resolution we could find in order to address this matter. I know that the leader of the official opposition, in his heart of hearts, knows that and understands that, notwithstanding the thrust of his question.

On a go-forward basis with respect to a successor who'll eventually be hired on to replace Mr. Parkinson, there's a balance here that we're trying to strike on behalf of the people of Ontario and ratepayers. On the one hand, we understand that Hydro One is a very sophisticated organization, and we're going to be looking for an exceptionally talented individual to head up that organization. But at the same time we will ask that that individual respect the fact that this is a public utility and ultimately we are all accountable to the people of Ontario and the ratepayers.

**Mr. Tory:** I guess when the Premier tries to describe this as the less expensive option, certainly, compared to

the millions and millions and millions of taxpayers' money that his government has blown, it starts to look less expensive.

In the last two weeks we've seen story after story of hundreds more people in Ontario losing their jobs. Last week: St. Thomas—900 layoffs; Collingwood—330 jobs lost; Magna International, we now hear—3,000 people laid off. In all of these and dozens of other examples, hard-working Ontarians lost their jobs through circumstances beyond their control. Thousands in the north have lost their jobs.

Compare this to the case of Tom Parkinson, who quits under a cloud and gets a \$3-million windfall. If he quit, as the Premier and the Minister of Energy and the board of directors at Hydro One all claim, why is he getting a huge, multi-year, multi-million-dollar payout when he has left the company completely at the same time as all these other Ontarians are just getting a pink slip? Why is that happening?

**Hon. Mr. McGuinty:** Again, I think it's important for us to understand how we got to this point in the first place. We have opened up OPG and Hydro One by way of expanded freedom of information legislation, by expanding the salary disclosure sunshine list, and asking the Auditor General—in fact, giving the Auditor General the necessary authority to take a look at the books of OPG and Hydro One and the activities of all the individuals working there. That's how we have this information: because we did something that the previous governments had refused to do. They didn't want to take a close look there. They were afraid of what they might find there. We think it's important that the people of Ontario have access to that kind of information, and that's why we said that they should and could have that information.

Again, I say to the people of Ontario that there are reasons to be hopeful. We have a government that believes in accountability and transparency. Secondly, we have an Auditor General who took advantage of every opportunity and looked at what was happening at Hydro One. Thirdly, we've got a board at Hydro One that is saying it will act on every single one of those recommendations put forward by the Auditor General.

**The Speaker (Hon. Michael A. Brown):** New question? Leader of the Opposition.

**Mr. Tory:** My question, again, is to the Premier. The scapegoating of Tom Parkinson by the government doesn't change the fact that there are serious systemic—

*Interjections.*

**The Speaker:** Government House leader. Stop the clock. Order.

Try again: New question.

**Mr. Tory:** By trying to focus, of course, all the attention on Mr. Parkinson, it will take attention away from the fact that there are many things going on systemically across the rest of the government. It goes much further than Hydro One.

At OPG, we have serious questions raised by the Auditor General about the misuse of corporate credit cards: \$61 million spent on three types of cards; \$6.5 mil-

lion of \$30 million paid without any receipts whatsoever. Mr. Parkinson's resignation doesn't change any of this.

We see late word—literally in the last 15 minutes—that they're taking some steps at OPG to deal with this. But you, I say to the Premier, are ultimately in charge, the man entrusted with the responsibility to safeguard the taxpayers' money. What specifically have you done and said in terms of specific action plans that will be undertaken in the broader public sector—school boards, hydro corporations and so on—to make sure this kind of unacceptable practice doesn't continue one more day? What have you done?

**Hon. Mr. McGuinty:** The single most important thing that could have been done and was in fact done was to open these doors to the Auditor General so that he could take a look inside for the very first time. That was something that the previous governments refused to do. They kept a lock on those doors.

There were over a dozen specific recommendations offered by the Auditor General to the folks at Hydro One, outlining in some very specific ways the kinds of things that they should do in order to ensure that they're being more accountable when it comes to the money they receive from Hydro One ratepayers. Those specific recommendations have been acknowledged by the folks at Hydro One through the board. They have specifically said that they will adopt these recommendations, that they will put them in place.

To listen to the leader of the official opposition now is a little bit like hearing about the courage of the general who rides down from the hills after the battle's over so he can shoot the wounded. Where was he when it was time to open these doors—

*Interjections.*

**The Speaker:** Order. Supplementary.

1450

**Mr. Tory:** The fact is that if you open the door and then pay absolutely no attention to what you see and allow this scandalous abuse of the taxpayers' money to continue, you've accomplished absolutely nothing by opening that door.

My question, in fact, was about OPG, not Hydro One. Here's more of what the auditor had to say about that: "OPG policy prohibits the use of ... credit cards for the purchase of minor fixed assets....We noted that" corporate "cards were ... used to purchase minor fixed assets such as computer printers, monitors, fax machines, digital cameras, projectors, and computer scanners." OPG relied on their employees to report these and record these, but again, according to the auditor, "None of the assets sampled that cost more than \$2,000 had been recorded in the fixed-asset system." Computer printers, digital cameras, projectors, scanners—all paid for with ratepayers' and taxpayers' money, all purchased improperly and all unaccounted for.

You opened the door, but specifically, now that we've seen the horror shows going on inside, what are you going to do? What have you instructed be done to show some respect for taxpayers' money?

**Hon. Mr. McGuinty:** I again say to the leader of the official opposition that you're too late. That is a party that while in power refused, after repeated requests over a number of years from the Auditor General, from the relevant parliamentary committee, to provide the necessary authority to the Auditor General so that we could get him to take a look at OPG, to take a look at Hydro One. Now he tells us that he's unhappy with the findings. Well, you know what? He should have taken a look at that before.

We too have some real problems with the findings, but we at least we had the courage of our convictions. We said to the Auditor General, "Please go take a look at what's happening there. Give us your very specific recommendations." He's made recommendations to the folks at Hydro One and he's made recommendations to the folks at OPG. My understanding is that a relevant letter has been issued today by Mr. Hankinson, following hard on the heels of those recommendations from the Auditor General. We are going to move ahead, not like the previous party, which insisted on keeping those doors locked to the Auditor General of Ontario.

**Mr. Tory:** The fact of the matter is that you can open the doors all you want, but if you do nothing when you look inside and see the horror shows of the abuse and the waste of taxpayers' money going on on your watch—it is absolutely inexcusable that you refuse to do anything.

The auditor also identified ways in which oversight and accountability could be exercised that had led to other improper spending. He cited a monthly credit card purchasing report that identifies employees who have overspent their limits. It's not considered important, obviously. He cites people who have a \$200,000-a-month spending limit on their corporate credit card. What specific directions has the Premier given to say that the days of entitlement at places like OPG and Hydro One are over, and that there will no longer be such a thing as a \$200,000-a-month credit card that somebody can charge to the taxpayers or the ratepayers? Specifically, what have you done about that?

**Hon. Mr. McGuinty:** I think the question that Ontarians would be interested in having answered is, why was it that the previous party was so eager to hide that kind of information from the people of Ontario? Why were they afraid to bring that information forward? Why were they afraid to make those kinds of interesting pieces of information public?

We decided that Ontarians, in fact, have a right to that information. That's why we changed the law in Ontario. That's why we said to the Auditor General, "You have every right to go in now and take a look at OPG, Hydro One, children's aid societies, colleges, universities and hospitals. Open up those doors; we have unlocked them. Go inside and take a good look around. Tell us exactly what is happening there, come forward with some very specific recommendations, and let us work together to act on those."

I think at the end of the day what the people of Ontario really want to know is, who stands for real transparency

and real accountability, and who stood for keeping the locks on those doors and keeping that information away from the people of Ontario?

**The Speaker:** New question?

**Mr. Howard Hampton (Kenora–Rainy River):** My question is to the Premier. On Friday, the McGuinty government's Minister of Energy couldn't utter the words, "Tom Parkinson's \$3-million severance package." Why? Because he was embarrassed. At a time when the McGuinty government should have been giving Mr. Parkinson the pink slip for his greed and excess at Hydro One, the McGuinty government instead handed Mr. Parkinson the keys to the company safe.

My question is this: At a time when thousands of workers across Ontario are losing their jobs because of skyrocketing hydro rates, at a time when hydro consumers across the province are having a hard time paying their hydro bills, how does the McGuinty government justify a \$3-million golden parachute for Tom Parkinson?

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy):** Again, to re-emphasize: First of all, it was this government that brought about the ability for the Auditor General to look at these issues, and, indeed, what his findings have been require a full response. This government has acted prudently and in a timely fashion to address the issues in consultation with the board of Hydro One. Moving forward, we want to ensure that the recommendations of the Provincial Auditor are fully implemented. I can assure the House that in fact many of the recommendations contained in the auditor's report have already been acted on, prior to the release of the auditor's report.

On the advice of the board and others, it was felt, as the Premier indicated, that this was the least costly resolution to the circumstances we found ourselves in. Under such circumstances, we believe it's important to implement all of the auditor's recommendations and to continue to shine the light on all of these broader—

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

**Mr. Hampton:** I don't know what fantasy land the McGuinty government is living in, but this is Hydro One's filing, which had to be filed at the end of 2005, which disclosed all this. You didn't disclose anything that wasn't on the record. The \$125,000 mansion subsidy—that's in here. The \$1.6-million compensation package—that's in here. And then there were the hydro helicopter joyrides, and then the \$45,000 in hidden expenses on the secretary's credit card and now a \$3-million golden parachute for someone who exhibited his greed and his excess for all of Ontario to see. And you approved all this. You approved the renegotiation of this contract. In fact, you told this Legislature it was all justified.

My question to the Premier, again: How could you sign such an outrageous pay package and turn your back on hard-working Ontarians who are having a hard time paying the hydro bill?

**Hon. Mr. Duncan:** This government has responded to the full range of energy issues with respect to Hydro One

and OPG. The issues that were raised by the auditor were not in fact subject to any kind of public scrutiny before, and that's why we brought it about. We're responding in a proactive and timely fashion in a way that is responsible to those ratepayers and taxpayers who deserve the very best. Accordingly, a number of recommendations have already been acted on. The advice we had on this particular issue was that this was the least costly response to the circumstances in their entirety. Accordingly, the board proceeded as they did, and now we proceed to implement the rest of the recommendations by the Provincial Auditor at OPG, at Hydro One and indeed across the broader public sector.

**Mr. Hampton:** You haven't done anything to protect hydro consumers or people across Ontario. In 2003, Mr. Parkinson was getting paid about \$1 million. What the McGuinty government did was approve his salary and bonuses going up to in excess of \$1.6 million. And you approved this outrageous pay package should he be terminated or quit. That's what you've done. You haven't protected the hydro consumers. You haven't protected the public interest at all. You've contributed to this excess.

What's clear is this: There is much more going on both at Hydro One and OPG and the Ontario Power Authority; there are all kinds of people who are on the Dalton McGuinty "Let's increase the pay" gravy train. The only way people across Ontario are going to be protected is if we have a public inquiry that looks at the whole of the pay packages. Is the McGuinty government willing to order a public inquiry so the public can—

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

**Hon. Mr. Duncan:** We allowed the auditor to go in and look at every aspect. He has done that, provided a series of recommendations, all of which will be responded to.

**1500**

The good news here is that the auditor can go in and find these things. The good news is that we have a government that has already responded, not in full yet but certainly on recommendation by recommendation. The good news is that, going forward, we have the opportunity to address these and other issues in a way that they were never looked at before, over the course of governments of all political parties, in a way that will help prevent the challenges that were spotted this time. Moving forward, the steps we'll take to fully implement the auditor's recommendations will be appropriate, timely and done in the interests of all ratepayers and taxpayers in Ontario.

**The Speaker:** New question.

**Mr. Hampton:** Premier, the only thing the McGuinty government has done is escalate not only Tom Parkinson's salary through the roof, but if you look at all of the other people you've put in charge of the Ontario Power Authority or the Independent Electricity System Operator or OPG, you've escalated all of their salaries through the roof.

It seemed that you were trying to hide behind the Hydro board last week. This, of course, is the Hydro board that hired Tom Parkinson, negotiating Mr. Parkinson's outrageous compensation package that you then agreed to, and then proclaimed its full and ongoing confidence in Mr. Parkinson, while he walked out the door with \$3 million of public money.

If the McGuinty government has the same old board that's taking the same old approach at Hydro One, how are you going to stop this revolving door of greedy chief executive officers at Hydro One?

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Mr. Duncan:** There have been a number of chief executive officers at Ontario Power Generation and Hydro One and indeed the predecessor, Ontario Hydro. There have been challenges with these organizations throughout the years. Different governments have taken different approaches to deal with them. Accordingly, we gave the Provincial Auditor the power to go in and do these kinds of analyses, to make the kinds of recommendations that the Provincial Auditor is doing, something that was never done before. So, accordingly we take those recommendations seriously. We will work with the boards and all the various organizations affected to implement all of the auditor's recommendations, and, moving forward, to ensure that the kinds of issues that have been identified are dealt with in a timely and prudent fashion, recognizing that the continued operations of both large energy companies continue to be stable, continue to produce electricity and bring it to market.

**Mr. Hampton:** The McGuinty government wants to continue with its fiction. The outrageous pay scales were all provided according to a public filing that Hydro One had to file over a year ago. You've been defending those salaries and the board of directors over at Hydro One has been defending those pay packages. In fact, the board is unrepentant in its support of Tom Parkinson. While it accepted his resignation, it said it had the greatest of admiration for him. It shows no sign that it will do anything to change the culture of entitlement over at Hydro One.

When a hockey team overpays a lazy player and the team tanks, the owner doesn't just cut the player; they also fire the general manager. My question is this: Will the Premier fire Hydro One's board and replace them with people who have some respect for the hard-pressed hydro consumers in Ontario?

**Hon. Mr. Duncan:** The ongoing operations of Hydro One have become increasingly profitable; indeed, have experienced a number of credit rating increases. The board was presented with recommendations from the Provincial Auditor with respect to value for money that involved a number of aspects of the operation, all of which have been enumerated. Those recommendations are being acted on in the context of a company that must continue to be able to provide service that should have some stability at the board level. The government routinely makes changes at the board as terms expire and so on. That has occurred in the past. I anticipate that it will occur again in the future.

We have to ensure that the kinds of challenges the Provincial Auditor has identified and made recommendations on are dealt with in a timely fashion. We have to ensure that the company itself continues to see improvements in its credit ratings, because that benefits—

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

**Mr. Hampton:** The \$3-million golden parachute to Tom Parkinson has nothing to do with the Provincial Auditor and has everything to do with the negligence of the McGuinty government, a McGuinty government that should have handed him a pink slip but instead opened the door to the vault for him.

Here's the reality: You won't call a public inquiry to look at all of the escalating pay that's happening at Hydro One and OPG and the Ontario Power Authority and the Ontario Energy Board. You won't do that. You won't fire the Hydro One board which recommended these ridiculous pay scales and bonuses and perks and mortgage subsidies. This is all Dalton McGuinty's operation. This can't be blamed on somebody who came before; this has all happened under your government. So I want to ask the Premier this question: At what time does Dalton McGuinty take some responsibility for the mess that the McGuinty government has created? The McGuinty government alone approved these pay scales and everything else that went with them.

**Hon. Mr. Duncan:** We began to take action when we took office. Whether you're talking about the situation at OPG and the board changes there or whether you're talking about bringing the Provincial Auditor in and giving him the ability to look at a value-for-money basis and a range of these options, a range of these challenges, that is about taking options. I remind you that when we looked for expense receipts in the past, we found 18 months of the chair's expenses that were missing, not even there. Those are the sorts of circumstances that couldn't go on.

The auditor has given us a number of recommendations. It is clear, as the Premier said this morning and has indicated before, that we must take into account all of these recommendations, not only with respect to the specifics but also with respect to governance and how we move forward. This government is committed to moving forward in what I would term a prudent, responsible and timely fashion to ensure that the kinds of situations that have been identified don't happen again, to ensure that the public trust of Ontario Hydro is maintained, and that, going forward, both OPG and Hydro One can act and operate—

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

## MANUFACTURING JOBS

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Premier, this past Friday marked one year since this House adopted a resolution calling on the McGuinty Liberals to recognize "that a detailed government initiative is needed now to deal with ... communities, families and working men and women who are suffering from ... rapid economic changes, and



that this plan should come forward immediately.” That motion was adopted 44 to 0. Thirty-one members of the McGuinty government voted in favour of the motion. Yet 368 days later, we have no such detailed initiative or any comprehensive initiative at all.

Last week we had 900 layoffs in St. Thomas. We have 330 jobs lost in Collingwood. We have 3,000 jobs now lost by Magna International and a prediction of 5,000 more jobs to be lost in the auto parts sector.

For 368 days, the Premier has rejected the call of this Legislature for a comprehensive plan on jobs. Will the Premier tell this House whether he has any intention at all of bringing forward a comprehensive plan to help these people and these families with their lost jobs?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello (Minister of Economic Development and Trade, minister responsible for women’s issues):** Let me set the record straight right now. First of all, Magna is not laying off 3,000 jobs; let me say that very clearly. It’s very unfair for you to spread more erroneous rumours through this House.

Second, let me give you an example. When there have been these issues in communities across this province, the Ontario government has acted immediately, and it has been an across-the-government response. Whether that is through the employment centres with our Ministry of Training, Colleges and Universities or whether it’s been through the agriculture ministry, depending on the size of the community, our government has acted. We have swooped into that community and offered every single possible assistance for those workers who are being displaced with the means to look at retraining, new opportunities, and establishing and—

*Interjections.*

1510

**The Speaker (Hon. Michael A. Brown):** I was unable to hear the last comments of the minister. It’s necessary that members allow other members or ministers to respond.

Minister, you have about 15 seconds left.

**Hon. Ms. Pupatello:** Let me just say this: The communities that are being affected by changes in this economy know that this government is a partner with them to move them through to a brighter future. We have been there and we will continue to be there.

**Mr. Tory:** The source, confirmed by someone at Magna, of there having been job losses at Magna was the Toronto Star, and a Magna spokesperson said that there have been layoffs. So if you don’t want to accept those 3,000 layoffs, there still have been 2,125 layoffs, 2,125 families who have lost their jobs in this province on your watch, and you just dismiss it.

The fact is, the Premier has called this a little bit of contraction, he has called it cyclical—he even, one day, called it inevitable—but the fact is, there have been 13 separate media reports that could total as many as 5,125 job losses. Ontario is bleeding jobs and the government is

ignoring the call from this Legislature for a comprehensive plan at the very same time they reward someone like Tom Parkinson, who’s leaving under a cloud with a \$3-million payout. The contrast is stark. The Parkinson cheque was written in a hurry on a Friday afternoon; it has taken you a year so far, and still no jobs planned. When are we going to see the jobs plan? If it took you an hour to write a cheque for \$3 million, surely you can come forward with some kind of a plan instead of this disgraceful inaction.

**Hon. Ms. Pupatello:** I know that this opposition party has a hard time believing that there are net new jobs in Ontario. While you don’t want to admit that, let me share with you something that you continue to do, and that is to vote against every single opportunity that you’ve had to support our innovative strategy for the automotive sector. You were opposed. For the advanced manufacturing investment strategy: You were opposed. For all of the help to the forestry sector, you were opposed. For all of agriculture, you were opposed. Every time we have come forward with a significant package to the tune that these industries have never seen, and for the first time in 15 years this government works with a partner in a—

*Interjections.*

**The Speaker:** Order. I need to remind members that I need to be able to hear when members place questions and ministers respond.

Again there will be some time left for you, Minister.

**Hon. Ms. Pupatello:** Let me just finish by saying that this opposition party has been opposed to every single innovative idea that has brought jobs to this province—7,000 new jobs in the automotive sector alone. You don’t want to acknowledge that kind of success, but 260,000 net new jobs—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** We can wait.

*Interjections.*

**The Speaker:** Member for Bruce–Grey–Owen Sound, if I hear from you again—order. There are members who wish to place questions.

## ONTARIO POWER GENERATION AND HYDRO ONE

**Mr. Michael Prue (Beaches–East York):** My question is to the Premier. Mr. Premier, under your watch, Tom Parkinson’s take-home pay grew by half a million dollars. That was a 50% increase under your watch. With his golden handshake severance package, Tom Parkinson will have received a mind-boggling \$4.5 million this year. That works out to \$2,163 for every hour he worked. Meanwhile, the wages of Ontario’s poorest citizens barely keep pace with inflation and leave them well below the poverty line. Mr. Premier, why did you pay Tom Parkinson \$2,163 an hour but you can’t afford to pay Ontario’s lowest-paid, hardest-working people \$10 an hour?

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

**Hon. Dwight Duncan (Minister of Energy):** This government has shone the light of scrutiny at Hydro One and OPG. It has received the recommendations of the Provincial Auditor and it has begun to address those issues. There are a number of challenges that remain outstanding that we must address as well.

I would remind the members that this is the government that has raised the minimum wage in Ontario. We raised the minimum wage four times. This is the government that provided \$100 million this fall that wound up in the hands of people of modest incomes to assist them with their energy bills. This is the government that has moved on a variety of fronts to assist those most in need, whether you're talking about affordable housing, minimum wage, welfare support or the 2% increase in this year's budget. None of us like to deal with the difficult situations the auditor dealt with. We shone the light on it. The good news is that we did, and we are addressing it.

**Mr. Prue:** I think perhaps the minister does not understand, sitting in that very rich seat over there. Ontario families struggle with two and three jobs just to lift themselves above the poverty line, and your government refuses to raise their wages to that poverty line. Meanwhile, the CEO of Hydro One gets \$3 million as a bonus for getting fired, and your government says that's okay. A single mother on minimum wage would have to work full-time for 188 years to make \$3 million.

Back to the Premier: How can you defend keeping Ontario's lowest-paid, hardest-working families in poverty while you allow Tom Parkinson to take hydro consumers for a ride?

**Hon. Mr. Duncan:** To the Minister of Labour.

**Hon. Steve Peters (Minister of Labour):** Unfortunately, for nine years in this province we saw no increase in minimum wage. We recognized, when we took office, that the Conservative Party had left vulnerable individuals far behind. We made a conscientious effort to move forward on a four-pronged approach to raise the minimum wage in this province to \$8 an hour. As of February 1, 2006, that rate has been at \$7.75 an hour; on February 1, 2007, that rate will be at \$8 an hour. We needed to make sure that we move forward in a fair and balanced approach.

You cite other jurisdictions. Our neighbours' minimum wage in the United States is \$5.15 an hour.

We have a very competitive minimum wage in place, and we felt it was important to recognize that, because we saw nine years of inaction by the Conservative government.

I'm proud of what we've done. We're going to see an additional 25-cent increase on February 1, 2007.

## TOURISM

**Ms. Monique M. Smith (Nipissing):** My question is for the Minister of Finance. I know the member for

Niagara Centre wants to hear this, because he's very worried about his winter holidays.

Minister, last week, as part of your discussion with the media about some economic initiatives to stimulate the Ontario economy, you discussed the government's hope that Ontarians would vacation in Ontario.

While discussing and reminding Ontarians that they should vacation and holiday in Ontario, you did say, "I understand that skiing in North Bay is not all that good." Minister, I grew up skiing in North Bay. As you know, Kate Pace was a World Cup champion who grew up in North Bay. Steve Omischl, a World Cup aerialist champion, just this weekend won the World Cup championship in China. North Bay has a proud skiing history and a very active ski club at Laurentian Ski Hill. In fact, we are one of the very few communities across the country that have a ski hill right in the centre of the city—

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

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** The part of the question that some of us didn't hear I think went something like, "How do you explain your comments?" Perhaps you could start with my own ignorance and then move quickly to my own stupidity. I think that would take care of most of it. I don't think we need to go much further than that.

1520

Last Thursday, we were in the midst of promoting Ontario as the destination of choice for Ontarians for their holidays. I had been talking about the skiing in Thunder Bay, the skiing in Collingwood and the cross-country skiing in the Kawarthas. I'm not a skier. I mentioned North Bay and then I didn't realize that there was downhill skiing in North Bay; thus the comment. Since that time I certainly have found out that one of the greatest places in the entire province to ski is right in North Bay.

**Ms. Smith:** As the minister knows, Discovery North Bay is a new museum in downtown North Bay that we've refurbished in the old CP station. Our waterfront is being—

*Interjections.*

**The Speaker:** Order. This won't surprise you, but I'm having a great deal of difficulty hearing the member for Nipissing. I need to be able to hear her place her question.

*Interjections.*

**The Speaker:** Order.

Member for Nipissing.

**Ms. Smith:** They're just so excited about the travel opportunities in the north that they can't contain themselves over there.

During the winter months, North Bay and area are home to some of the best skiing, cross-country skiing, snowmobiling and ice fishing in the country. Our government has invested in the Nordic ski trails and our Laurentian ski club through the Trillium Foundation and

the communities in action fund and we are encouraging our young people to get more active through these activities.

I've signed the minister up at Laurentian Ski Hill for some ski lessons or snowboarding lessons this winter. I'm asking him: Will he and Kate and the kids come up and join me for some skiing in North Bay this winter?

**Hon. Mr. Sorbara:** I'm going to take a pass on the skiing. I should tell you, however, that there was a good side to this blooper. I've been talking about the great skiing in North Bay on regional radio. I had a conversation with Doug Newell, who actually owns Laurentian Ski Hill in North Bay, and I've made an undertaking to promote skiing in North Bay just about as long as the season will last.

Might I just say one thing, in all seriousness, on North Bay? Mostly I've been there in the summertime. It's a community which has so many things that are attractive and that people should see if they want a holiday—for example, in the springtime, walking along Lake Nipissing. I understand from my friend that there is a magnificent hand-carved merry-go-round. What I really want to do this spring is get my grandchildren up there to enjoy that.

#### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe–Grey):** My question is for the Premier. Premier, this is a terrible and devastating time for over 300 million insulin users worldwide who are alive today because of the work of Sir Frederick Banting. In the galleries today are many supporters and family members of Sir Frederick who are wondering why you haven't lifted a finger to save Dr. Banting's birthplace.

Premier, with the stroke of a pen you could have saved the Alliston farm where this great Canadian was born and where he performed some of his earliest experiments. Instead, you let the Ontario Historical Society sell the property from right under the noses of the Banting family. Because of your weak leadership, the Banting farm is now going to be turned into a subdivision.

I ask you, Premier, given that the homestead was apparently sold four or five months ago, when did your government first know about the sale and how can you have the audacity to continue to provide public funds to the Ontario Historical Society given what they have done to Sir Frederick Banting's legacy?

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

**Hon. Caroline Di Cocco (Minister of Culture):** First of all, I'd like to note that, as you know, the Ontario Historical Society is a non-profit organization. It is not a government agency. Nonetheless, we appointed a facilitator to help craft a community-based solution, because the ultimate solution had to be found locally.

The Ontario Historical Society made a determination to sell the property to a private developer and not to the municipality. Having said that, the town of New Tecum-

seth passed a resolution recently declaring the intent to designate 70 acres as a homestead. It is a local solution that has been found, and if New Tecumseth passes the resolution, it will be protected under the Ontario Heritage Act.

**Mr. Wilson:** Boy, are you ever out of touch. It's been sold, Minister. We found out two weeks ago. The developer says in the local paper that he doesn't know what the big fuss is, that he bought it four or five months ago. It's sold. It's being made into a 300-home subdivision.

I first raised this issue in this place two years ago when we realized that the Ontario Historical Society had no intention of properly maintaining the Banting homestead, let alone turning it into a diabetic camp for youth, as Edward Banting wanted. I've introduced thousands and thousands of petitions into this House, and yet you've let down every one of the people who signed those petitions. You've let down the Banting family, the people of New Tecumseth and over 300 million insulin users worldwide. Dr. Banting sold the rights to insulin to the University of Toronto for \$1. Eighty years later, the only one to profit from his discovery is the Ontario Historical Society, to the tune of \$2.2 million.

Dr. Banting's birthplace has been sold. You did nothing. With the stroke of a pen, through cabinet, you could have frozen that property. Why don't you use the \$3 million you're giving the CEO of Hydro One and save this great Canadian's birthplace?

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. Member for Ottawa Centre will come to order.

The Minister of Culture.

**Hon. Ms. Di Cocco:** The original homestead was demolished in 1920; the original homestead is not there. Nonetheless, the town of New Tecumseth passed a resolution to declare its intent to designate those 70 acres.

The Ontario Historical Society, which owns the property, is a non-profit organization, not a government agency. Having said that, it is my understanding that the new agreement will protect the heritage features of the building, allowing repairs to take place, and will of course maintain the legacy of Dr. Banting. The legacy of Dr. Banting is being maintained across this province, including in London, Ontario, where he conducted most of his experiments throughout his lifetime. We will continue to play a role so that a local solution—

**The Speaker:** Thank you.

#### MANUFACTURING JOBS

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier. While Tom Parkinson pockets \$3 million in severance, thousands of honest workers in this province are losing their jobs in the manufacturing sector. Your sky-high hydro rates cost us 4,000 of those jobs in November alone. Now we learn from the Automotive Parts Manufacturers' Association that they expect another 5,000 jobs lost in this sector, in addition to the 10,000 good-paying jobs already lost. Can you explain to

these worker why Tom Parkinson hit the \$3-million jackpot while all they're getting are pink slips?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello (Minister of Economic Development and Trade, minister responsible for women's issues):** May I say to the member opposite that I did have a very good meeting last week with manufacturers being feted by the chamber in the Welland area, which gave me an opportunity to meet them and speak to them directly about the challenges that Ontario faces and that the world faces in the manufacturing sector and what role we are playing and intend to continue to play in the manufacturing sector. In particular, I referenced the success that our government has had in moving the automotive sector to a higher, more innovative level, to the tune of 7,000 new jobs coming here to this jurisdiction. Second, I referenced the advanced manufacturing investment strategy—again, looking at that next tier of suppliers, many of whom are in this very member opposite's own riding—to look at how we can partner with them to move them up in the level of innovation and be ready for the next generation of manufacturing that we insist be here and grow in this province.

1530

**Mr. Kormos:** Premier, you sat on your hands while Tom Parkinson boosted hydro costs and boosted his salary. Meanwhile, across Ontario, 136,000 workers have lost their jobs in the broader manufacturing sector. This double standard is another sign of how completely out of touch this government is with working families. Haun Drop Forge, Welland: 30 workers with up to 30 years seniority gone. Workers at GDX auto parts manufacturing, Welland, seeing their jobs traded off and contracted out to low-wage, non-union subcontractors.

Premier, tell us: How do you justify giving \$3 million to a man who quit, who ripped off Ontario hydro consumers, while thousands of workers lose their jobs in this province and get nothing?

**Hon. Ms. Pupatello:** I'd like to tell this member opposite in particular how proud I was to have five companies from the Niagara region alone participate with our 30 groups who came to Alberta to look at how their manufacturing processes can be applied to the oil and gas sector.

We are doing everything we can to move aggressively, to look for opportunities for our manufacturing sector. How delighted I have been to see that some of those companies, mere weeks after that trip, have already started to move on orders for what they've achieved in their new relationships in Alberta, including these manufacturing companies in the Welland area in the Niagara region.

It's important that this government play the role that we're playing to make our province investment-ready through infrastructure investments to the tune of \$30 billion, with programming where we're prepared to partner with companies to move them to a higher level of

innovation. This is the largest manufacturing sector in North America, second only to California. We intend—

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

## ROAD SAFETY

**Mr. Ernie Parsons (Prince Edward–Hastings):** My question is for the Minister of Transportation. The day I turned 16 some 20 or more years ago, I was sitting on the curb at the licence bureau waiting for it to open so I could get what was then called my beginner's licence. I will acknowledge that I've driven many, many miles during the winter season in my lifetime. I'll even confess that on a few occasions many, many years ago I slightly exceeded the posted speed limit at that time. As a result, I got to experience the joy of digging out a car or walking for help.

Minister, with the holiday season approaching, more and more Ontarians will be travelling across the province's highways to celebrate and visit with friends and relatives. Unfortunately, we risk freezing temperatures and snow, which can lead to less than optimal road conditions. Minister, what would you recommend to motorists and passengers as they travel during this holiday season?

**Hon. Donna H. Cansfield (Minister of Transportation):** I'd like to thank the member. He has been a strong advocate for safety, in particular for safety for children.

One of the most important things we can do if we drive is to just look at the weather conditions and ensure that our cars are in good condition and that we drive according to the conditions on the road. When there's black ice, there's black ice, but probably one of the most important things that we can do is ensure that we have an emergency kit in our car. At this season, if you're thinking about giving a gift, because there are a lot of people on the roads for their holidays, think about the gift of an emergency kit. That is a really important thing to do because you never—

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Riveting stuff.

**Hon. Mrs. Cansfield:** It is riveting, actually. This is one of the things that's really important, because in fact it may save your life. It may save the life of a child. It may save the lives of people going to visit their relatives in the holiday season. So it isn't something to be taken lightly. It isn't frivolous. It is something to be taken—

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

**Mr. Parsons:** I'm pleased to see you mention the new seat belt legislation; I applaud you for it. I suspect every member of this Legislature could name someone whose life has been saved by wearing a seat belt in this province.

However, as we've seen in the past, some drivers still don't get the message to make responsible decisions when driving over the holiday season. We hear over and

over again horror stories about how drinking and driving destroys lives and families and futures. My question is, Minister, what is your ministry doing to discourage drinking and driving over the holidays?

**Hon. Mrs. Cansfield:** The most important thing that we can do is to ensure that we get the education out there. If you drink, don't drive. If you're going to go out and have an opportunity to be with friends and family and you're going to drink, simply do not get in your car. Do not drive. You have RIDE programs, you have Red Nose programs, you have taxis, and in large urban areas you can have public transit: GO trains, CN trains. There is a variety of ways. You can have the designated driver.

The fact remains that speed kills, drinking kills; don't do both of them. It makes such an incredible difference in the lives of the people you leave behind and the lives, of course, of the people you impact.

The other thing is, on a first-time driving offence, if you drive and drink, with no previous record, it's going to cost you up to \$20,000. That's the cost of your insurance; that's the cost of your fine; that's the cost of an interlock program; that's the cost of maybe never getting your driver's licence back, ever again.

The other thing is, simply do not speed. Speed kills. It's really quite simple.

#### PROPERTY TAXATION

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Minister of Government Services. The Ontario Association of Cemetery and Funeral Professionals, the Ontario Catholic Cemetery Conference, Toronto Hebrew Memorial Park, the Ontario Municipal Cemetery Working Group and the Consumers' Council of Canada have joined the 1,700 not-for-profit cemeteries in fighting a new property tax to be imposed by the McGuinty government as part of Bill 152.

Minister, why did the McGuinty government break its word by imposing this new tax on not-for-profit cemeteries? If they go bankrupt, municipal taxpayers will end up picking up the bill.

**Hon. Gerry Phillips (Minister of Government Services):** The background on this, by the way, is the bereavement sector, which is the cemeteries and the funeral homes, and we've been working on this—two governments—for five years. There's agreement on 31 issues. There's one issue where there's not agreement, and that is, should non-profit cemeteries that build a funeral home be subject to property tax or not? The independent funeral home operators would say that they should be, to level the playing field.

We've looked at this now for some considerable period of time. The independent funeral homes I think have a point, that if they're going to be competing against a non-profit cemetery that builds a funeral home on the cemetery, that funeral home—just the funeral home—should be subject to property tax. I think, on balance, they've got a point.

So I say that on 31 of the 32 recommendations, everybody is in agreement. On that particular one we now have made a decision that, to level the playing field, if they're going to build a funeral home, they should be subject to property tax.

**Mr. Tascona:** Minister, you broke your word. You said everything was completely status quo, and you know today you were told that the non-profits will be taxed on all their commercial activities within the cemetery—not just the funeral home; all of them. You never knew that until today. Will the minister commit today to pulling schedule D from Bill 152 so that good-faith negotiations and not any more backdoor political manoeuvring can be held within the funeral and cemetery industry to ensure fair and equitable consumer legislation?

**Hon. Mr. Phillips:** Actually, you proposed the amendment that was virtually the same as the one that was passed. I think that all three parties were looking to find a way so that the independent funeral homes were on a level playing field. There is one small issue where I think there's some misunderstanding by some of the non-profit cemeteries. If they're selling what they call monuments and markers today, they're not going to be taxed.

Again, I would just say to all of us, we're all in agreement on 31 out of 32 recommendations. One issue: Should a funeral home that's built on a non-profit cemetery to compete against other funeral homes be subject to property tax or not? We've made the decision that, for a level playing field, they should be. I actually, on balance, think that's the right decision, and it will allow the industry now to move forward with 31 of the 32 recommendations in agreement—

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

#### LABOUR DISPUTE

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Premier. Workers at Grant Forest Products' OSB mill in Timmins have been locked out now since December 10. Now we find out that Grant Forest Products has decided to cut the disability payment to those workers who are off because of illness. A simple question: What are you prepared to do to assist those workers to make sure they don't lose a benefit that they're entitled to?

1540

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

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I've certainly been aware of the labour dispute at Grant Forest Products. I appreciate the member bringing this new information to me today. I'm not aware of this situation. That's maybe something that the Minister of Labour might have a comment on. I'll certainly wait for his other question to see if I can be helpful, or the minister or whomever, but we'll certainly get back to the member.

**Mr. Bisson:** It's a pretty direct issue, and it affects a lot of workers up at the Grant waferboard mill. It's simple: They got ill before the lockout. Through no fault of their own, there is a lockout that's going on at this point, and now Grant waferboard has decided to pull their benefits. When the workers talked to me this weekend yet again, they were saying, "How could it be that Tom Parkinson can get a \$3-million package when it comes to assisting him out the door after he was found doing what he was last week—putting expenses on his secretary's credit card—and workers who are entitled to a benefit aren't even able to get their sick plan?"

So my question is, are you prepared to step in and intervene and make sure that these workers get better treatment—at least treatment as good as Mr. Parkinson got?

**Hon. Mr. Ramsay:** I'll refer that to the Minister of Labour.

**Hon. Steve Peters (Minister of Labour):** We're very proud of the track record we've had in the province of Ontario of seeing 97% of all negotiations successfully completed. As the member knows, the Ministry of Labour has staff who are available to assist at times when called on, and the Ministry of Labour staff are certainly available to assist those parties. Again, we certainly would, as always, encourage both sides to resolve their issues at the table. That is where good collective bargaining takes place. While I'm not in a position to talk about the specific issue, if the member has some information that he would like to have forwarded to my staff, I'll see that it is sent to the appropriate individuals.

## PETITIONS

### SCHOOL FACILITIES

**Ms. Lisa MacLeod (Nepean–Carleton):** As I've mentioned many times in this chamber, there is a great need for a new public secondary school in south Nepean. Therefore:

"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."

Thank you very much for this opportunity, Mr. Speaker. I support wholeheartedly this petition. Therefore, I'll present it to page Or.

### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** I have a petition that's been sent to me by members of SEIU. It reads as follows:

"To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

I agree with the petitioners. I've affixed my signature to this.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** I'd just ask members to take their private conversations out of here. I'm having a great deal of difficulty hearing the members read their petitions.

### NATIONAL CHILD BENEFIT SUPPLEMENT

**Ms. Judy Marsales (Hamilton West):** I have a petition here. It says:

"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."

#### NATURAL RESOURCES PROGRAM FUNDING

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ministry of Natural Resources ... plays a vital role in the conservation and management of the natural resources that belong to all Ontarians; and

"Whereas the MNR budget for 2006-07 is 24% less, in real terms, than it was in 1992-93; and

"Whereas vital programs relating to fish and wildlife, provincial parks, forestry, and other MNR activities continue to be cut back; and

"Whereas the economic, educational, environmental, recreational, and social value of our natural resources far exceeds the cost of protecting and managing them;

"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That funding of the Ministry of Natural Resources be increased to a level that will enable it to stop cutting existing programs and provide full funding to all existing programs as well as any new programs that may be required to ensure the effective protection and management of Ontario's natural resources."

I affix my signature in full support.

#### PENSION PLANS

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

"Whereas the seniors of Ontario request full access and control of their locked-in pension funds at age 55, without the current restriction imposed by government regulation;

"Whereas the current government regulation restricts what seniors and pensioners are able to do with their own savings and limits their options for an affordable and comfortable retirement;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Ontario Pension Benefits Act be amended to give seniors of Ontario the option to transfer their locked-in pension funds (LIRA, LIF, LRIF) into an RRSP at the age of 55, as is the case for seniors in the province of Saskatchewan."

I sign this petition and send it to the table by way of page Andrew.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Bob Delaney (Mississauga West):** I have a petition to present on behalf of my seatmate, the member for Niagara Falls. It's a petition on access to trades and

professions in Ontario. We thank Rick Hua Shi for having gathered the signatures. It reads as follows:

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

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

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

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

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

It's an excellent petition. I'm pleased to sign it and to ask page Colby to carry it for me.

#### CHRONIC OBSTRUCTIVE PULMONARY DISEASE

**Mr. John O'Toole (Durham):** I have a petition to present on behalf of my constituents in the riding of Durham which reads as follows:

"Whereas the Lung Association's women and COPD national report card 2006 reveals that more than 425,000 Canadian women have been diagnosed with chronic obstructive pulmonary disease (COPD) and more than 4,300 will die of the disease this year; and

"Whereas since 2000, female mortality due to COPD has risen at double the rate of breast cancer, and more women are diagnosed annually with COPD than breast cancer;

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

"That the Legislative Assembly support a call to action for early diagnosis and optimized management of COPD to reduce illness and suffering; and

"That the Legislative Assembly of Ontario support the Ontario Lung Association's COPD advisory panel report

to the Minister of Health and Long-Term Care on the prevention and management of COPD in Ontario; and

“That the Legislative Assembly of Ontario endorse a comprehensive strategy to address COPD in this province.”

I’m pleased to sign it in support of this important and emerging risk to health.

1550

#### WORKPLACE HARASSMENT

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

“Whereas workplace harassment is linked to the murders of women in Ontario; and

“Whereas harassment needs to be defined as a violation of the Occupational Health and Safety Act so that it is dealt with as quickly and seriously by employers as other health and safety issues; and

“Whereas employers should have a legal obligation to deal with harassment; and

“Whereas harassment poisons the workplace, takes many forms—sexual and sexist, verbal, physical, intimidation and racist—and should not be tolerated; and

“Whereas harassment in any form harms a victim’s physical and mental health, esteem and productivity, and contributes to trauma and stress on the job; and

“Whereas Bill 45 would make it the law to protect workers from workplace harassment by giving workers the right to refuse work after harassment has occurred, require an investigation of allegations of workplace-related harassment and oblige employers to take steps to prevent further occurrences of workplace-related harassment;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to treat workplace harassment as a serious health and safety issue by passing MPP Andrea Horwath’s Bill 45, which would bring workplace harassment under the scope of the Occupational Health and Safety Act.”

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

#### RURAL EDUCATION

**Mr. Bill Mauro (Thunder Bay–Atikokan):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas rural education must be protected and re-established in rural communities to ensure quality of life to rural students equal to that of their urban counterparts;

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

“To re-establish rural education services in the four communities of Kashabowie, Raith, Shebandowan and Kaminstiquia at the four-way community school site. Rural students must have the same right to be educated in their own community, with the same advantages and

quality of education as urban children. Undue hardships have been placed on these children who live in rural areas through lack of sleep, study time and family time, and has put a great strain on these children, their education and their overall well-being.”

#### PEDESTRIAN WALKWAY

**Mr. Norm Miller (Parry Sound–Muskoka):** I’ve received more petitions to do with the Mary Lake dam pedestrian walkway. It reads:

“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.

#### CHILD CARE

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Danforth.

**Mr. Tony Ruprecht (Davenport):** Davenport. Sorry about that.

**The Deputy Speaker:** Davenport. Danforth is another street.

**Mr. Ruprecht:** Mr. Speaker, they sound very much alike, so I’m not unhappy with that.

This petition is addressed to Legislative Assembly of Ontario and reads as follows:

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide



Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

I’m delighted to assign my signature to it.

#### FREDERICK BANTING HOMESTEAD

##### **Mr. Jim Wilson (Simcoe–Grey):**

“To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada’s first Nobel Prize recipient; and

“Whereas this great Canadian’s original homestead, located in the town of New Tecumseth,” Alliston, “is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

Of course, I agree with that petition.

#### TUITION

**Mr. Gilles Bisson (Timmins–James Bay):** I have a petition here signed by a number of people from, this time, the area just around Timmins, and it reads as follows:

“To Stop Tuition Fee Hikes and Improve Access and Quality In Post-Secondary Education

“Whereas the Ontario Liberal government cancelled the tuition fee freeze after only two years and approved fee increases of up to 36% over the next four years; and

“Whereas tuition fees in Ontario have increased by more than four times the rate of inflation over the past 15 years; and

“Whereas a majority of Ontarians oppose tuition fee increases and support greater public funding for colleges and universities; and

“Whereas improvements to student financial assistance are undermined by fee increases; and

“Whereas the Ontario government’s recent increase to student loan limits is set to push student debt to approximately \$28,000 for a four-year program; and

“Whereas per-student investment in Ontario still lags significantly behind the vast majority of jurisdictions in North America;

“Therefore we, the undersigned, support the Canadian Federation of Students’ call to stop tuition fee hikes and petition the Legislative Assembly of Ontario to:

“—reduce tuition fees to 2004 levels for all students in Ontario and implement an immediate tuition fee freeze;

“—increase public funding for post-secondary education to promote access and quality;

“—expand access to financial aid in Ontario, especially for part-time students; and

“—double the number of upfront, need-based grants for Ontario students.”

I sign the petition.

#### ORDERS OF THE DAY

##### MINISTRY OF GOVERNMENT SERVICES CONSUMER PROTECTION AND SERVICE MODERNIZATION ACT, 2006 LOI DE 2006 DU MINISTÈRE DES SERVICES GOUVERNEMENTAUX SUR LA MODERNISATION DES SERVICES ET DE LA PROTECTION DU CONSOMMATEUR

Mr. Phillips moved third reading of the following bill:

Bill 152, An Act to modernize various Acts administered by or affecting the Ministry of Government Services / Projet de loi 152, Loi visant à moderniser diverses lois qui relèvent du ministère des Services gouvernementaux ou qui le touchent.

**The Deputy Speaker (Mr. Bruce Crozier):** Minister Phillips, you have the floor.

**Hon. Gerry Phillips (Minister of Government Services):** I will be sharing my time with my parliamentary assistant, Mr. Vic Dhillon, the MPP for Brampton West–Mississauga.

I’m pleased to participate in the debate for third reading of Bill 152. It’s a bill that builds on our Consumer Protection Act that we enacted last year to help provide protection for Ontario consumers. It strengthens consumer protection, modernizes the legal framework for businesses, ensures the safety of families and prepares government for the challenges and opportunities of the future, as part of our ongoing commitment to the people of the province.

We’ve been listening to the people, and from the very beginning, when this bill was first developed, we’ve been taking it to affected people, stakeholders, and the public, listening to their concerns and working with them to address their concerns. I would like to thank the members

of the opposition parties, particularly the member for Barrie–Simcoe–Bradford, Mr. Tascona, and the member from Niagara Centre, Mr. Kormos, who have worked hard in the Legislature and provided good input and co-operation.

Public hearings on this bill were held over several days in late November and early December, and we received some excellent feedback. This is an important piece of legislation, and we're taking action on a range of consumer issues. It addresses consumer protection and easy access to government services. We know that these are obviously issues of importance to the people of Ontario.

I would like to take some time now to review some of the elements of the bill. One of the most important items that's being addressed in this bill is an issue of real concern to the people of Ontario, particularly property owners, and that's real estate fraud.

#### 1600

Recently, there's been increasing public concern about this issue of real estate fraud. Many of us heard the stories of people who have been victims of fraud and have been faced with responsibility for dealing with mortgages that they did not place on their property, mortgages placed by fraudsters, placed illegally and without the owner's consent. This is happening at a time when people are concerned about identity theft, identity fraud and security.

We've spent some considerable time here in the Legislature looking at this issue, and I've spent considerable time working with our stakeholders to help define the scope of the problem and to look at solutions. I would say to all of us that we know when a title on a property has been fraudulently transferred; we know that because we are responsible for restoring it. We've got a very good idea of the number of those cases. The number of those cases is about 10 a year, and it has not changed, actually, in the last little while. So it's about 10 title frauds a year in about two million transactions.

The bigger issue is the other part of real estate fraud, and that is mortgage fraud. That appears to be the area that is growing, where fraudsters will use a variety of techniques to perpetrate mortgage fraud.

While the cases of title fraud are relatively small, even one case, I think the public would tell us, is one too many. Consequently, it is up to us, the Legislature, to take action, and we're determined to do that.

If the legislation passes, it will ensure that strong measures are in place to combat real estate fraud, that ownership—and this is one of the most important aspects of this legislation—of a property cannot be lost as a result of the registration of a falsified mortgage, a fraudulent sale or a counterfeit power of attorney. In other words, the innocent homeowner's title will be restored and the fraudulent document will be nullified. This responds to a situation that many have heard of where a fraudulent mortgage has been registered against someone's title and they are being held responsible for that. This legislation will ensure both that the title is restored and that the fraudulent document is nullified.

We're also introducing new safeguards for suspending and revoking access to the electronic registration database so that suspected fraudsters cannot be allowed to register documents, thereby ensuring that others won't be victimized. This will give us the authority, where we have suspicion of a fraudster attempting to register a document, to either suspend or revoke their licence. We'll also raise the fines.

I've met, as I mentioned earlier, several times with a group of individuals who are very active in this whole area of real estate fraud, from the financial community, the banks, mortgage companies, the law society, our law enforcement agencies—a very good cross-section of people who are in one way or another knowledgeable about and participating in this whole area of real estate titles and mortgages. We've been getting some good advice from them.

As a result of the latest meeting, we've made a significant amendment to our legislation in committee. I think one of the major concerns was around the responsiveness of the land titles assurance fund. To use the jargon, you'll hear it referred to as LTAF, but it's the land titles assurance fund. I think it's fair to say that it has not been as responsive as we want it to be in the future. It's been seen as the fund of last resort. We want to change that. Particularly, as I said earlier in my remarks about being able to nullify a fraudulent title transfer and nullify fraudulent documents being registered against title, we want to find a way that our fund provides justice much more quickly.

So what we've said is that the standard now will be that you can go to the fund—provided, of course, you have sufficient evidence that a fraud has been committed, and that would probably be having gone to the police with this and whatnot—and within 60 days you will have a decision rendered. Within another 30 days, which is a total of 90 days, your title will be restored, and within another 30 days your money will be paid back. So that is a total of 120 days. It will become a fund that I think people can get to quickly, can get a decision out of quickly, and will deal with one of the most significant issues that I've run into on this whole issue of real estate fraud.

We've also had some comments from people saying, "What about people who already, a year or two years ago, have been caught up in the system?" I would say to that that essentially as soon as we get this set up, assuming the legislation passes, even people who may be in the system now from a year or two years ago can get into this expedited plan right away. We'll also publish guidelines and step-by-step instructions online so that this becomes a much more user-friendly fund.

We're also going to be more selective on who can transfer title. This is the language used in this area. It's the most significant process in this. That's where you actually will transfer ownership, title, from one individual to another individual. We're going to be much more restrictive on who can actually make that happen.

We're also proposing a new set of criteria for those who wish to register documents such as mortgages. That

will be a broader group, because a large number of people who are trained in the mortgage area will be able to have access to registering those documents. But they'll have to meet three kinds of standards. Clearly, we'll have to know who they are; they'll have to demonstrate financial solvency; and they'll have to have the appropriate professional qualifications. We want to tighten the system and further decrease the risk of fraud by making sure that registrants are professional, responsible and accountable.

Finally, we will work with our stakeholders to strengthen the current standards for dealing with powers of attorney. Our proposal would increase due diligence by requiring lawyers to closely examine power of attorney usage when dealing with real estate transactions. Whenever a power of attorney is used, the lawyer will be required to discuss it with their clients and provide a statement to that effect.

My experience in this area is that there are six parts of this proposal that we are moving forward with. I believe they are significant and are important and will go a long way toward dealing with real estate fraud. But at the same time, it would say to us that this is a process; we have to keep at this. In fact, the group that I mentioned will be meeting again within two months to review the progress we've made and to find further recommendations. Obviously, all of us want to eliminate real estate fraud totally, and that's our goal, and I hope that the steps we're taking here will go a long way toward that. We're not going to assume it can be completely solved, and we'll keep our group working.

#### 1610

I wanted to talk about some other areas of consumer protection in Bill 152. There has been an explosion in the popularity and the use of gift cards. I think we are all aware of it. Any study will show that in the US I think it's now a \$70-billion industry. It has grown dramatically, particularly at this time of year.

What not everybody may be aware of is that probably about 80% of the gift cards that you would purchase have an expiry date on them. In other words, if you don't use it up, normally in 24 months, it expires. We feel that's not appropriate. We feel that you've essentially paid cash. You probably bought it in lieu of a present for someone. The expectation is that—you've paid \$50, \$100, \$200 for a gift card—that should be usable in the future. So we are introducing, as part of this legislation, authority to allow us to regulate the elimination of expiry dates on gift cards. I think this is a good piece of consumer legislation.

As part of our efforts to ensure that our liquor laws are updated, this piece of legislation provides several areas; I think I'll just touch on two. One is to increase the investigative and enforcement powers for the Alcohol and Gaming Commission. It will allow the Alcohol and Gaming Commission to not only investigate applicants but also those associated with applicants. Essentially we're taking our experience in the gaming industry and bringing it to our liquor licence industry, where these will be the powers that will help the AGCO ensure that, if

you're going to get a liquor licence, you are a legitimate business.

There is another part of the legislation designed to allow bars and restaurants to include additional areas of their premises as part of their licence. What that means really is that a bar will now be able to license its washrooms, so that individuals could take their drinks into the washroom. Date rape drugs are a serious issue, and this will allow those bars to license that area so that—it's almost always—a woman would be able to take her drink with her.

Another area of consumer protection here is the Electrical Safety Authority, ESA. Again, particularly at this time of year, with Christmas tree lights and whatnot, it reminds us of the need to strengthen our ability to ensure that only safe products get into people's homes. This will allow the ESA to seize and order removed unsafe products from the shelves. If they find the product has already been sold and is in a home, it allows the ESA to call for the manufacturer to notify the consumer that the product is unsafe and to fix it.

The legislation also is designed to help prohibit advertising for illegal Internet gaming websites in Ontario. As I think I've said here in the Legislature, our horse industry is our second-largest rural industry. It is being affected by this illegal activity. Our goal here is to ensure that businesses play by the rules.

In addition, there are measures in here to help deal with identity theft. We will be the first province to give consumers the right to have fraud alerts as part of their credit report. We will ensure that you can put the fraud alert on your credit report, that there will be an obligation of the credit agencies to notify anybody asking for your credit and, once someone has been notified of that, the requirement would be for them to do the necessary due diligence in granting credit.

In addition to strengthening consumer protection, the legislation also helps to modernize our government practices. Specifically, the Ontario Archives Act is being updated here. It's the first significant change to the Archives Act in 83 years. It will help to guarantee that our provincial heritage is preserved and accessible through the best methods available, including electronically and digitally. As you can imagine, with an increasing reliance on electronic means, it's important that our Archives Act be updated to reflect that.

We are also updating the province's business law framework to enable Ontario companies to continue to be competitive. I find, Mr. Speaker, that the pace of business is rapid and we, the Legislature, have to find a way that we can keep up with the pace of business in our legislative framework. So part of this legislation is to update and modernize our corporate and business laws for that reason.

It also enhances corporate governance, increases shareholder protection—a very important matter—and creates some cost-effectiveness.

If passed, the legislation will help to build Ontario's status as a leading corporate and commercial law juris-

diction in North America. It will help to harmonize the province's corporate and commercial legal framework with its federal counterpart, the Canada Business Corporations Act. The proposed amendments enjoy very broad stakeholder support from the business, legal and, importantly, shareholder advocacy communities.

Changes to the bereavement sector are relatively technical in nature, with one exception, and that's the key change around property tax. Reforms to the bereavement sector are needed to enhance consumer protection, provide a level playing field for all industry stakeholders and provide fair marketplace rules for businesses. Bill 152 makes necessary amendments to the Funeral, Burial and Cremation Services Act to respond to stakeholder concerns and harmonize it.

I would say the one issue that has emerged has been the issue of property tax. It was raised here in the Legislature today, and as I said in the Legislature earlier, people are in agreement with 31 of the 32 recommendations. The one issue where it was, frankly, impossible to reach consensus was the issue of property tax payments for some organizations that would build a funeral home on a cemetery. If you are a funeral home that has no plans to do that and you are competing with them, you want to have a level playing field. Originally, the plan was that if it involved a religious organization, a municipality or a non-profit group, they wouldn't pay property tax. They would make a payment in lieu of property tax and use it for their care and maintenance fund. I think it's fair to say that independent funeral home directors, independent funeral home operators, did not have a problem with the religious organizations and the municipal organizations having that right. It is the non-profits where they felt that down the road they are going to be competing with them, some of them very major operators, and that if they are not required to pay property tax, it's an unlevel playing field.

Now, I would say that this has been debated, I say to my colleague Mr. Sterling, for at least five years, trying to get, to use the jargon, the bereavement sector all together on it.

**Mr. Norman W. Sterling (Lanark-Carleton):** It's an issue that will bury you.

**Hon. Mr. Phillips:** It's an issue that will bury me, he says.

In the last few weeks we had this debate, with the independent funeral homes saying, "Listen, in our opinion, you should be taxing a non-profit that wants to build a funeral home on the property," and the non-profits saying, "No, we would argue we'll pay the payment in lieu and we'll use it for care and maintenance."

**1620**

My clear preference is that I'd like everybody to come to us with a consensus, but it's obvious on this one—as I said earlier, 31 of the 32, but on this one we couldn't get a consensus. So what do we do? Well, we could say, "Let's just take this part of the bill out. Forget about trying to proceed with bereavement and deal with everything else." Now, when you talk to the industry on that,

or the group, they say, "We spent five years getting this far. Let's get on with it." As I said, this morning I met with some people. I said, "Here's where I am: agreement on 31 of the 32 recommendations. We're down to one issue, property tax on somebody who wants to build a funeral home in a cemetery in the non-profit sector." Actually, the group this morning said, "You know, we may be talking 15 of these, but for our independent funeral homes, that's a big deal." That is who they've got to compete with.

There was one side issue raised this morning, and that was that they're worried about a small cemetery that may be selling markers right now: Will they be subject to property taxes? I said the intent was that we want to capture those that are going to be building funeral homes, so I think we can deal with that.

But as I say, in the end, do we keep trying to find a way that we get a consensus on all 32 recommendations—that may be another five years—or do we proceed with that one issue where we, the government, have to make a decision? I wish everybody could be completely onside on it, but sometimes you have to make the best judgment you can. As I say, it's down to, in my opinion, a very small issue.

My colleague and parliamentary assistant is going to speak, but there are some other parts of the bill that help us to ensure that we've got the authority to proceed with things we need to do.

Service Ontario: I do want to take advantage of the opportunity, when I talk about Service Ontario, just to talk about something that not everybody in the public may be aware of. About a year and a half ago, birth certificates were a challenge, because you would have to mail in; none of them were online. You had to fill in a form and mail it in. We said, "If we could get this online, maybe we could deal with the backlog and help the consumer." So we did that. About a year and a half ago, we began to move birth certificates online. Then about a year ago, just to demonstrate and to get people's interest in going online, we said, "You go online, apply for your birth certificate online, and if you don't get it delivered to your house in 15 business days, it's going to be free." That's not a bad way of telling the public, "We've got this system; why don't you try it?" Since then, we've had 294,000 online applications in just a little bit more than a year. Now about 75% of all of our applications are online. We've had, of the 294,000, 120 not delivered in the 15 days. So I didn't want to miss this opportunity to inform the Legislature that there's an example: Service Ontario, online birth certificates, 294,000 since we began the online; 120 refunds. As I always said, Pizza Pizza can't come close to that success rate.

I repeat, I appreciate the working relationship of all three parties in dealing with this bill, and I look forward to third reading debate continuing.

**Mr. Vic Dhillon (Brampton West-Mississauga):** It's a pleasure to speak in support of Bill 152, the Ministry of Government Services Consumer Protection and Service Modernization Act.

Minister Phillips has done an excellent job of providing useful information about this bill and what it includes. He has explained how it would build on existing legislation and how important his proposed changes are for the people of Ontario.

As he mentioned, we received some very useful feedback on the bill during public hearings last month. As Minister Phillips has mentioned, this bill is part of the McGuinty government's continuing commitment to the people of this province. Through this legislation, our government is once again proving that we're on the side of Ontario families and Ontario businesses.

Last year, the McGuinty government put in place the most significant changes to Ontario's consumer protection laws in 30 years, changes that made Ontario a leader in consumer protection. It introduced a number of important requirements for businesses, including allowing a 10-day cooling-off period for certain contracts, prohibiting negative option billing, and requiring the delivery of goods or services within 30 days of the date specified in the contract.

Enacting the Consumer Protection Act was a significant step forward for consumers. It updated Ontario's consumer laws to reflect the province's dynamic marketplace. It also made Ontario a leader in consumer protection. We're proud of the work we've done thus far, but the marketplace is constantly evolving and increasingly demanding. As the marketplace changes, so too must the protections that consumers need. That's why at the heart of Bill 152 is the introduction of new consumer protection and consumer safety measures.

Real estate fraud is one of the key issues that this bill addresses. The people of this province work hard to make a house into a home. They deserve to know that their property is secure. While there are very few cases of real estate fraud in comparison to the number of transactions that occur each year in our province, it is an important issue to Ontarians and therefore an important issue to our government. That is why this legislation is designed to ensure that people don't lose ownership of their property due to the registration of a falsified mortgage, fraudulent sale or a counterfeit power of attorney.

As previously mentioned, this legislation will also introduce safeguards to suspend and revoke the accounts of suspected fraudsters so that they are unable to register documents, raise the fines for real state fraud related offences to \$50,000 from the current \$1,000, and strengthen our authority to allow for notification to property owners about any changes to their title or our land registration system.

In response to stakeholder consultations and public hearings, we have proposed some amendments to the Land Registration Reform Act and the Land Titles Act. The most substantive of these amendments would streamline the process for property owners to apply for compensation from the land titles assurance fund, commonly known as LTAF, and improve the transparency of the current process to suspend or revoke access to the electronic land registration system.

Some excellent ideas have come out of our work with the real estate committee. We also plan to make the land titles assurance fund easier to navigate and more responsive to victims of fraud, limit access for certain aspects of the land registration system, and change how power of attorney is used in real estate transactions.

This is an issue we're committed to addressing on a continuing basis, and the legislation in this bill is only one step in this ongoing process.

There are many other consumer protection elements in this bill, including gift cards. As Minister Phillips said, gift cards now form a multi-billion-dollar industry. Recently, Ontarians have been increasingly interested in purchasing gift cards without worrying about such things as expiry dates or the value of their gift card decreasing over time. People purchase these cards in good faith and they rightly expect that the purchase will retain its full value until it's redeemed. Ontario consumers deserve to get what they pay for. That's why, if passed, this legislation will give government the power to ban expiry dates on gift cards.

Last week, a meeting with gift card industry stakeholders was held. It was a productive session with great discussion and progress. We look forward to continuing to work with the industry to expeditiously finalize gift card details and regulations.

#### 1630

The proposed legislation will also introduce reforms to Ontario's liquor laws. These reforms are based on extensive consultations with the public and stakeholders, focusing on enhancing public safety, service delivery and consumer choice. If passed, this legislation will give the Alcohol and Gaming Commission, AGCO, greater investigative and enforcement powers to ensure owners and operators of licensed establishments remain responsible. These powers will allow the AGCO to not only investigate applicants but also investigate others potentially associated with their business. This will prevent disreputable applicants from using a front, like a friend or a family member, to apply for a licence.

Additional changes that we're proposing as part of the broader reforms to liquor licensing will allow bars and restaurants to expand their licences to allow patrons to carry their drinks with them to separate areas of an establishment such as washrooms. This allows consumers to monitor their drinks at all times, reducing the likelihood of unknown substances such as date rape drugs being used to taint their drinks.

Even more consumer protection measures included in the proposed legislation will grant new powers to the electrical safety authority, the ESA, to proactively protect Ontario families from unsafe electrical products. With the changes being proposed, dangerous or unsafe electrical products can be seized or ordered removed from store shelves or where they are found by ESA. If a product has already been sold and is being used in people's homes, the ESA would have the power to call for the manufacturer to notify consumers that the product is unsafe. The safety powers in this bill cannot be beaten by any other jurisdiction in Canada.

In addition to these updates, Bill 152 would also allow us to target the advertising of illegal Internet gaming websites in Ontario. Illegal and unregulated gaming websites may prey on vulnerable consumers, including minors, and often encourage problem gambling. The proposed legislation would also ensure that the government is taking responsible measures to protect businesses operating legitimately in Ontario from illegal online gaming. Industries such as the horse industry, which is the second-largest industry in rural Ontario, are being affected by this kind of illegal activity.

On the topic of vulnerable consumers, we're also protecting Ontarians victimized by or concerned about identity theft. The people of this province work hard to achieve financial stability and deserve to know that their finances are secure. That's why this legislation will protect consumers and will let consumers take an active role in preventing identity thieves from accessing and making use of innocent people's personal information. If passed, this legislation would give consumers the right to place fraud alerts on their credit cards. Credit lenders and others who rely on credit reports would be required to take extra precautions in verifying the identity of consumers with a fraud alert on their credit record. Penalties could be imposed on organizations that do not meet these requirements.

This legislation isn't just about protecting consumers. It's also about modernizing our business laws to enable corporations to be more efficient and competitive. Our government believes that Ontario competes effectively on the global stage. Ontario businesses rely on clear and effective rules to maintain an efficient and ethical marketplace. By updating corporate laws, this act would help keep Ontario's economy strong, opening the door to new investment and making this province an even more attractive destination to do business and create jobs.

As Minister Phillips outlined, Bill 152 would also mean changes to the framework of the Archives of Ontario, the bereavement sector and this province's privacy standards.

Finally, this legislation also improves on how our government delivers service to families and businesses throughout Ontario. Service Ontario would have legal authority to become the government's service delivery provider, making it easier for people to access government services they need without having to worry about what ministry to go to.

The new measures are being introduced through Bill 152 to protect Ontarians and ensure that our government can deliver that protection the best way possible. The people of this province deserve the best, and that's what this legislation offers. If passed, this bill would allow our government to continue to offer consumers some of the best protection of any jurisdiction in the world. I urge all members to support this great piece of legislation.

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

**Mr. Garfield Dunlop (Simcoe North):** I listened very carefully to the speeches by the minister and the parliamentary assistant. What was amazing about this speech is

that right near the end he said, "The people of this province deserve the best." I wonder what they're actually thinking today, after listening to that auditor's report last week. I wonder what they're really actually thinking about children's aid societies, the ones that basically committed fraud, and the Tom Parkinson deal. Isn't it amazing that at this stage in Parliament, where we're doing a consumer bill, millions and millions of consumers' and taxpayers' dollars have been wasted in this province?

I look forward to the comments from my colleague Mr. Tascona, who's an expert in this area and will be able to provide a lot of information that probably the minister and the parliamentary assistant haven't been able to provide as of yet. I'll be taking his advice on how I will vote on this bill in the end.

**Mr. Gilles Bisson (Timmins-James Bay):** Two points on the bill: There are some parts of this bill that are fine, like most legislation—not most, but some. There are things you can agree with and things on which you can disagree.

On the mortgage fraud issue, I just want to say that it is becoming an increasingly larger problem in our society where, unbeknownst to a person who may have paid off their mortgage, somebody falsifies documents to remortgage their property without the person knowing.

I think the simpler way to do it would be that the insurance should be sold by insurance brokers on their house insurance, because part of the problem with giving banks or lending institutions the authority to sell insurance, on mortgage fraud, is that once your mortgage is paid, you're no longer paying the insurance premium. You're paying an insurance premium at the time that you are mortgaged to the hilt, at which point it doesn't matter, because nobody's going to defraud your mortgage because you already owe money on it. It's encumbered and they can't get any money from it in fraud. It becomes an issue once the house is actually paid for and, at that point, people stop paying mortgage insurance.

One of the things we should be looking at is to do some sort of legislation or regulatory change where it's necessary so that, when you are renewing your house insurance, basically your mortgage fraud insurance be included in your house insurance. Then, if your house is paid for, at least you would be insured against the mortgage fraud itself.

On the issue of the Electrical Safety Authority, I just want to say that I've had a number of issues with this particular organization with regard to some things they've done in the past. Maybe one day I'll get an opportunity to speak a little more in detail. But I'm not convinced that, at the end of the day, that was the way we should have gone. When we had a system where Ontario Hydro did inspections, it seemed to me it was a much more efficient system than what we have today.

**Mr. Khalil Ramal (London-Fanshawe):** I would like to stand up and speak in support of Bill 152. I had the chance to serve on that committee. We listened to many different people who came from different sectors

and spoke in support of this bill. I think it's very important and it's about time.

We have a minister and a government trying to reform business in Ontario. I know it was a very complex bill. It took a lot of time and effort because it dealt with so many different departments, so many different issues, from mortgage to real estate to the bereavement sector to gift cards—so many different elements. It was a big, huge and thick bill, but in the end I want to commend the minister for bringing such an important issue to the House and dealing with a very significant element. It is about time to reform those sectors in order to serve the people of Ontario.

We listened to a lot of real estate people who came and a lot of homeowners who spoke in support of the bill and on how we create the mechanism to protect them, protect their property. I think it's a very important bill.

**1640**

In the meantime, I want to commend the parliamentary assistant to the minister for his great job in leading us in the committee and explaining the important elements of the bill, and also the ministry staff, because, as I mentioned, we dealt with so many different elements. It is a technical bill.

In the end, we have to open all these files. We have to be clear, we have to be honest with the people of Ontario. Also, we have to make sure that they are protected. That's why I'm supporting this bill. I hope all members of the House will support it.

I know Mr. Tascona was there. We benefited from his talk and his questions, because he's a lawyer and he knows more than me about these elements. He also brought at one time his own bill to reform this issue.

**Mr. Sterling:** On the first point, I'd like the minister in response to confirm what the settlement of the property tax issue is with regard to cemeteries and funeral homes. As I understand the issue, as it now stands in this piece of legislation after committee, after amendment, both private funeral homes, either away from a cemetery site or on a cemetery site, will be taxed; that is, the funeral home portion of it will be taxed as a municipal tax. It's my understanding as well that due to the amendments, not-for-profits will also be taxed as a property tax. It's my understanding that Roman Catholic cemeteries will not be taxed that way but will make a payment in lieu, which will be used for keeping the cemetery viable and in condition. So everyone but the religious groups will be taxed the same way. That's the way I understand it.

Number two is with regard to title insurance. My feeling is that we should not even need title insurance of any nature in this province. It's an additional cost to landowners, and we should be able, as legislators, to fix up the present structure that we have in this province to ensure that fraud cannot occur and title cannot be taken away through fraudulent means. We have land title insurance under our land registry system. That should be an insurance of first resort and should be able to respond in a speedy fashion to any kind of fraud that should or could

take place. I don't think that Ontario homeowners should face the additional cost of title insurance over and above the land title costs they pay when they register their property.

**The Deputy Speaker:** Minister, you have up to two minutes to respond.

**Hon. Mr. Phillips:** I appreciate the comments from the members from Simcoe North, Timmins–James Bay, London–Fanshawe and Lanark–Carleton.

Just to deal with the last issue first: Yes, if a non-profit organization builds a funeral home on the cemetery, they will be taxed on that portion of it for property tax. That's the one change we've made in the bill. Religious organizations will be required to make a payment in lieu, and that must be used—and will be monitored—in the care and maintenance of the cemetery. They can't use it on other things; it has to be used in the care and maintenance of cemeteries.

The member from London–Fanshawe talked about the comprehensive nature of the bill. I said earlier in my remarks that I think we, the Legislature, have to find ways to keep our laws up to date. It's a relatively comprehensive bill, and each of the elements is designed to keep our laws up to date with the changes in society. I'm not sure there's any better way of doing it.

The member from Timmins–James Bay mentioned the electrical safety association—in my opinion, doing some very good work, right now proceeding to ensure that all of our electricians in the province are licensed, including the companies doing the electrical work as well. I think this particular legislation does give them the authority to do the best they can to protect consumers. So I'm happy with the proposed changes to the electrical safety association, and I think they will help. And it's timely, I might say, with Christmas here. I think it will help in ensuring safe products are in the hands of consumers.

**The Deputy Speaker:** Further debate?

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** I'm very pleased to join in the debate and do my lead on Bill 152. I can say honestly that I'm very disappointed in the public hearings. There were a lot of good presentations. The NDP and the PC Party put forth some very significant and meaningful amendments and every one of those amendments was turned down.

I want to give a good case in point. We heard from a group that was dealing with requiring bar owners to have mandatory liability insurance, which I thought was a very reasonable request for the government to consider. I want to quote from an e-mail that I received. It was actually to Mr. Dhillon, who's the PA, and it also went to myself. It's from Julia De Faria, who's the executive assistant of the Ontario Trial Lawyers Association. She's from Hamilton. I'll read it:

"Gentleman, I hope that we can forward this item through the proper channels for Monday's deadline but since the three of you asked questions regarding the mandatory insurance for licensees under the Liquor Licence Act, I wanted you to have this right away.

"The Ontario Trial Lawyers Association is a plaintiffs' lawyers association. I am not sure how many members it

does have, although I'm sure that it is at least a couple of hundred.

"Quite honestly, I had thought that those who do have insurance would have at least \$5 million or more and you can see that a couple of responses are consistent with that view. However, those who have experience with commercial host liability are stating that there is both an issue of no insurance and inadequate insurance.

"Most people who are significantly injured would garner damages in the millions. If there is no insurance available to them, then it is the province that pays the price. I hope that you will consider this matter as a priority."

That's a situation where someone goes to a bar, drinks too much and hits somebody—kills them or seriously injures them. The person who's injured goes to the people who are responsible; they go to the driver. If it was a driver without any insurance, then they would have to go to that bar where they served the person the liquor. If the bar doesn't have any insurance and they're faced with a lawsuit and they go into bankruptcy, that person who was injured, because of the responsibility of that driver who was drinking and that bar that served the person who ended up drinking and driving irresponsibly, doesn't have anywhere to go.

I proposed a very simple amendment, and the member from Niagara Centre was there and aware of this. What we proposed was mandatory condition liability insurance: "It is a condition of a licence that the applicant or licence holder obtain and maintain liability insurance in the prescribed amount with respect to the premises for which the licence is sought or the licensed premises, as the case may be." We gave the government maximum flexibility. We didn't say the amount; we said "the prescribed amount" because I know the minister likes to deal with regulations, bring the law up to date and give himself some flexibility. This was turned down.

It's outrageous that bar owners who serve people in this province—everybody knows the problem we have with drinking and driving—wouldn't be required to have, as a mandatory requirement to open and operate that bar, minimum liability insurance. Not only was there no debate on this by the Liberal members—because there wasn't any debate on any of the amendments; they were just there to vote down the amendments. There was no discussion; they just categorically denied it. That was brought up because there were presentations made on this particular issue. They were looking for some action from this government.

We moved, as the PC Party, amendments to make sure that this happened so that the roads would be safer from people who drink and drive, and if there is an accident, then those bar owners have to have some minimum liability insurance to protect that person who is fatally injured or severely injured. This government turned that down. I'm very disappointed about that, because that shows you that even though we were dealing with an omnibus bill, this government doesn't care.

The other part we were dealing with—the parliamentary assistant mentioned date rape drugs. It is not

even in the bill. All it is is hyperbole. It came in out of the Attorney General and out of a liquor licence review that was done by the government, saying, "Oh, we are going to deal with date rape drugs. We are going to make sure that people are safe and the people who could be affected by that can take their drinks to another area." It's optional if the minister does it, optional if the minister doesn't.

**1650**

We put forth an amendment with respect to this particular issue, and I know the minister responded to me in question period about how we don't have to put this on Swiss Chalets or other family restaurants. We weren't asking for that. We were asking, dealing with bars where this type of conduct goes on, to allow maximum flexibility within the liquor licence establishment to protect people from this date rape drug issue, which the government says is a serious issue, and I took them at their word. But quite frankly, when we put forth an amendment, they didn't even discuss it; they just voted it down.

The amendment that we put forth was the requirement to apply for an expanded licence, because what we are talking about is being able to take your drink from your table to another part of the bar, including washrooms and hallways. The amendment we put forth was the requirement to apply for an expanded licence: "A person who holds a licence to sell liquor for premises that constitute a bar or other prescribed premises shall promptly apply for a change to the licence holder's licence to cover the hallways and the washrooms to which patrons of the bar or other prescribed premises have access."

No discussion; voted down by the Liberal majority on the committee. That's just another area where they decided that they didn't want to hear the opposition.

**Mr. Peter Kormos (Niagara Centre):** Mindless.

**Mr. Tascona:** Yeah. The member for Niagara Centre says, "Mindless." That's being kind.

The other area that we put forth amendments on where there was no discussion whatsoever was in the electrical products safety area. I commend the minister: I was there for his press conference and the dog-and-pony show with all of these different products. You know, it was very informative—very, very informative—and dangerous, quite frankly, with respect to the products that were coming out of that particular press conference.

**Mr. Sterling:** Shocking.

**Mr. Tascona:** And shocking, as the minister from Ottawa mentions. And I agree, because where they were getting these products—people buy them for a cheap price. There were comments by the minister in the press conference about the dollar store, in terms of the products they sold that could result in fires or could result in someone being shocked. They were dangerous products, so I don't disagree with the minister on that. But what I said when we got into this was that there were 26 safety logos in the province. All I put forth, and I think it made ultimate sense, is, why don't we have one safety logo for the entire province so that people know, when they are buying a product, that it's safe?



We put forth that amendment: no discussion; just voted down. I would have thought the minister, taking this issue seriously, would have said, "Wait a second here. It's a little ridiculous to have 26 safety logos in this province when we know we have a serious problem with respect to safety products. We should go with one logo." No. They're not interested in that.

The other part of it was in terms of dealing with off-shore manufacturers and product that comes in. What the minister is proposing is saying, "Well, after the accident occurs, after somebody is injured, we'll make sure the inspectors go in and make sure it doesn't happen again." That's really great news for the person who has been injured. It's hardly consumer protection.

What we proposed was that if you have these offshore manufacturers, which the minister knows they have no jurisdiction over—they have some jurisdiction over inshore manufacturers, as long as they are in the province of Ontario. If they put forth an unsafe product, they can go to the manufacturer and say, "Listen, you'd better fix up your product. You want to make sure it's safe before it goes in the stores." But with the offshore manufacturer, my point was that they shouldn't get into the stores. There should be vigilance at the distributor level to make sure it doesn't get out of the distributor's warehouse, because everybody knows there are some very large distributors in this province that would distribute to Costco, to Canadian Tire, to Rona and to Home Depot. It would be very simple to make sure the distributors make sure they don't have product going out that is unsafe, and make sure it's properly marked, because we're here to protect the consumer.

So we put forth an amendment saying that we need to have vigilance at the distributor level, because we know you have no jurisdiction over offshore manufacturers. Let's get it right so we can protect consumers so they don't have to face the consequences of an unsafe product. No debate from the Liberal majority on the committee; they voted it down. I'm very disappointed because, quite frankly, when you come out with a dog-and-pony show on electrical products, let's do something meaningful. Nothing meaningful has been done with respect to the electrical products industry, because we still have unsafe products out there. Quite frankly, the minister knows better in terms of protecting the consumers.

I want to tell the consumers that are out there, first of all, if you're looking for a safe product in this province, you've got the choice of 26 labels. If you want to make sure the product is safe, don't look to this government, because they're not going to make sure that the product that gets into the store is going to prevent you from buying it until you find out whether the product is safe or not. They'll look after you after the fact, when you get injured. That's not acceptable, and the minister knows that it isn't acceptable at all.

The next area that I want to move into, because I'm limited by my time here today with respect to this debate, is mortgage fraud. The minister, in this particular area—we've had a lot of discussion about this. There have been

some very high-profile headlines in the Toronto Star written by Harold Levy, and also by Bob Aaron and other people who are involved in that. What we're dealing with here is the classic syndrome of identity theft. We have a government-run land titles, land registration system—government-run. People sell and buy real estate and mortgage real estate based on a belief that the government-run land titles and land registry system is fail-proof. We know that's not true, because there is rampant mortgage fraud in this province; there is rampant title fraud in this province. Why? Because of identity theft, people taking someone else's identity and using that identity through a power of attorney. All you need to have in this province, because the minister didn't do anything on this issue, is a copy of a power of attorney—no independent assurance that it's legitimate, no original copy to show that it's actually legitimate—and you can use that power of attorney and misrepresent that you have the power of attorney over that property, whether you want to sell property or whether you want to mortgage that property. Just ask Susan Lawrence, just ask Paul Reviczky, just ask Elizabeth Shepherd, who were all subject to fraudulent powers of attorney which resulted in them losing the title to their home, resulted in them having mortgages put on their property in the hundreds of thousands of dollars.

On Bill 152, we put forth an amendment to copy the legislation that's in place in Alberta with respect to powers of attorney, to make sure that powers of attorney are legitimate and that they can be relied on.

We also put forth legislation and amendments to make sure—when you're dealing with a lot of real estate transactions today, it can be done through e-mail or they're transmitted documents, electronic documents. We wanted a process that would ensure that what's being sent through the electronic process is certified, so you would know, when you get that document, that it is a certified electronic transaction and you can rely on it. What did the government do? They said, "No, we're not interested in that. That makes way too much sense. We're not interested in making sure that identity theft is removed from the land titles/land registry system."

So what we have now is the status quo. You can still get on to the Teranet system and become a person who can register a document through a false identity, whether you use an automobile licence or some other document. We heard the other day from the auditor's report that there are 300,000 OHIP cards given out to fictitious people, so that can be used for identity theft.

#### 1700

The problem is that there is no requirement to protect the consumer. They do not know, like in Saskatchewan, that you can be notified by the director of titles saying, "Somebody is looking at your property with respect to selling it, with respect to putting a mortgage on it." In Saskatchewan, there's a notification procedure which is done by e-mail or by fax or whatever you choose to notify you that someone is tampering with your title. We asked the minister to look at that. He did look at it, but he

didn't make it a mandatory requirement for that to happen. He said, "Well, if the director of titles wants to do it, the director of titles can think about doing it." That's not good enough in terms of protecting someone from having all their equity in their property stolen, whether they're away from the property or even if they're living on the property—or whether they're renting the property. So what we have is a situation where nobody is going to get any notice. How would you know if someone was looking at your title? In this province, you wouldn't know at all.

What we also wanted to have put in was a PIN system, a personal identification number, so that no one could transact anything on your property unless you had the PIN. The PIN would make sure that the lawyer who was acting on the transaction, or the bank or the trust company or whatever lending institution was involved, wouldn't be able to do the transaction unless they knew your PIN and had your consent. That makes ultimate good sense. Of course, the government rejected that; they didn't want to do it. So that means identity theft, which is rampant in the system, is still going to be there, and that's very disappointing.

Now, in terms of dealing with the land titles assurance fund, everybody in the province should know—and the member from Lanark–Carleton, Norm Sterling, made a very good comment that nobody should have to have title insurance in this province. That's right, because if you have title insurance, all that title insurance gets you is the value of the price of your property. But your property is taken from you; you don't have it anymore. So what we wanted in place, and what we put in place under my Bill 136, was to make sure that no one would have to go to court to make sure that one's land title was secured. If you were a lender or if you had a fraudulent mortgage on your property, you wouldn't have to go to court to get that fraudulent mortgage put off the property. The innocent purchaser or the innocent lender would go to the land titles assurance fund to make sure that they would get the money that they were due in the transaction, if they were an innocent purchaser or an innocent lender.

The government didn't want to go that far. And to some credit, the case law that was out there said, "If you have a fraudulent mortgage registered on your title, that is a valid mortgage." It doesn't make any sense, because if you have a fraudulent transaction where you lose a title to your property, that can be overturned in court. But the courts made the decision about three years ago that if you register a fraudulent mortgage, that mortgage is valid. The government's Bill 152 will change that; that will not be the case with respect to a fraudulent mortgage in this province anymore. So the fight we put on that started earlier this year the government actually listened to, to make sure that people such as Susan Lawrence, Elizabeth Shepherd and Paul Reviczky in the future—because this is what this bill is: It's prospective with respect to providing some property rights to the public. It's not, as the minister is trying to suggest, retroactive: "Oh, yes, it's going to help Susan Lawrence, it's going to help

Elizabeth Shepherd and it's going to help Paul Reviczky." That just isn't what the legislation says. It doesn't say that at all.

I want to deal with that part right now, because this is what the minister was talking about with respect to the land titles assurance fund. The land titles assurance fund is a fund you go to if you have had your property taken away from you or if you've had a fraudulent mortgage put on your property, but the government set it up as a fund of last resort. You had to go through court, you had to try to find a fictitious character, and that just wasn't the way it should be. In New Brunswick, under their legislation—you go to the land titles assurance fund, which is a government general revenue fund—they allow you to go to that as a fund of first resort to protect your property.

The minister, after much consternation—because he didn't really want to have the land titles assurance fund as a fund of first resort; he had difficulties with that because that's what was in Bill 136. He's amended section 57 of the Land Titles Act, which deals with the land titles assurance fund, which I've agreed will help property owners because no longer will a fraudulent mortgage that's registered be valid in this province. But what they've done has raised other questions. For example, how does an existing property owner demonstrate the requisite due diligence to entitle them to compensation from the fund? The onus is on the property owner to show the requisite due diligence in terms of trying to protect their property from a fraudulent land transfer or a fraudulent mortgage. There's no way of knowing if someone is scoping your title through the Teranet system or if someone has walked up to the land registry office in your community, has pulled the abstract on your title and said, "Well, I think I want to take a look at this." How would you know? You wouldn't know.

The other part, where the minister says, "We're protecting Susan Lawrence, Elizabeth Shepherd and Paul Reviczky. We'll allow the people who were defrauded in the past to come in and go to the land titles assurance fund"—my question is, who will constitute "the prescribed class of people" qualifying for earlier payment? It doesn't mention.

At the hearings—and the member for Durham was there, when he could make it, and that was fairly regularly; I did use his advice on many occasions. The problem is, we asked them. We put forth amendments. We even went to legislative counsel and said, "This bill only applies to transactions after October 19, 2006." We put forth an amendment to have that changed to any transaction from 1996 onward so we could catch all the fraud that was in the system for the people who relied on the government-run land titles assurance system and land titles registry system, to allow them to go to their own fund—they relied on the government to protect their home from fraudulent title transactions or fraudulent mortgages—and say, "Listen, I got taken on my property through no fault of my own. I should be able to go to the land titles assurance fund to protect myself." No, the government wouldn't go for that. They didn't want to debate

it because, quite frankly, that wasn't something they really had their heads around. But the bill speaks for itself. It's any transaction after October 19, 2006.

We got assurances from the ministry staff and they were saying, "No, it's going to protect Susan Lawrence, Mr. Reviczky and Elizabeth Shepherd. The minister is going to put the all-mighty directive in there that will allow them to go to the fund." My question was, "If that is the case, why don't you make sure that everything is retroactive to the point in time where these people lost their title and also lost a significant amount of equity on their property?" They wouldn't do that. They said, "Don't worry. The minister is going to put in a directive."

My point is, the minister can't override the legislation. The director of titles, who deals with the land titles assurance fund, has to apply the law. He can't create law in terms of protecting these people. So we're putting it to the minister: When he says this prescribed class of people qualifying for earlier payment, he'd better be living up to his word—unlike what he did with respect to the funeral industry—and making sure that those people, like Susan Lawrence, Elizabeth Shepherd, Paul Reviczky and all the people who lost a significant amount of equity in their property through a mortgage fraud, get proper compensation. Because the way the system works up until this bill is passed is that every fraudulent mortgage that is registered on title prior to October 19, 2006, is valid. That means if you had a \$300,000 fraudulent mortgage slapped on your property, you're stuck with that mortgage. The bill's prospective effect will protect people in the future from that particular transaction.

**1710**

Still missing is a time frame for compensation decisions. In his letter of November 22, 2006, Minister Phillips said, "For these standard cases of fraud, in which there is no court action and both the victim and their lawyer are co-operating, we will ensure that title is returned and a land title assurance fund decision, i.e. compensation, is made within 90 days." This is in his letter. The minister is famous for his letters that flew in these Bill 152 hearings, especially with respect to the funeral industry. Nothing to that effect appears in the amendments to Bill 152 in terms of timely decision-making. There is no time limit with respect to the decisions. The minister is saying, "Oh, it'll happen within 90 days if everybody is co-operating." It's not in the bill. The amendments to subsection 57(13) and additional subsection 57(13.1) only deal with notification.

One of the parts of the bill that is in this is under clause 57(16)(b), which is dealing with the land titles assurance fund. It denies lenders the right to make a claim against the land titles assurance fund unless they have "demonstrated the requisite due diligence as specified by the director" of land registration. This is a meaningless provision, as almost all lenders today have their mortgage titles insured rather than looking to the land titles assurance fund for compensation. Clause 59(1)(e) denies title insurers the right to file a claim

against the land titles assurance fund that is derived from a subrogated claim. This will inevitably drive up the cost of title insurance for consumers. It also indicates how the government would rather dump the cost of mortgage fraud on title insurers than assume responsibility for its prevention.

The minister also deals with fraudulent mortgages that were registered prior to October 19, 2006. In section 78, quoting from the explanatory note of the bill: "A fraudulent instrument will not have any effect on the title register. Instruments registered subsequent to a fraudulent instrument are deemed to be effective." This effectively reverses, albeit 11 months late, the Court of Appeal decision in *Household Realty Corp. Ltd. v. Liu*. That case established the concept of immediate indefeasibility in Ontario, i.e., a fraudulent deed or mortgage would still be valid and enforceable if the buyer or lender was innocent, i.e., unaware of the fraud. Bill 152 would restore the concept of deferred indefeasibility in Ontario. With deferred indefeasibility, a fraudulent deed or mortgage is null and void even if the buyer or lender was innocent. We'll talk about the buyer or lender A. However, the Land Titles Act also created the mind-boggling legal fiction about a second transaction. If B was an innocent buyer/lender, and B dealt with A as a supposed owner of a property, B acquired a valid deed or mortgage even though the earlier deed to A was fraudulent. Because of deferred indefeasibility, it is possible for a property owner to (a) lose the title to their property, or (b) be stuck with a valid and enforceable mortgage against the title to their property even though they did not sign it. Rather than making the situation clearer with respect to mortgage fraud, the minister has done nothing more than tinkering, from the date of his announcement just before the by-election that the Liberals lost in Parkdale-High Park back in August. He's done nothing. Essentially the amendments (1) clarify the suspension process for submitters of fraudulent documents in the Land Registration Reform Act, (2) tinker with the land titles assurance fund, and (3) modify definitions in the Land Titles Act. No other substantive changes are made to the Land Titles Act dealing with real estate fraud.

There are two cases where deferred indefeasibility was applied in recent years: *Durrani v. Augier*, an Ontario court decision, and the *Toronto Dominion Bank v. Jiang*, which was in 2003. Mortgages, in both cases from a fraudulent borrower to an innocent lender, were held to be valid and enforceable against the true property owner. With deferred indefeasibility, title theft becomes more difficult but not impossible, since instruments may only be validated in a second transaction. Equity theft remains a very legitimate threat, as in the cases noted above.

That's what it's all about. Where people have paid off the mortgage, the property is prime for a fraudulent mortgage because there's all kinds of equity in that particular property. That's what they're after. So the minister doesn't get rid of the identity theft problem that is rampant throughout this province. What he does is make it possible for someone to do a transaction after there's

been a fraudulent transaction and make it legitimate. I don't really think that is the way legislation should work in this province—in terms of not solving the problem. That's exactly what the minister has done. Also, in terms of dealing with the people who register the documents on the system, he has gone back—this is what he thinks is going to stop identity theft. He's going to make sure that nobody is going to want to register a document with respect to a mortgage or transaction in this province. Bill 152 would allow the director of land registration to immediately suspend the electronic registration privileges of a submitter where the director reasonably believes a fraudulent document has been submitted electronically or where the director considers it is in the public interest to do so. No distinction is made between a submitter who registers a fraudulent instrument after taking reasonable precautions and one who is privy to the crime. Who is the submitter remains undefined, and what public interest suspensions are justified remains unanswered too.

**1720**

Suspensions by the director are immediate and without notice. Can you believe that? The director of land titles has the power to suspend and take away the licence of a lawyer without a hearing. The suspensions by the director are immediate and without notice. Once suspended, the submitter has 15 days to request a hearing to avoid having their privileges revoked. Amazingly, any hearing would be held before the director of land registration, the same person who initiated the suspension. Hearings would be in written form, not orally, unless the director ordered otherwise. Besides making the director of land registration omnipotent, this scheme is a blatant denial of natural justice. One person is empowered to issue suspensions, conduct revocation hearings and decide the form of hearing. No time frame appears in Bill 152 stating when the hearing must be conducted, nor does a time frame appear in Bill 152 stating when a decision must be rendered. During this indeterminate period of time, the submitter remains suspended, potentially causing irreparable harm to an innocent lawyer, their practice and their clients—draconian, to say the least, as the submitter of a fraudulent instrument can be suspended until proven innocent.

What society are we living in here? What is the Liberal government trying to do here? All we said to them was, "Stop the identity theft on the system by making sure that my identity is not taken from me." What have they come up with? They've come up with a system that says, "Oh, if we think there's something going wrong here, we're going to look at who registered that document and we're going to whack the person who registered that document without a hearing and without any discussion." It doesn't make any sense to conduct business that way in this province.

On this mortgage fraud business, the minister has moved with baby steps. He hasn't solved the problem. It's not going away. People who are involved in fraudulent activity in this province are taking away from people like seniors who don't have any mortgages

registered against their property—they're plum for the picking—because they're still going to be able to get on that Teranet system and scope properties to see who owns it and whether there's any mortgage on it.

I want to recognize a lot of people. I have a stack of petitions. I've received thousands and thousands from people petitioning the province to make changes to the land titles system in this province to protect their property from mortgage fraud and title theft. I want to thank those people for sending in and doing the work about getting people to respond to this particular issue. There's been yeoman work done, with respect to the media in terms of reporting this, by Harold Levy of the Toronto Star and Bob Aaron, who writes about these issues. Unfortunately, there's too much writing material for Mr. Aaron because the problem isn't going away. It just continues to come up with some of the craziest situations where people defraud other people with respect to real estate.

I certainly want to thank Susan Lawrence, for whom this has been a painful ordeal throughout. Fortunately, she was represented by very good legal counsel in Morris Cooper. She has been very vocal, very strident in this particular issue, notwithstanding the fact that when she went to her Liberal MPP for help, she didn't get any help.

But this is before the House, and perhaps the minister will live up to his word and ensure that Susan Lawrence not only gets her title back to her house and gets the mortgage removed from her property, but all the compensation that she incurred, whether it's payments she shouldn't have had to make on her mortgage, legal fees she shouldn't have had to incur to protect her title and making sure there was no mortgage on her property—that she get that restored from the land titles assurance fund. The minister has not emphatically guaranteed that that will happen. He's playing word games. He's playing semantics.

The same thing goes to the help that was given by Elizabeth Shepherd and Paul Reviczky, two seniors who had copies of powers of attorney used by people who said they were their grandchildren, going to the lawyer and saying, "Oh, by the way, we've got power to transact, sell the property and put a mortgage on that property," and they did it. So we go to the government and say, "Listen, this is happening with a copy of a power of attorney: no independent verification. Will you make changes to that?" The minister says in his letter, "Yes, we're going to do that." Then I go read the legislation, and there's nothing in the legislation. So I don't know how he's going to do that in terms of making sure that powers of attorney are the documents that they're supposed to be. They're supposed to be used in situations that are meaningful in terms of protecting the person who is not able to deal with that particular property, whether it's from a medical problem or whether it's because they're absent, and they need to be able to do this through a family mechanism. It's got to be independently verified, and it's got to be an original. No one should be able to transact business on a copy of a power of

attorney, but the Liberal government says they can do that, and they think it's okay.

It's a disappointing day for property owners in this province because, quite frankly, for all the hyperbole, all the sounds of action from this government when it started, when they knew they were going to lose that by-election in Parkdale–High Park, nothing has changed since they made those announcements in August. As a consumer, as a legislator, I think it's very disappointing, because we gave them very valid amendments, things that would change the land titles assurance, land registration system to protect identity theft from getting on that.

It's very simple. As the senior member, Mr. Sterling, indicated, nobody should need land titles assurance; nobody should need it. They should be able to rely on the government-run system to make sure that their identity is not stolen from them so that someone could transact any kind of transaction on that system to take away their home or slap a significant mortgage on their property. It's not that difficult to deal with.

My bill that was put forth, Bill 136—I want to say thanks for the help I received on that bill, and even up to today, from Alan Silverstein. He's a bencher with the law society, a certified real estate professional and a person who really understands this issue and has written about it in the Toronto Sun.

Every one of the recommendations we have put forth to correct this system, from jurisdictions in New Zealand, from jurisdictions in Alberta, from New Brunswick, from British Columbia, every one of the proposals was rejected by this government because they do not believe there is a problem with the government-run land titles system. Even in the face of a decision by Justice Echin at the Superior Court level, where he said categorically that mortgage fraud in this province is a plague, that the government owes it to consumers to make sure the system is not only sound in terms of making sure that transactions are done in an efficient manner but that people can rely on the system to make sure they don't lose their house or don't have a fraudulent mortgage put on their property—he said that should not only be done in the future, but it should have been done to protect people in the past through the land titles assurance fund.

So what does this government do in the face of a recent Superior Court decision? They do nothing, other than to say, “We'll protect you from a fraudulent mortgage on the initial deal, the initial transaction. If someone puts a fraudulent mortgage on your property, you'll be protected. We'll make sure that's removed. But if there's another deal done from a fraudulent mortgager to an innocent party, you're out of luck.” That doesn't make any sense at all, that we can play games like that with respect to what is probably for most people their most important asset and what they're relying on for their retirement, let alone to have a roof over their head.

1730

But the government not only didn't want to discuss any amendments, they basically voted everything down

because they don't believe there's a problem. So yes, I'm disappointed with respect to the response of this government to the thousands of people who wrote in wanting change to protect their homes.

I remember a woman named Muriel Chudiak who came in from Mississauga. She went around with her husband from home to home because she was so concerned about this issue, and obtained over 300 signatures from her neighbours, telling them, “This is an issue we've got to make the government move on.” She did that. I even spoke to her today because she has concerns. She asked me, “Joe, how's Bill 136 doing?” I said, “Bill 136”—which is my private member's bill—“is effectively dead because the government is going ahead with their Bill 152 and not doing anything with respect to amendments. I can assure you that you're not going to be protected the way you should be protected as a property owner in this province and a person who pays their bills, pays their taxes and is an upstanding citizen who relies on a government-run land title system,” which, quite frankly, nobody can rely on in this province—not anymore, after what this government has done. All they've really done is made sure that every fraudster in this province knows that this government doesn't care and is not going to do anything about mortgage fraud.

Tomorrow is the last day of debate on this bill, which is third reading. Then the vote on this bill is going to be Wednesday. At that time this bill will become law, because I imagine the government will look for royal assent immediately thereafter in terms of bringing this bill to its conclusion—and a sorry conclusion, because we could have done better.

**Mr. Kormos:** It's a missed opportunity.

**Mr. Tascona:** It's not only a missed opportunity, as the member from Niagara Centre says; it's a situation where we knew what needed to be done and it was so easy to do, but this government didn't want to do it. They not only didn't want to do it, they didn't want to listen. It was just total arrogance.

The last section I want to deal with in this bill, which is an omnibus bill with over 200 pages dealing with all kinds of different areas—I'll only touch on a few—is the death business. The government decides to get into the death business. They think, “We've had six years of consultations. The minister is getting impatient. Thirty-three recommendations out of the”—

**Mr. Kormos:** I'd rather have his severance package.

**Mr. Tascona:** Yes, who wouldn't want Parkinson's severance package: \$3.1 million? I don't know whether that's in Canadian or US dollars but, quite frankly, that isn't too bad a deal, especially when you quit: “We'll not only let you quit, but we'll pay you to quit.” That's not a bad deal. But I digress, because the member from Niagara Centre has chosen to make me digress there.

We're back to the death business. The government is taxing the death business; they're into the death business. We have six years of consultation. The industry comes to a consensus. It says, “We want to deal with the death business this way.” The minister sends me an undated

letter—which I now think was rather clever—prior to when we start public hearings, saying, “Status quo. Let’s go ahead. We’re going to make sure that what we agreed with”—there were a lot of ministers on there. I know Norm Sterling was one of the ministers, Bob Runciman was, at one time, and Tim Hudak and Minister Phillips, and they all came to an agreement that, “We’re going to deal with this issue.” So we get a consensus. We get into the public hearings. Some valid points were made in the public hearings with respect to a level playing field. But the government, in its wisdom, says, “Well, we’re having public hearings, but do we really have to have public hearings? We’re going to have to make some changes.” The next time we got into the public hearings, which was a week ago last week, the minister came up with another letter. He’s saying, “We sort of looked at this issue. We think we’re going to make some more changes.” So what he decides is, “We’re not going to allow not-for-profit cemeteries in this province to be untaxed,” and there are 1,700 of them. So in his wisdom, he says, “We’re going to couple them in with for-profit corporations and we’re going to treat not-for-profits as taxable entities.”

That’s all fair for the minister to say, but he represented to the committee that he wasn’t going to do anything. Then we’re down to the last day of hearings and we get a letter saying, “We’re going to do something here.” The very next day, we’re into clause-by-clause, where he’s made his move.

Where I think he’s made a mistake on this—and I’m not one for saying there shouldn’t be a level playing field for everybody who is involved: funeral directors, religious cemeteries, municipal cemeteries, not-for-profit cemeteries. Everybody agrees that it should be a level playing field. But where I think the minister misses the point—and I don’t think he thought it through. He didn’t admit it today, but I did question him on it. After I put my question to him—he didn’t answer the question—he just said, “Well, you know, we’re going to act on 32 of the 33 recommendations. If we try to get that other recommendation agreed on, we’re going to be waiting another five years. So I’d better move on it now.”

I asked him the question: “Why did you break your word? Why are you going to tax everybody in the death business the way you feel that they should be taxed?” Quite frankly, the non-profits are not in a very strong financial position and he knows very well that if he puts a municipal property tax on them, they could be out of business. And who’s going to hold the bill? The municipal taxpayer. That’s who is going to hold the bill.

So after my question, within 10 seconds, I got another letter from the minister. It’s addressed to Mr. Kormos and Mr. Runciman, but he was kind enough to c.c. the critic, who is me. He said, “It’s not the intent of the ministry to change the tax treatment of small-scale ancillary services provided by cemeteries. The ministry’s intent is to capture larger-scale commercial activities such as funeral establishments and visitation centres established upon cemeteries. Operating such activities will require a licence, which will trigger the need for a property tax assessment.”

What’s going to attract the property tax assessment is the amendments that he made in his own bill, where he categorically said that non-profits would be treated the same as for-profit cemeteries, which would mean MPAC is going to have to make their move.

Should MPAC decide that the predominant use is that of a funeral operation by that non-profit corporation—because what they generally look at is the revenues. If the revenues are going to be greater if there’s a funeral establishment on that property, then two things are going to happen and both of them aren’t good for consumers.

If they decide the predominant use is the funeral operation, then the non-profit corporation is going to be entirely taxed, from a property tax point of view, on all commercial activities in that cemetery. Why? Because that’s what the bill says. They’re going to be taxed on all commercial activities. So instead of saying, “We’re going to leave the cemetery part alone,” they’re going to have to treat the entire cemetery and all the activities on it for property tax assessment. There’s no other way that he can go, unless he’s going to decide he’s the property tax assessor.

#### 1740

The other part where I think he’s made his mistake is that this is going to jack up the fees in the death business incredibly for the consumers. He knows it’s going to, because there’s no other way that it won’t.

All we’re saying is, listen, you can’t play games. You represent that there’s no change before we get into the public hearings; we get into the public hearings; after we finish two days, you make your move to change it—no consultation with the committee, no consultation with anybody. What we’re saying is, take out schedule D, don’t proclaim it, until you talk with the industry some more. What’s wrong with that? You already talked with them for six years. You come out with your legislation. It’s not accepted unanimously, though you represented to us that it was. It wasn’t. Talk to them some more. See if you can make an arrangement to get consensus.

Nobody on this side of the aisle is saying that we shouldn’t have a level and equal playing field with respect to the death business. The Liberals want to tax the death business, but they want to tax it in their own way. Rest assured—and member Norm Sterling mentioned this—religious cemeteries and municipal cemeteries are going to be taxed, in a way, because there are going to be in lieu taxes where they’ll put it into their properties to make them better. The minister says, “We’ll make sure that they do it.” Well, the way they oversee Hydro One, who in their right mind will believe that they are going to oversee anything? With respect to the number of OHIP cards in this province—300,000 more than are needed. Are you kidding me that they’re going to oversee this industry to make sure that it’s a level playing field? I don’t think so.

So what’s going to happen is you’re going to have a jack-up in the prices for consumers at the religious cemeteries and also at the municipal cemeteries. Because they’re being taxed in an in lieu manner, they’re still

going to have to take money out of their operation and put it into another fund. Then the government is going to monitor that fund and say, "Where did you put it?" It's going to be interesting, the tests that they come up with with respect to how that money can be put in. If it's anything like the children's aid society, which was also audited—they were putting in expenses for their SUVs and putting in for vacations and all kinds of things. I'm not going to lay that on with respect to my respect for the industry with respect to religious cemeteries and municipal corporations.

It's a comment on the lack of due diligence of this government and, quite frankly, a system that they set up after six years of consultation and represented to me as a committee member that there was consensus when there wasn't consensus. As a legislator, I don't appreciate being misled with respect to whether there's consensus when I have to vote.

**The Deputy Speaker:** I think the member should reconsider his language.

**Mr. Tascona:** I will, Mr. Speaker.

**The Deputy Speaker:** And what will he do with it?

**Mr. Tascona:** I'm not going to say that I was misled. I'm going to say that—

**The Deputy Speaker:** I want to hear the word "withdraw."

**Mr. Tascona:** Withdraw.

**The Deputy Speaker:** Thank you.

**Mr. Tascona:** I really didn't have the full understanding because I was told something that was different than what I believed.

Back to my point: We need to be fair in the death business, because the Liberals want to tax the death business and they're doing it. They're going to tax the death business and they're going to tax it the way they want. All we're saying on this side of the aisle—I think the member from Niagara Centre would agree—is that you're not going to find consensus on the last day of committee hearings and expect us to deal with it that way. We wanted to be fair to everybody.

The Liberal amendments went through on this particular bill. We're facing a situation where the minister is still sending me letters, and I'm not buying it at this stage of the proceedings because we're out of committee hearings. So we're going to have to be fair. I think there needs to be more consultation in the funeral business.

In closing, because I'm down to about 47 seconds and counting, I want to say this: Homeowners in this province have been let down by this government. People who have been hit in a drinking-and-driving fatality have been let down by this government because they're not requiring any liability insurance for bar owners. The people in this province who are injured by electronic products have been let down by this government because there's no standard safety logo for those products. No one is doing anything to keep those products out of the store.

My lead is over, and I look forward to the time for questions and comments.

**The Deputy Speaker:** And it is time for questions and comments.

**Mr. Kormos:** I appreciate the contribution that the member for Barrie—Simcoe—Bradford, Mr. Tascona, has made to this whole debate. In fact, his Bill 136 paved the way for the legislation.

One of the things that was frustrating and disappointing for me and, I'm sure, a whole lot of other people is that this has been an exercise in a lost opportunity. There was some incredible assistance available to us, lawyer journalists like Aaron and Silverstein, who were extremely helpful, and in a very non-partisan way.

My fear is that nothing in this legislation is going to restrict, reduce—never mind eliminate—the introduction of forged and otherwise fraudulent documents to the land titles system. Oh, there are some policies which will provide punishment, fairly or unfairly and accurately or inaccurately, for, let's say, lawyers or conveyancers who register those documents, but nothing in the bill is going to protect Ontarians from forged or otherwise fraudulent documents.

The gaping hole of the electronic registry system—don't forget, we learned that this isn't even a scan of the document that gets sent to a land titles office; it's simply the information. What a gaping hole. Talk about the Achilles heel of a system that's already fragile. Nothing in the legislation addresses that.

The solution was to develop a program whereby we've got real people, trained people, skilled people, public sector workers in those offices screening and reviewing each and every document that's put forward. That's how you detect forged or otherwise fraudulent documents. Nothing in this bill is going to achieve that end.

**Mr. Dhillon:** It's a pleasure again to speak in favour of Bill 152, the Ministry of Government Services Consumer Protection and Service Modernization Act. It's one of the first bills that I worked on, as a parliamentary assistant, in a committee setting. I must commend Mr. Phillips for his hard work and his consultation right until the end in making sure our stakeholders were happy, especially in the bereavement sector. I remember receiving a letter at one of the last hearings about how happy they were with Mr. Phillips listening and addressing their concern and creating a more level playing field in that business.

With respect to mortgage fraud, there's a lot in this bill that addresses that. It makes the land titles assurance fund easier to navigate and more responsive, so that people who are victims of fraudsters of this nature do get some recourse as to the problems that they're faced with.

The other thing is that in this bill the fines for mortgage fraud go to \$50,000 from \$1,000. That's a big move, a big deterrent. There are other safeguards to suspend and revoke the accounts of fraudsters, another big deterrent.

For gift cards: Innocent people purchase gift cards so they can cash in these gift cards for the value that's on them, \$50, often \$100; small amounts. It's not nice when people cannot use these cards that are given as a gift.

So there are a lot of good things in the bill, and we opposed the amendments because they didn't make any sense.

**Mrs. Christine Elliott (Whitby–Ajax):** I appreciate the opportunity to speak briefly to Bill 152. I don't know that there's that much I can add to the excellent commentary and analysis provided by my colleague this evening, the member from Barrie–Simcoe–Bradford, not to mention the excellent work that he did with respect to Bill 136, which of course preceded Bill 152 and, in my view, did an excellent job in terms of dealing with the whole issue of mortgage fraud.

**1750**

That is the issue I would like to speak to in the brief time allotted to me, and that is the specific section, section 23, which deals with the ability of the director of land registration to suspend immediately and without notice the registration privileges of anyone who has access to the electronic registration system. This has been a matter of serious concern to the legal profession, and I should say to real estate law practitioners in particular. Having come from that background myself before coming to this Legislature, I would like to say that I echo those concerns because there are many practitioners who only practise in the area of real estate. In a situation where they have innocently registered a document that turns out to be fraudulent, their registration privileges can be immediately suspended, and that will put them into a situation where they can't work. They can't close deals, can't register deeds or mortgages on behalf of clients, so that effectively puts them and their entire staff out of business. So I would submit that this is really a draconian provision. It goes too far as a hammer against many of the real estate lawyers practising with diligence, I should say, in this area of law. It's also a situation that really denies natural justice, because if the director of land registration suspends the person's ability to register, then they are also the one who will hold the hearing in the future. That's a clear conflict of interest and shouldn't happen.

**Mr. John Milloy (Kitchener Centre):** I listened with great interest to my colleague from Barrie–Simcoe–Bradford's speech today on this bill, although I must say he seemed to have spent more time talking about the Auditor General's report than the legislation.

I don't know what disappointed me the most: the fact that he didn't deal with the legislation or the fact that he didn't bring up the fact that it was our government which allowed the Auditor General to go out to these agencies and make sure taxpayers' money is being spent properly, something that his government didn't do.

But more importantly, when it comes to the legislation, again, we heard a lot about the committee process. What he didn't bring up is the fact that the government put forward 32 amendments that were adopted to enhance Bill 152, which included streamlining the land titles assurance fund, limiting access to the electronic land registration system, and modifying the property tax section to ensure an equitable, fair and level playing field in the bereavement industry—all approaches which strengthened the bill and took into account the deputations that we heard.

The core of this piece of legislation is really about the times we live in, a time of increasing use of electronics, of new technologies. What we're finding is that the consumer needs protections that we didn't even think about 50 years ago, some might say; in many cases we're talking about a society which over the last four or five years has changed dramatically. We need to provide Ontarians with the types of protection that this bill affords. That's why what's coming forward is a package of protections, a package of measures which are going to be protecting consumers and taking into account the changes within our society and the changes in technology.

Bill 152 represents a strengthened bill that's come back from committee. I think members on all sides of the House would do well to protect Ontarians by supporting this important piece of legislation.

**The Deputy Speaker:** The member for Barrie–Simcoe–Bradford, you have two minutes to respond.

**Mr. Tascona:** I'm very pleased to hear the comments by the member from Niagara Centre, the parliamentary assistant to the minister, the member from Whitby–Ajax and the member from Kitchener Centre.

Certainly the comments that were made by the members from Niagara Centre and Whitby–Ajax with respect to their concern for consumers not being protected from forged documents: That's the fact. They're not protected. Nothing has happened in this bill, through the bill itself or the amendments that came forth, that was any more than just technical amendments that do nothing to stop identity theft in this province.

For the parliamentary assistant to say that the amendments made no sense—say that to the person who's gravely injured in a car accident by someone who was drinking too much at a bar that doesn't have any liability insurance. Say to that family that the amendment put forth by the member from the PC Party, Mr. Tascona, made no sense. Why should a bar have mandatory liability insurance? Why should they be responsible for your injury when they got someone drunk who went out on the highway and injured your daughter or your son? Why should they be responsible?

*Interjection.*

**Mr. Tascona:** That's right.

That doesn't make sense, according to the parliamentary assistant for the government. It doesn't make sense to make sure that nobody can steal your house, that no one can slap a fraudulent mortgage on your property—because I said that this bill does not do anything to stop identity theft in the real estate business; nothing. They not only didn't debate the amendments, they didn't even look at them; they just basically voted them down. That's the type of democracy we've got in this House today.

**The Deputy Speaker:** It would surprise no one that my pocket watch says it's time to adjourn the House.

The House will resume at 6:45 of the clock.

*The House adjourned at 1756.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	Markham	Vacant
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux	York South–Weston / York-Sud–Weston	Vacant
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
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Stoney Creek	Mossop, Jennifer F. (L)		

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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