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Official Report of Debates (Hansard)

Thursday 3 May 2007

Standing committee on finance and economic affairs

Safer Roads for a Safer Ontario Act, 2007

Journal des débats (Hansard)

Jeudi 3 mai 2007

Comité permanent des finances et des affaires économiques

Loi de 2007 visant à créer des routes plus sécuritaires pour un Ontario plus sûr

Chair: Pat Hoy Clerk: Douglas Arnott Président : Pat Hoy Greffier : Douglas Arnott

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STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Thursday 3 May 2007

The committee met at 0903 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr. Pat Hoy): The standing committee on finance and economic affairs will now come to order. We're here this morning for public hearings on Bill 203. We need a report from the subcommittee.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): Mr. Chairman, your subcommittee met on Monday, April 30, 2007, to consider the method of proceeding on Bill 203, An Act to amend the Highway Traffic Act and the Remedies for Organized Crime and Other Unlawful Activities Act, 2001 and to make consequential amendments to other acts, and recommends the following:

(1) That the committee meet in Toronto on May 3, 2007, for the purpose of holding public hearings;

(2) That the committee clerk, with the authorization of the Chair, post information regarding public hearings on the Ontario parliamentary channel, the Legislative Assembly website and the Ontario edition of the Canadian Newswire;

(3) That interested parties who wish to be considered to make an oral presentation contact the committee clerk by 12 noon on Wednesday, May 2, 2007;

(4) That groups and individuals be scheduled on a first-come, first-serve basis from the committees branch database, until all available spots have been filled;

(5) That witnesses be offered 10 minutes for their presentation, and that witnesses be scheduled in 15-minute intervals to allow for questions from committee members if necessary;

(6) That the deadline for written submissions be 5 p.m. on Thursday, May 3, 2007;

(7) That a summary of presentations be prepared by the research officer prior to clause-by-clause consideration of the bill;

(8) That for administrative purposes, proposed amendments be filed with the committee clerk by 5 p.m. on Monday, May 7, 2007;

(9) That the committee meet for the purpose of clauseby-clause consideration of the bill on Thursday, May 10, 2007;

(10) That the committee clerk, in consultation with the Chair, be authorized prior to the adoption of the report of the subcommittee, to commence making any preliminary ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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arrangements necessary to facilitate the committee's proceedings.

The Chair: Comment, if any? Hearing none, all in favour? Carried.

SAFER ROADS FOR A SAFER ONTARIO ACT, 2007 LOI DE 2007 VISANT À CRÉER DES ROUTES PLUS SÉCURITAIRES POUR UN ONTARIO PLUS SÛR

Consideration of Bill 203, An Act to amend the Highway Traffic Act and the Remedies for Organized Crime and Other Unlawful Activities Act, 2001 and to make consequential amendments to other Acts / Projet de loi 203, Loi modifiant le Code de la route et la Loi de 2001 sur les recours pour crime organisé et autres activités illégales et apportant des modifications corrélatives à d'autres lois.

POLICE ASSOCIATION OF ONTARIO

The Chair: Now we'll ask our first presentation of the morning to come forward: the Police Association of Ontario.

Good morning. You have 10 minutes for your presentation. There may be up to five minutes of questioning following that. I would ask you to identify yourselves for the purposes of our recording Hansard.

Mr. Bruce Miller: Thank you, Mr. Chair. My name is Bruce Miller and I am the chief administrative officer of the Police Association of Ontario. I was also a front-line police officer for over 20 years prior to taking on my current responsibilities.

With me is George Tucker, the director of the Toronto Police Association and also a front-line police officer.

The Police Association of Ontario represents over 30,000 police and civilian members from every municipal association and the Ontario Provincial Police Association. We have included further information on our organization in our brief.

We appreciate the opportunity to provide input into this important process. Safer roads is a goal that we all strive for and we support the following initiatives that are contained in Bill 203:

—allowing the courts to take away vehicles from repeat drinking and driving offenders;

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—establishing an early ignition interlock program for Criminal Code offenders;

—increasing roadside drivers licence suspensions for drivers with elevated blood alcohol concentrations;

As a front-line police officer, I saw the tragedies that resulted from street racing and impaired driving. On May 31, 2002, the chair of the Police Association of Ontario, Terry Ryan, was killed by a drunk driver. Terry left behind his wife, Carol, two sons and three grandchildren.

I know that all members at Queen's Park strive for safer roads and communities. The legislation has great value, both in terms of enforcement and the ongoing need for public education.

One area that we would like to comment on is the provision that would allow police vehicles the exclusive right to use a combination of red and blue emergency flashing lights. Since 1994, two thirds of all police officer deaths in Ontario have been the result of traffic-related accidents. Blue flashing lights are very visible at night. Red flashing lights are more visible in the daytime.

To our knowledge, Ontario is the only jurisdiction in North America that does not permit the use of blue flashing lights on police vehicles. Our roads and highways are a sea of red taillights at night. We strongly believe that the use of blue and red lights will increase the visibility of police vehicles, reducing the number of deaths and injuries related to night collisions for both police officers and members of the public.

We believe that the best way to illustrate this is to show you three short video clips that were done by the Peel Regional Police Service. Their members did a great deal of work on this issue.

As I struggle with technology, I am going to try to bring up these three clips.

Video presentation.

Mr. Miller: I think that both clips show how blue lights really stand out at night, but probably the most dramatic one is the last one, which really shows the seaof-red effect that you'll see on the highway.

Video presentation.

Mr. Miller: When you see nothing but that sea of red taillights, I think it illustrates how clearly blue lights stand out at nighttime and how they could prevent needless tragedies. We'd also point out that the use of blue and red lighting was supported by a ministry working group of both police and municipal stakeholders.

In closing, we would like to thank the government and Minister Cansfield for moving this legislation forward. We also appreciate all the work done by Minister Kwinter in moving the blue and red light initiative forward. Finally, we would like to thank all members for their support on this issue and also recognize the efforts, in particular, of MPP Frank Klees.

We would urge that this legislation be enacted as quickly as possible. I'd like to thank you for the opportunity to appear before you again and we would be pleased to answer any questions that you may have. **The Chair:** Thank you. This round of questioning goes to the official opposition.

Mr. Ted Arnott (Waterloo–Wellington): Thank you very much, Mr. Miller, for your presentation. It was excellent. I really appreciate your advice.

I want to ask you a question about the provisions with respect to street racing. Do you think that there's enough strength in what the government's proposing in this regard to ultimately deter street racing of the type we've seen where there have been numerous accidents and, unfortunately, fatalities?

0910

Mr. Miller: I think the legislation is going to be of great assistance. I think toughening up the enforcement provisions is an excellent step, but also I can't stress enough the need for public education on these issues, both in street racing and with impaired driving. It's a message that we've constantly got to be striving to get out. I think that this legislation, coupled with the efforts from all three parties—and I've seen some of the debate in the House—will send a strong message on these issues. But the battle is not won; we're going to have to continue.

Mr. Arnott: I am personally acquainted with someone who lost a close family member in a street racing accident recently. I don't have his permission to publicize his name, but I did speak to him a few days ago and he indicated to me that the view of their family is that it doesn't go far enough. There should be higher fines and permanent suspensions when there's a fatality as a result of a street racing incident.

Mr. Miller: Certainly in the majority of cases of that nature where, unfortunately, death and injury result, there are Criminal Code provisions, so it is something that falls out of the hands of the province but is certainly something where, on a federal level, we continue to push for stiffer sentences, not just for street racing but for all serious crimes.

Mr. Arnott: I wanted to ask you about the flashing green light that volunteer firefighters use, because your demonstration here was very effective in terms of demonstrating to the members of this committee how important it is that we allow the use of blue lights. I believe that there are changes to the flashing green light provision for volunteer firefighters in this bill. From your perspective as head of the police association, do you think that's been an effective means of increasing highway safety: allowing volunteer firefighters to use flashing green lights when they're in their own personal vehicle going to the station or to an emergency?

Mr. Miller: It's something that we haven't studied. When the working group was set up by the Ministry of Community Safety and Correctional Services with the Ministry of Transportation, we didn't look at the green light issue, and I haven't had any discussions with my colleagues on the fire side on that matter.

Mr. Arnott: Thank you for your comments. I appreciate your answers to our questions. We do appreciate the work that you do on behalf of your membership.

F-1139

Mr. Miller: Thanks, Mr. Arnott. **The Chair:** Thank you for the presentation.

HATZOLOH TORONTO

The Chair: Now I call on Hatzoloh Toronto to come forward, please. Good morning. You have 10 minutes for your presentation. There may be up to five minutes of questioning following that. I would ask you to identify yourselves for the purposes of our recording Hansard. You can begin.

Mr. Neil Sigler: Good morning. My name is Neil Sigler. I'm president of Hatzoloh Toronto. With me is David Stein, one of our volunteer medical responders.

Good morning, ladies and gentleman. Thank you for your time this morning. I am here to make a submission regarding Bill 203, Safer Roads for a Safer Ontario Act, 2007, and specifically regarding section 17 thereof with respect to the proposed amendment to section 62 of the Highway Traffic Act that would allow volunteer medical responders to use green flashing lights.

Hatzoloh Toronto is an organization that can benefit from the inclusion of this provision in the legislation and will be able to use it to help make the lives of Ontarians safer.

By way of background, I would like to tell you a little bit about Hatzoloh, which in Hebrew means "rescue." Created in New York in the late 1960s, Hatzoloh is a non-profit, volunteer organization whose purpose is to rapidly respond to the emergency medical needs of Jewish communities around the world. Today, with over 500 members, Hatzoloh New York is the largest volunteer ambulance service in North America. There are also Hatzoloh chapters around the world, including Montreal, Los Angeles, Miami, London, Johannesburg, Melbourne, Antwerp and Israel. Hatzoloh Toronto was started nine years ago in order to provide this service to Toronto's Jewish community.

Our organization is comprised of volunteer paramedics who, when an emergency arises, drop whatever they are doing in order to assist in that emergency. Because our volunteers live and work in the communities in which they serve, we are able to respond to medical emergencies within three minutes of being dispatched.

We work very closely with Toronto and York region EMS. When an emergency call comes in, we ensure that 911 has been called, we stabilize the patient and then transfer care of that patient to ambulance personnel when they arrive. Hatzoloh Toronto currently provides its services 24/7, 365 days a year, along the Bathurst Street corridor from Eglinton Avenue in the south to north of Highway 7.

Because our volunteers are members of the Jewish community, they have a unique perception and understanding of the community's needs. This includes knowledge of Jewish law as well as the ability to converse with elderly immigrant patients in their native tongue, including Yiddish, Hebrew and Hungarian. In addition, many patients, typically Holocaust survivors, will not readily access the EMS system. They will, however, be more comfortable asking members of their community for help.

Hatzoloh's target response time is also under three minutes. In contrast, Toronto ambulance is designed to respond to life-threatening calls in nine minutes, a target that is met only 69% of the time.

Our volunteer responders undergo approximately 250 hours of training and, upon satisfactory completion of that training, receive a designation of emergency medical responder, or EMR. The EMR designation was created by the Paramedic Association of Canada in conjunction with the Canadian Medical Association through a nationwide consultative process, with funding by Human Resources and Social Development Canada. This certification recognizes our responders' competencies in many areas, including emergency patient care, CPR, defibrillation and oxygen therapy. Under the delegation of our medical director, we are also able to administer EpiPens, ASA, Ventolin and to perform glucose testing.

Our responders are required to attend continuing medical education courses approximately once a month, biannual ride-alongs with Toronto EMS personnel in ambulances and biannual emergency room shifts under the supervision of our medical director. They also must recertify their EMR designation every three years.

Hatzoloh Toronto responders are all members of the Ontario Paramedic Association. We are the only volunteer organization to have been accorded such membership.

In general, our calls consist of minor to moderate trauma and people with difficulty breathing and/or chest pain. We have been called upon to assist in childbirths, treat major trauma and cardiac arrests and even help search for missing persons.

Each Hatzoloh responder is equipped with a two-way radio, an oxygen bag and a trauma kit. In addition, we have equipped several responders in every neighbourhood with semiautomatic defibrillators.

While Hatzoloh serves the Jewish community, Hatzoloh will respond to anybody who calls, regardless of race or religion, provided they are within our coverage area.

As mentioned, Hatzoloh's goal is to help others in times of medical emergencies. For certain types of emergencies—for example, stroke or cardiac arrest—a nineminute response time is too long. The ideal response in such circumstances would be in under four minutes.

If the province of Ontario would grant Hatzoloh the authority to use green lights, this would allow Hatzoloh volunteers to reach the scene of an emergency more quickly, resulting in greater opportunities to save lives. Green lights are already used by volunteer firefighters for the same reasons that they could benefit Hatzoloh. They would help other drivers recognize a volunteer responder en route to an emergency and be courteous and yield the right of way.

Green lights would not allow their users to disobey any traffic laws, and they would only be used en route to emergency calls. We would also take steps to educate the communities that we service of the meaning and purpose of green lights.

There are other jurisdictions where Hatzoloh organizations have received permission to use vehicular identifiers, including Montreal; New York; New Jersey; London, England; Zurich, Switzerland; Johannesburg, South Africa; and Melbourne, Australia. We have received endorsements for this request from Toronto city council, Toronto EMS and the Ontario Paramedic Association.

In conclusion, we submit that the proposed section 17 of Bill 203 be put forward. It can enable us to arrive at emergencies faster in those crucial first minutes, which can often mean the difference between life and death. Our volunteers receive intensive training, are certified as emergency medical responders and operate under the supervision of a medical doctor.

Hatzoloh is an organization which could benefit from the inclusion of this provision and would use it to help make the lives of Ontarians safer. Thank you for your time.

The Chair: Thank you for the presentation. This round of questioning will go to the NDP. **0920**

Mr. Peter Tabuns (Toronto–Danforth): Mr. Sigler, thank you very much for coming in today to speak to this issue. I have to say as well, thank you for doing this work, which I can see obviously is quite valuable and very, very beneficial.

To tell you the truth, it's hard to ask you a question. I think the green light makes sense. You make a good argument for it. You want to have a quick response, and it allows you to do that and gives you the same status as a volunteer firefighter. Have you been pushing for this for very long?

Mr. Sigler: We've been working on this for about two years now. We're made up of volunteers. We don't have lobbyists or anything like that, so it's been a process of just trying to meet people, get to people, and try to get endorsements. It hasn't been an uphill battle, but it's been time-intensive in trying to meet the right people and put everything together.

Mr. Tabuns: Is there anyone who says that this proposal is problematic or would pose difficulties?

Mr. Sigler: I haven't heard of any problems.

Mr. Tabuns: No, I can see why. I don't have further questions. I think their presentation was straightforward and so is the proposal and the legislation.

The Chair: Thank you for your presentation.

Mr. Sigler: Thank you very much.

CANADIAN ASSOCIATION OF RALLY SPORT

The Chair: Now I call on the Canadian Association of Rally Sport to come forward, please. Good morning. You have 10 minutes for your presentation. There may

be up to five minutes of questioning. I ask you to identify yourself for the purposes of our recording Hansard.

Mr. Alasdair Robertson: Good morning, Mr. Chairman. My name is Alasdair Robertson, I'm the executive director of the Canadian Association of Rally Sport. I'm pleased to be here this morning to support the measures in Bill 203 designed to eliminate illegal street racing on Ontario's roads. We feel, as road users like everybody else in the province, that this is a measure which improves the safety of all the people on Ontario's roads, and on that basis we're pleased to support it.

While we are supportive of the measures in the bill, as the sanctioning body for rally sport in Canada, CARS is also concerned that the bill's present wording may have unintended consequences for our sport. We are therefore seeking your support to ensure that, when drafted, the regulations made in council will allow the continued operations of rallies throughout Ontario.

In particular, section 172.1, if amended, will read, "No person shall drive a motor vehicle on a highway in a race or contest, while performing a stunt or on a bet or wager." Without suitable clarifying language in the regulations, sanctioned motor sports, many of which use public roads and other public spaces, could fall within the act. Rally sport in particular, which relies almost exclusively on both open public roads and closed special stages, would be profoundly effected.

We are therefore here today to seek this committee's help in establishing a clear exemption for sanctioned motor sport activities conducted on closed roads and to ensure that navigational rallies not be defined as "contests" within the meaning of the act.

I should, I think, explain what rally sport is for those of you who haven't had an opportunity to really experience what we're about. Rally is a type of competition that is almost as old as the automobile and it exists in various forms all around the world. In Canada, rally has been popular since the 1950s, with events held all over the country. It's one of the only motor sports run in all seasons of the year.

Rally is divided into two parts, which I can explain to you as follows:

Performance rally in itself is two pieces: special stages and transit sections. Special stages are competitive sections of the route and are closed to public traffic during the event. Literally, we would close a road, run the stage for an hour or possibly two hours, grade the road if necessary, and reopen it to public traffic. These are flatout runs against the clock at speeds that the average motorist would never imagine possible.

The transit sections, which is really where the nub of the problem is for us, are routes between stages in which the teams must obey all traffic laws and ample time is provided to allow teams to arrive at the start of the next stage without speeding. Penalties are assessed for arriving too early or too late. Any moving violation in a transit section is grounds for disqualification. The accumulation of times from the special stages and transit penalties make up the final score and help determine the winner of the event. 3 MAI 2007

Navigational rallies have been practised in Canada since the early 1950s. They test both the driver and the navigator. Instead of running flat out, as in a performance rally, navigational events use the time-speed-distance formula. In a time-speed-distance section, a particular average speed is listed and the teams must drive as close as possible to that speed. Checkpoints are placed at unknown locations in the section and teams are penalized for passing them early or late. Average speeds are always below posted speed limits, with allowances made for delays at traffic signals and busy intersections. The road is not closed to the public, so teams must obey all traffic laws at all times. The route usually follows roads that are similar to those used in performance rallies, which is to say narrow, winding forestry roads, concession roads and other less-travelled routes.

Route finding is generally not difficult, but the navigator has a lot of work to do to keep the driver on time. It's the ultimate sport for backseat drivers.

At its most basic, navigational rally includes treasure hunts and novelty events of a sort organized for various charities and businesses, and the occasional riding association. At its most sophisticated, it includes events such as the Around the World in 80 Days Rally, which happened a few years ago and which came through Ontario, which attracted participants from all over the world.

Briefly, the Canadian Association of Rally Sport is a federally registered society and is the official sanctioning body for the sport of rally as recognized by ASN Canada and the FIA. As such, CARS is the sole body responsible for making all decisions concerning the organization, direction and management of the sport in Canada. The association is administered by a board drawn from each region of the country. Here in Ontario, Rally Sport Ontario is the administrative and organizational authority and derives its powers from CARS. The president of RSO is a member of the CARS board.

We're a relatively new organization. We were established in 1991 after the breakup of the previous national automobile sporting body. We run the only national motorsport championship series in Canada, the Canadian Rally Championship.

Our member clubs organize rally events at club, regional and national levels. These events are organized within the various provincial highway traffic acts and are closely monitored for compliance with both our regulations and provincial laws. Performance rally road closures are made in cooperation with provincial and municipal levels of government and are subject to various regulations across the country.

That really is what I'd like to communicate to you today. I would be delighted to answer any questions you may have.

The Chair: Thank you. This round of questioning will go to the government.

Mr. Phil McNeely (Ottawa–Orléans): Thank you, Alasdair Robertson, for making the presentation this morning and coming in here. This interests me quite a bit because as a councillor in the city of Ottawa in the Cumberland ward, we had a rally. We didn't know it was a navigational rally, but we had a treasure hunt etc. They were always great events and the community was always involved. Over the years, there were never any difficulties with it. I'm sure that's not the intent of this legislation, to do something like that. Do you want to just enlarge on your concerns in regard to your activities?

Mr. Robertson: We really are concerned that we just not be an inadvertent casualty in this. We had the same concerns with the federal bill, C-19, which was introduced last summer. In both cases, our concern is about making it clear for the people we're asking to enforce the laws how they differentiate between what we're doing and what the people who I think this bill is intended to deal with are doing and how we identify them.

We'd hate to have, on a treasure hunt event for example, somebody take their grandchild out for an afternoon and there's a minor incident which has nothing to do with the event and the youngster says to the policeman, "Oh, we were in a race," and there's a decision made that somehow or another there's street racing going on. That clearly is not the intention of this legislation and we're really anxious to make sure that we continue to have a very positive engagement with the public on this issue in support of the idea that we all have to behave ourselves on the public roads.

I'd like to mention that we currently have a program in cooperation with the Ministry of Transportation, the OPP, the Durham Regional Police and the public health department which is about educating students in schools. We have a team called Manic Racing, which takes their car and their transporter and visits schools up there really to get out the message that the only proper place for anybody to take part in a race or a competition of any kind is at a sanctioned motorsport event.

Mr. McNeely: Thank you very much for that, because education certainly is where we have to go, and that's a good part of this legislation. I have no other questions, Mr. Chair.

The Chair: Thank you for your presentation before the committee.

Mr. Robertson: Thank you very much.

The Chair: That concludes our hearings. We are adjourned.

The committee adjourned at 0930.

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