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## **Official Report of Debates (Hansard)**

## **Journal des débats (Hansard)**

**Wednesday 5 November 2008**

**Mercredi 5 novembre 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 November 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 novembre 2008

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

### ORDERS OF THE DAY

#### PHOTO CARD ACT, 2008

#### LOI DE 2008 SUR LES CARTES-PHOTO

Mr. Bradley moved third reading of the following bill: Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act / Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. James J. Bradley:** Mr. Speaker, I'll be sharing my time with the member for Algoma-Manitoulin, my parliamentary assistant, Michael Brown, who is with us today.

I rise in the House today to begin third reading debate on legislation that, if passed, would support Ontario's economy while improving access and opportunity for every Ontarian. I will share this time with my parliamentary assistant for transportation, Mike Brown, who will continue debate on this legislation.

Our proposed legislation, the Photo Card Act, would provide Ontarians with an affordable, convenient and secure passport alternative for use at all Canada-US land and sea border crossings. To ensure the integrity and security of these cards, we would implement safe and secure technology features to protect the privacy of information. To offer equal opportunity to all, we are proposing a completely new card, a photo identification card for Ontarians who do not drive. To give people who don't drive but want an alternative to a passport, we will make an enhanced version of that card as well.

I'm sure many of our members are aware that the western hemisphere travel initiative is now almost completely phased in. On June 1, 2009, the US government is scheduled to require all visitors to prove their citizenship using a passport or an accepted passport alternative. That is why our government has proposed that a new security-enhanced version of the existing Ontario driver's licence be that alternative. With just over half of all Canadians

holding a passport, we want to make it as simple as possible for Ontario travellers to have access to a secure border-crossing document. This is an opportunity for Ontario to show leadership in supporting the economy by helping avoid confusion and traffic congestion at the border and by minimizing delays for travellers and commercial drivers.

The enhanced driver's licence card would offer the same privileges as today's licence card, with the addition of information needed to show proof of Canadian citizenship at US land and sea border crossings. Our borders are the economic gateway to this province and must remain safe, open and accessible on June 1, 2009—and every day. Our economy and our prosperity depend on it; the ties of family and friendship that extend across the border do as well. Each day more than 92,000 cars cross our borders with New York, Michigan and Minnesota. More than 22,000 trucks carry \$650 million in goods a day. Over 66% of all Canada's trade by truck with the US passes through Ontario's borders. This all amounts to nearly a third of a trillion dollars in trade each year with the US, Ontario's largest trading partner.

Anyone applying for an enhanced driver's licence will be expected to provide documents that confirm their Canadian citizenship. I want to be clear: Protection of privacy and security of personal information has been and continues to be a consideration of paramount importance throughout the development of this program. As well, obtaining an enhanced driver's licence is entirely voluntary. We have consulted with Ontario's Information and Privacy Commissioner and I've received valuable guidance that will help ensure the proposed cards are developed in a manner that keeps personal information secure.

I would like to take this opportunity to thank the commissioner and every organization and individual who took the time to attend and provide their guidance and advice at committee. In fact, the commissioner has noted that she is "very pleased with the co-operation and willing attitude of the Ontario government to work with my office and protect citizens' privacy."

Making sure all these new cards are issued legitimately is critical to combatting fraud and identity theft, and photo comparison technology will help ensure that multiple driver's licences are not issued to the same person under different names. This technology has been implemented successfully in many North American jurisdictions with positive results. For example, Illinois pioneered this technology nearly 10 years ago and has since discovered more than 5,200 cases of identity fraud. In other words, Illinois set up the program we mentioned,

photo comparison technology, and they picked up some 5,200 cases of identity fraud. Photo comparison technology would help stop suspended drivers from improperly obtaining a new driver's licence under a different name.

I can assure you that on the advice of the Information and Privacy Commissioner, the information obtained will be carefully protected. We know that Ontario's driver's licence is among the most commonly used documents for identification purposes. Ontarians are regularly asked to prove their identity for many day-to-day transactions, such as opening a bank account and proving age eligibility for a senior's discount. A photo card for people who do not drive would improve access to everyday services and conveniences for all Ontarians.

Like the enhanced driver's licence, our photo card could, if the applicant wishes, be enhanced for use as a convenient and affordable passport alternative for entering the United States. This program has long been advocated by youth, the blind, people with disabilities and senior communities. By removing barriers to access, we are increasing opportunity for all Ontarians.

Our government is working closely with the Canada Border Services Agency and the US Department of Homeland Security. Ontarians need safe and secure alternatives. Our neighbours, our trading partners and our friends expect us to do our part to make sure people and goods continue to flow safely and efficiently across our borders by the June 2009 deadline, and in the future. This proposed legislation would make this possible.

**0910**

I wish to say as well, at this point, that what I'm encouraged by, in addition to what we are doing in Ontario, is that corresponding action is taking place in the United States. We all recall that the Department of Homeland Security and the outgoing administration in the United States made a decision, after very traumatic events that happened in New York City and Washington, that they would have to increase security dramatically. As a result, all of us here in Canada—at least, I think, overwhelmingly people in Canada—determined that this would have a detrimental effect on both sides of the border. I recall, and perhaps some other members have had this same experience, discussions with American representatives, whether they be in business or in government or tourist organizations, for instance, and all were alarmed with the thought that the borders would clog up and that people wouldn't be able to make their normal trips across the border, or that there would be long lineups and it would be very difficult.

One of the things we noted, and it's a fact we have to deal with, is that our friends to the south, the people of the United States, tend to obtain passports in lesser numbers, in terms of percentages, than we in Canada do, although the overwhelming majority of people in the province or in a country—in this particular case the countries of Canada and the United States—don't have passports. We were looking for an alternative, and I got into discussions with, and want to congratulate, Louise Slaughter, who was re-elected to the House of Representatives in

the United States. I do that because Louise was one of the real campaigners for a sensible approach to our borders. She was the one who supported delaying implementation of the provisions of the western hemisphere travel initiative until such time as it could be made efficient and more convenient than was contemplated. She is a powerful member of the House of Representatives, a very persuasive member of the House of Representatives, representing what they refer to in the United States as western New York—we probably think of it as northwestern New York. It was people such as Louise Slaughter and many others whom I and some of my colleagues along the border met with, who indicated they were prepared to be co-operative.

This so-called "battle" over the border was not a fight between Americans and Canadians, between Republicans and Democrats or between Liberals, Conservatives and New Democrats. It was really a fight—again, that's too strong a word—between those of us who live relatively close to the border and understand the importance of an easily accessible border, while still being secure, and those who live further away and do not see the ramifications of a severe restriction and tightening on the border. So we had people standing together.

I remember talking on the same day to two different senators, one from Alaska and one from Vermont. These were two individuals who probably didn't agree on 10 things in a year, but one thing they agreed on, because they represented border communities, was the need for delay of implementation of the western hemisphere travel initiative and, second, for some sensible alternatives to what was being proposed. That was true pretty well all along the border.

I note that the state of Washington and British Columbia have collaborated to put together an enhanced-security driver's licence that is an alternative to the passport. We are now seeing that in New York state they have implemented something similar to what we're doing here today. Michigan, Vermont and some other states have expressed an interest in doing this as well, because again there's a recognition that Canadians and Americans like to travel back and forth across our borders for a variety of reasons: for visits with friends and relatives, for tourist purposes, and certainly for commercial, business and industrial travel across those borders. What has encouraged me, I must say, is that in fact we've had that kind of great co-operation between people at the border and our tourist organizations, our chambers of commerce and those in the field of labour who recognize how important the movement of goods across the Canadian-US border happens to be. What we do here is demonstrate to our American friends that we are moving forward with an initiative of this kind—a voluntary alternative that's available for people.

Why is it more convenient, whether it's Americans in New York state or Canadians here in the province of Ontario? It's more convenient because it's a document that most people have in any event: a document we can carry easily in our wallets, a document that far more

people are likely to have than a passport. When I saw that New York state implementing a new program—I think it was on Labour Day—I thought this would be very good, particularly for tourism for those who don't necessarily travel frequently but like to come across the border or for those who do travel frequently and are close to the border. The business traveller and the person who is quite wealthy and travels very often—those people are going to have a passport, without a doubt. Indeed, people are still free to get a passport, and we advocate people getting this kind of identification. But there are many people who simply do not want to get a passport and want that alternative. This legislation provides for that alternative.

I listened with great interest to the debate that took place, first of all in the House and then in committee, and there were excellent presentations. As we know, in committee people are free to express their views, whatever those views might be. They are not always accurate in terms of the information presented, but that does not mean that people are not entitled to make a presentation. I thought some of it was very, very good, and it was all valuable in that we got input from people who had questions to ask about this legislation.

I'm pleased to say that our government has taken most, if not all, bills to committee. I think the value of that is that it does allow representatives of the public to come in and make representations, and allows opposition and government members to ask appropriate questions of the officials who are implementing the program. I have been pleased with the degree of support we've seen in this House. One can never be presumptuous, because you are in contempt of the Legislature if you indicate you know, somehow, that the bill is going to pass. You can prognosticate, and I tend to think from what I've heard in the House that there's some considerable support for the legislation. I want to thank my friends on government benches and the opposition benches for the input they have given to this legislation.

I know that Ms. Scott, the member for Victoria-Haliburton—I still call it that; there are probably some other things in there now in terms of the name—was very interested in this initiative and, I believe, brought forward some private member's legislation, just as my friend my friend from Durham brought forward another piece of private member's legislation that was introduced in the House and will be coming forward for debate, dealing with the hand-held electronic equipment and the banning of that.

Not all the wisdom, as I've said on many occasions, resides on the government side of the House, no matter which party is in power. I think our Legislature works best when we try to look at some of the initiatives that each individual member brings forward, and the suggestions and the debate, and then try to improve our bills and perhaps add to the legislation what we might not have contemplated by having that input from members of the opposition.

I thank all members of the House for bringing it to this point in time. I should note, for some who may have been

members of the Legislature for a while, some who had fathers and mothers who are members of the Legislature—

*Interjection.*

**Hon. James J. Bradley:** I'll tell you what happened. It used to be—I know the opposition doesn't believe this, and the new members—that third reading almost didn't exist. It was almost on a nod or a very short debate. I just want to say that it used to be that way. I'm not making any suggestions as to what might happen now, but I can tell you that it used to be that way. But I'm always happy to hear from my—

**Mr. John Yakabuski:** It used to be that they didn't cut off second reading debate.

0920

**Hon. James J. Bradley:** I must say that I don't want to get into that topic, because do you know what happens when you get into that topic? You start getting very partisan—"The former government did this"—and I don't want to tell the people of Ontario that there's no government in the history of Ontario that used closure and time allocation more than the previous Conservative government. I just don't want to get into that, when my friend from Barry's Bay brings that forward. I don't want to get into that at all.

I'm going to yield the floor shortly to somebody I want to commend. I want to commend the parliamentary assistant in the Ministry of Transportation, Mike Brown, from Algoma-Manitoulin and something else—

*Interjection.*

**Hon. James J. Bradley:** It's just Algoma-Manitoulin still? The federal riding is different—for the work he's done—

**Mr. John Yakabuski:** He's not running federally, is he?

**Hon. James J. Bradley:** No, he's not running federally, so therefore a seat doesn't open up for somebody who's looking for a seat. I can say that. That hasn't happened. Now, if my friend from Renfrew wants to give up his seat, or my friend from Durham, that would enable something to happen. But I digress, and the Speaker, if he wanted to, if he were being very strict, would chastise me for wandering from the topic of the day.

I wanted to thank my friend Mike Brown for the work he's done in the House and in particular in committee on this, because when the minister's mug gets in the newspaper and you're on television and so on, often the hard work that is done in this Legislature is in fact done by those who are parliamentary assistants, who play a very significant role—much more significant than in the past.

There's one other thing I want to say. I think, going forward—and members of the other side will agree with this, particularly those who have been here for a while. What has worked—and I'll confess on this: I was a bit skeptical early on that you could bring to the cabinet table all members of caucus, because you're always worried that something leaks out in these situations. I think that for subsequent governments, you won't see

that change. There are a few people who get selected for a cabinet position, and that's wonderful, but everybody plays a significant role. I have found that having these individuals at the table during committees and making presentations to cabinet has been very valuable, and I commend it to any subsequent government that happens to be elected, if the people choose a different government. I certainly commend that method. It has really, really been good.

I can think of how, in the past, there were some really good members, I thought, on the other side of the House who, when they were in government, didn't necessarily sit at the cabinet table, but could have made an even greater contribution were they permitted to be part of cabinet committee deliberations.

*Interjection.*

**Hon. James J. Bradley:** I wish my friend the member from Renfrew, from Barry's Bay, well. He has come through a traumatic event. I don't want to say he's a very good member of the Legislature, because he'll put that in his literature, but he's a very good friend of mine, let's put it that way, and I had the privilege of serving with his father in the House at a previous time, which must tell you something.

Anyway, it's a great morning in Ontario, I guess, and maybe in the world, depending on your point of view. It's a wonderful day for that, and I thank members for making a contribution. I turn the deliberations over to my good friend the parliamentary assistant, the member for Algoma-Manitoulin.

**Mr. Michael A. Brown:** It's my privilege to rise and speak to the Legislature about this bill this morning. It is a discussion about how people and goods move across our border with the United States. Ontario's borders are the gateways to the world, and as a government we must be responsible for keeping them safe, open and accessible in order to maintain our strong and prosperous economy.

On June 1, 2009, all travellers entering the United States must present either a valid passport or an acceptable passport alternative at the border. Approximately 55% of Canadians hold valid passports. That is why it is important that our government offers Ontarians an affordable, secure passport alternative in time for the June 1 western hemisphere travel initiative deadline.

Ensuring that Ontarians can travel across our borders in a safe, open and accessible way is critical, particularly in these challenging economic times. Our proposed legislation, the Photo Card Act, is a step in the right direction. The proposed legislation would pave the way for a new secure photo identification card for Ontarians, including an enhanced driver's licence that contains citizenship information. A new, enhanced version of the Ontario driver's licence could become an acceptable travel document, a passport alternative for Ontarians to use at all Canada-US land and sea border crossings. If passed, our government would also develop a photo identification card for people who do not drive or who are unable to drive. Like the enhanced driver's licence, the enhanced

photo card could be used as a convenient passport alternative.

I want to stop here for a second, because we've had some questions about these cards. I want to make it clear that these are totally voluntary; there is no requirement that Ontarians have any of these cards. So if an Ontarian chooses, for a matter of identification purposes, to have the photo card, they can apply for that. If they want a photo card that provides passport information, i.e., citizenship information, they can have it; they are not required to. It is the same with the driver's licence. You can have your driver's licence if you can meet those qualifications; you can have it enhanced if you wish to. It is all a totally voluntary system.

The western hemisphere travel initiative is being implemented in stages. June 1, 2009, is coming very quickly. As a province we have to be ready; our economy depends on it and the people of Ontario depend on us. A Canadian Tourism Research Institute study estimated that border delays cost Ontario more than \$5 billion annually. Millions of US citizens visit Ontario every year to spend their hard-earned dollars. These visitors pour hundreds of millions of dollars into the province's economy, and we cannot afford to keep them away. If we do not take action, some predict that Ontario's economy would be hit with a reduction of nearly one and a half million US visitors every year.

Ontario's long-standing position has been to support the US government's goals of improving security. At the same time, we want this to happen in a way that allows the efficient flow of trade and travellers while protecting privacy. Ontario is not alone in this effort. Jurisdictions on both sides of the border see a definite need for a passport alternative. Last year, British Columbia and Washington state conducted a successful pilot program and plan to implement their enhanced driver's licence cards in 2009. Quebec and Manitoba are already pursuing similar initiatives and expect to have their program up and running soon. New York state has recently launched its own enhanced driver's licence program. Michigan expects to implement its program in 2009. We cannot stand by. Ontarians need secure and affordable alternatives so we can access our borders. Now is the time to move forward with Ontario's very own passport alternative. Our neighbours expect Ontario to take action to protect the safe and efficient flow of people and goods across our borders. This is something we must all work together to protect. I echo the Minister of Transportation's comments that we will provide a passport alternative that is safe and secure. Our economy depends on it. The people of Ontario depend on it.

As an aside, I want to congratulate the Premier. Premier McGuinty has worked very hard on this initiative, with meetings in Washington and other places. I want to thank the Minister of Transportation because of his close ties to American legislators and the discussions that he's had to make sure that this goes forward. I want to thank you, Mr. Speaker, and others who have participated at the Council of State Governments meetings in the Midwest

and in the eastern American states, where we have worked one on one with many American state legislators who see the same reasons for moving forward on this initiative in a very quick way.

**0930**

I want to also congratulate Congresswoman Louise Slaughter for her hard work in the US Congress. I want to also recognize a good friend of this assembly who was here a year or two ago, Robin Schimminger, on his re-election. He is from upper New York state, and he was re-elected last night. He only had 91% of the vote in his district. I think Robin has also worked hard, and we would like to congratulate him on his victory.

I want to thank all the folks across the floor who attended the committee meetings, talked with the privacy commissioner and made sure that the government was paying attention. There were amendments made at committee. I think there were five government amendments that passed. They all reflected, in some way or other, concerns made by, not only government members, but by the privacy commissioner and by the members of the opposition. There was one opposition motion that passed at committee to ensure that we made this bill better.

I think, by the conversations we had at committee and the hard work of all members, that we improved the bill at the committee stage, and I want to thank all members for their co-operation.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Ted Arnott:** I am pleased to have this opportunity to respond to the Minister of Transportation and the parliamentary assistant for the Minister of Transportation. I would just ask a simple question: How much are these cards going to cost? I look forward to hearing an answer from either the minister or his parliamentary assistant.

**Mr. Gilles Bisson:** I'm going to get an opportunity later, in the leadoff for the New Democratic Party, to talk about this bill in more detail. I'm quite disappointed in the outcome of the committee process that we went through. It was very clear by those people who came before the committee, and especially the privacy commissioner, that there are some serious concerns around this bill when it comes to how we deal with people's information and make that secure, and I'm going to have an opportunity to speak to that in some detail.

I just have to say, this is one of those days where the government could have had a win-win situation. They could have got their bill, they could have got all of the opposition standing behind them, saying, "Yes, we support it," if only they had listened to some of the advice that we were trying to give them from the opposition side of the benches at committee as well as the advice that was being given by the privacy commissioner and others.

There are some serious privacy concerns in the way that this bill is drafted. First of all, the very fact that we're basically going to take all of this information and duplicate it in a provincial database is going to be cause in itself to have yet another source where information

could be hacked into by someone in order to get that information. Also, the technology that is being used by way of these cards is fraught with all kinds of problems, and I'm going to get a chance to speak to that in some detail. Simply put, these particular cards are going to have sufficient information on them that, in the end, could be quite troubling if somebody were to get their hands on the information you have on your card. The technology being used, I think, will readily allow people to read that information. The government is going to get up and say, "Don't worry, because it's not your name that's on it," but it's a specific identification number identifying you as that person. That stuff could all be cross-referenced, and I'm going to talk to that in some detail when it gets to my turn for debate.

I just have to say to the government that it's too bad you didn't take the advice of the opposition and of the privacy commissioner, because we would have supported this bill if it had been amended.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Yasir Naqvi:** Thank you very much, Mr. Speaker, for the opportunity to speak about Bill 85.

Let me, right at the outset, give my reason as to why I will be supporting this bill. One very simple reason is that I have now oftentimes, many times, several times, heard from many of my constituents about the need to have a proper photo ID. These constituents are senior citizens. These constituents are many other non-drivers, perhaps because of their own decision or due to some disability. They find it very difficult not having a driver's licence and not being able to access services which require a particular photo ID. As we know, the health card is not a recognized piece of photo identification and this legislation addresses exactly that type of situation, so that those people who do not have a driver's licence, who decide not to drive, have a proper piece of identification with them. That's why this legislation is going to be of great benefit to my constituents in the riding of Ottawa Centre and many other people in similar situations across the province.

As to the concerns which have been raised about the enhanced photo card for drivers or non-drivers, it's my understanding—and the minister or the parliamentary assistant can correct me if I'm wrong—that that is voluntary, that it is up to individuals to decide whether they want an enhanced driver's licence or photo ID or not. That is not something that will be required of every single Ontarian. So there is very specific and targeted attention being paid to the privacy concerns of individuals, and it's up to folks to decide on a voluntary basis whether they want this enhanced piece of identification.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** I'm looking forward to commenting on this at some length here, right after the minister responds to the question that's been raised on some of the logistics and mechanics of this bill—because there are

positive comments that we will make about it, and I think it's time to move on.

Often, I'm concerned—we can look at this bill as a bit of harmony. The minister was in good spirits this morning, and complimenting all around. There are other bills now, however—Bill 114 and the time allocation there, and Bill 119 is another bill that I think we could spend some time on—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Durham, we probably will spend some time on it, but we won't debate it this morning.

**Mr. John O'Toole:** Excuse me. With your indulgence, I was making the point that there are substantive things that are before the House that we don't essentially agree on, and this bill—I'm not putting in words, and our critic Frank Klees would be loath if I were to cast any aspersions on this bill; he's been very supportive thus far. But I look forward to the minister's response to a couple of issues, the cost being one, and the relationship between the US solution and how we get them into Ontario as tourists. That's an important part of it: What's going to be the solution for them getting into Canada? It's fine for us going shopping for Christmas to get this bill in place, but what we're more concerned about is bringing Americans into Canada to spend their dollars to help our economy.

There will be more to say on this bill very shortly. And, I might say, I will be making references to other legislative implications.

**The Deputy Speaker (Mr. Bruce Crozier):** I'll listen carefully.

Response?

**Mr. Michael A. Brown:** I first wanted to speak, at least briefly, to the issue raised by the member for Wellington–Halton Hills and the member for Durham regarding the cost of the card. The card will be less than the cost of a driver's licence. The government intends to use cost recovery, but I'm not sure we will even get to that point. We want to make sure that this is an affordable alternative for the people of Ontario, and as he would know, the other jurisdictions that we are talking about are following very similar paths to providing cards to the people of Michigan, New York state and Minnesota so that we can use those cards at the border.

I want to say to the member for Timmins–James Bay that the privacy concerns that were very properly put forward by the Information and Privacy Commissioner at the committee stage were listened to very carefully by the government. I want to remind him that in her written statement, she suggested that she had worked with the government very closely in the development of this card and wished to continue working with the government after the passage of this bill to ensure that people's privacy was paramount.

I would also suggest to him that he knows that there were a number of amendments put to the bill to address the concerns of the privacy commissioner, and those concerns included a prohibition on providing biometric information. That was one of the government amendments in the legislation, so that cannot happen.

I know there are concerns about RFID cards, and I don't have time to talk about it, but I'm sure I'll get a chance a little bit later.

**0940**

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

**Mr. John O'Toole:** I would start off by seeking unanimous consent to stand down the lead speech by our critic, Frank Klees, on third reading.

*Interjection:* No.

**The Deputy Speaker (Mr. Bruce Crozier):** I heard a no.

**Mr. John O'Toole:** In that case, I'll be speaking for an hour.

*Interjection.*

**Mr. John O'Toole:** I understand that, but these are the opportunities we have.

I have paid close attention to this particular bill, as our critic has as well. I think we want to be on the record as saying that we have concerns that remain but generally support the initiative of the minister. I have here an amended version of Bill 85, indicating that there have been a few amendments adopted, which is always good. I'm also aware that the privacy commissioner, Ms. Cavoukian, has, I guess, given some advice to the minister on implementation and who discloses what to whom. Ultimately, that's really the content of the bill.

But I think the explanatory notes of the bill are worthy of looking at, and just reinforcing our understanding of the bill. I want to say right off the bat that when Ms. Cansfield, I think, was minister, I had a constituent who I believe was from New Brunswick and had just moved to Ontario, who came to me and suggested that they had some kind of identification card that assisted people who didn't have a driver's licence. I wrote to the ministry at that time, as I often do—

**Hon. James J. Bradley:** I received both letters today.

**Mr. John O'Toole:** Well, there you go.

I listened to my constituent and I wrote, and at that time they didn't think it was necessary. Of course, this was pre-9/11, and I guess that security issues didn't urge this topic to the top of the agenda. But I felt at that time, and now, since I'm a senior, that it's important. Some who have lost their licence still need secondary identification other than their health card—

**Hon. James J. Bradley:** You're only 55.

**Mr. John O'Toole:** Well, whatever. "Freedom 55," they say. I would say that there is a need for this other type of card, and this response may satisfy my constituent. In fact, I did send him a copy of this change.

You can get one of three basic cards in addition to the current driver's licence: the basic card, the enhanced card and the combined card. A basic photo card contains the holder's name, photograph and other prescribed information about the holder. An enhanced photo card contains the name, photograph, a notation or indication that the holder is a Canadian citizen and other prescribed information. It also has security features that allow it to be used for travel—in other words, across the border—but it

still would not be a driver's licence. The third option is the combination of the two, which I guess, as has been described, is optional.

Now, that gets around the issue of disclosure and the privacy concerns: You're not compelled to get this new card, and the new card is not to be used for other reasons. I think it would be convenient for some. I want to put on the record that some have mentioned to me the concern about this, at this time in the history of the world—that it's optional that we get it. Some would think that's the easy way to get this thing through, in light of some of the privacy concerns. So you get it through and, "Ah, what's wrong with it? The majority have it, and they've chosen to disclose this information freely, so now we're going to mandate it." Part two would be that we'd like assurances that it would remain such.

I guess I am digressing a small bit, in using up the amount of time that's required to be used up here. I just want to point out a couple of things. A few years ago when we were the government, I was parliamentary assistant to the Minister of Health and was asked to carry some information on the health privacy file. This was the so-called smart card initiative to bring forward a health card that would be doing some of the things that this is doing, but it would have certain encoded information about the individual who owned the card and in fact owned the information.

We thought we had an agreement with the Ontario Medical Association on the portability of this information. I think this is important. I got the greatest education in my life from sitting on a committee with Ann Cavoukian, who was the privacy commissioner. I believe the head of the project was Chris Hodgson at the time, and they had all the banks, credit card companies, bank information and other confidential-type institutions that learned to manage sensitive information competently. In that, there are three primary concerns. In fact, the lawyer whom we worked with—I forget what his name was, but he was the lawyer from the ministry who had a great history of dealing with these contentious issues in health privacy.

The three main focuses in any debate around privacy of information are: collecting it—who collects it and who's the custodian of that information, who owns it, where is it; using it—what's it used for? I don't mean the most obvious use of, in this case, to identify you if you're going across the border. When you collect a lot of information about all 13-million-plus Ontarians, you can do profiles of age groups, cultural groups etc. You can start to profile information once you've got this database. It's huge—huge—for marketing, targeting and indeed communicating. What audience are you actually aiming at? How do you aim at them? What are the trigger points for them? So that "use" thing became very important—collecting and custodial issues of who's got it, is it secure, secured by what, and use.

The other one is disclosure, and usually with disclosure—in this case, I can have the option today, voluntarily, of disclosing the information. But in the event that

you've disclosed the information in the health card situation, here's the issue: If you've been in an accident and are lying on a trolley or gurney in the emergency room, it's an implied consent. It's implied that you're there to get health care. It's not verbal and there's no interaction, because you may be unconscious. As you get further down the trail of who owns the information—did you imply consent by signing the form? And that information is being used for reasons other than what the original intent was.

So you become a bit cynical, or you could become cynical. In fact, people are in some cases very loath to the government owning this information—any government. It's not particularly the politics of it all; it's the Big Brother dilemma, the syndrome of "government knows all" and its ability to influence outcomes by having this kind of information. I'll leave that as why it's so important that this remains optional. I leave it that our position is that in the event that it is optional, no one's being forced. It also provides a convenient card that you can put in your wallet. It looks similar to a driver's licence and it can be just an identification card for getting across the border, or not even for that. The basic card would just be to say, "I'm who I say I am. I'm John O'Toole. Here's my health card and here's my ID card"—that's the new card—and I can, I guess, join a club or get a bank account opened or cash a cheque or some transaction like that. But again, it can be used with certain additional information. It can be used in the border-crossing situation.

I would say that all of us would like more convenience in life, so again, if you have nothing to hide, what's the problem? I suspect that would be my position. Sometimes people protect things, and I'm glad that there are these types of people around.

#### 0950

The member from Wellington–Halton Hills did raise a question that has just recently been answered by the parliamentary assistant, Mr. Brown from Algoma–Manitoulin, on the cost issue. I was also on a committee earlier on in this career here—if it's a career—around 1999. I was on a committee called Smart Systems for Health, SSH. On that committee, it was the same issue of custodial information and developing the systems that go in behind the hardware, software and management of these systems, and that thing just got so far out of control it was unbelievable. Smart Systems for Health—I think they've renamed it, but it's the same thing. It's still there today. They've put some other people in charge of it, but I would like to look at it myself. They probably gave all those people severances and hired them back on contract.

It reminds me of trying to relentlessly—government often, that is, the civil service, not to be critical; we need them, they run the ongoing business of the province, indeed the country, maybe even the world. They have a relentless ability to move that agenda forward. I think this part of the bill is the only part that I see as problematic. It's my understanding from Mr. Klees, our critic, that there were amendments moved, some by the Con-

servatives, that were not accepted. That is clearly on the record now on behalf of Mr. Klees.

I would say that the three cards—as I said, four, including the driver's licence without any attachments to it—will still be the Ministry of Transportation. I think the cost does come into it. You've got a whole set of things to manage: different types of cards, are they going to be different colours, how do they get issued, can you do it online, at Service Ontario, how do you verify the data, how many people do you have to hire?

The card is going to be, according to Mr. Brown, less than the current licence, which is a good deal, I guess. However, that's not the cost that I'm worried about. I'm saying, the cost of the implementation, administration, ongoing support and verification systems, inquiries, disputes, dispute resolutions, like "I've got a card; it's got my wrong address." I know now that there are problems with the current licence. There are people in Toronto now, it's my understanding, who, to avoid the licence registration and all other kinds of fees, are getting around the system by using Service Ontario to log on and change their address, so that they live in some place outside of Toronto, to avoid certain costs. I don't think the ministry deliberately sets about to put these little problems there, but it causes them some anguish to recapture and deal with some of those problems.

In this case here, with all the digital enhancement and all the—I mean, I worked in the system for 20 years; I'm telling you. Identification of individuals and the finger-print served us very well. Now it's all DNA and photo imaging, and now, facial profiles are more accurate in cross-referencing than fingerprints. If you've got the person—let's say it's a criminal who has been convicted of something in a court and all that and you have their profile. The match is now for photo ID—and they use them in some airports; some banks use them—for the eye profiles and different facial features, so in the future this stuff here—they're going to want bio-identification as well. That is some sort of DNA thing. That's coming and it'll be codified. Now, when? Is it going to be next month? No. Is it going to be next year? No. Is it going to be some—yes. That's the next deal. And then they've got it and you're pinned, more like some of the doomsday people talk about.

I often think we have to be somewhat honest in our roles here, regardless of all the partisan stuff, to make sure that we're looking after the individual's uniqueness. I guess that's how you'd describe it. I think it's an interesting topic, given that I have so much time in this august place to speak and express these concerns. But it does come up when we raise this, because you're going to push the line here. I would say, if we have no problems and we can manage the data, secure the data and have consent and disclosure and the documentation of that, if I concede that I will disclose or not disclose that I've had some questionable ailment—it could be mental health, it could be a lifestyle health issue, whatever. Maybe some people don't want all this disclosed.

Here's how systems work. Let's say that I want some things disclosed but not some things—like what they call

the "lock box." That's what it's called in scientific lingo, or in secure lingo. Here's the example: If I put the card down—let's say it's a health card, let's go to that extent, if you can indulge me—and the scanner can read this little ID thing—and some cards have it on there today—it could have stuff on there, as you've implied and released it, that maybe you only want the surgeon to see, that your blood type is so and so. Well, how come the person that's registering you could actually see this stuff that you don't want disclosed?

So you need a layered security system when they log on to screen your card, so that only certain people can see certain information. Then you get into a whole bureaucracy of systems people who are modifying and codifying. To me, the more sophisticated we get—there's a whole group of people out there that just thrive on trying to solve these riddles. Again, I would say, keep it simple; stupid is kind of the best solution. This goes that far. I believe the bill has that in it at this point in time, and that says, "Do I have any personal guarantee in the language of the legislation that it will not at any time in this forum, without coming back to the House, require or imply compliance"—that you must have it, that because 88% of Ontarians now have it, everyone is getting it? If that isn't in the bill—I haven't read it to that extent—we can move ahead and would hope that the minister can respond to that in the two minutes that I have.

I think there's a whole provision in here which is appropriate—this is an important bill. Now I have to keep on track because, as the Speaker has reminded me before, if I digress I will be brought into line here. So I'm just going to work this in here. There's a section here stating, "Offences under the Photo Card Act, 2008 related to the improper acquisition or use of a photo card, including "the offence of applying for, securing or retaining more than one photo card"—why not? Why can't I have two of them? Do you understand? What if I want one in my wallet, but I also want one in my luggage, or with my passport or some other kind of thing? Maybe I want two of them. What's the problem, so long as they're both secured in the proper way? I have two of them, and if it's going to be used for recognition—here I am; here's my card—my brother can't use it; my friend who has a criminal record can't use it because he can't match the photo—hopefully.

So, "securing or retaining a photo card, other than a combined photo card, if the person holds a valid driver's licence ... carry a penalty of a fine of \$100 to \$20,000." Once you get into these fines, you've got the whole court system involved here. You'd better get the chequebook out. If you get charged with something, get the chequebook out; you're going to court. That means they're going to take your house eventually. I'm not big on this whole idea; there's some pretty severe fines here—\$20,000. It could be interpreted as a cash grab, like photo radar was a cash grab. And what was missing there was the process, I guess. "For the offence of submitting a false or inaccurate document"—I agree with that—"making a false statement"—I agree with that—"or providing

inaccurate information, the penalty is a fine of \$400 to \$20,000 or imprisonment for a maximum of six months, or both." Well, if you're making false disclosures knowingly, I personally think you should get nailed.

"The Minister of Transportation may cancel a photo card if it was obtained or used improperly"—I'm not sure what "used improperly" means. I guess if I loaned it knowingly to someone else, or lost it and somebody else used it, you could end up in court there. And that means you get the wallet out. "The minister may also cancel the card if he or she is of the opinion that it is necessary to do so to ensure that it is not used improperly and in circumstances prescribed by the regulations."

**1000**

I would suspect that if somebody had one, and after the time they were charged with some outrageous crime or something and they have a criminal record—maybe they were using this card because they couldn't get a passport or something to go across the border—I think there could be problems there. It's like anything when you introduce it. It's sometimes very difficult to imagine how the human creature can find their way around—it's like water can find its way around any crevice, anywhere, at any time.

The comparison technology: I'm not aware of it, but I guess they are using it with the Nexus card. Some types of people who travel a lot now have this card with photo ID at an airport. You can walk in and just avoid going through customs, which I think is a good modern-day solution for that particular application, and I'd hope that this technology they're using is proven technology. We'll leave that to the civil servants. Hopefully, we don't end up—but technology, again: That's a whole debate.

There is no solution for technology if you think about it; it's changing so quickly. It's similar to the minister's bill—and I'm glad for the way he worded the bill—on the use of cellphones, restricting or prohibiting the use of hand-held devices. He just called it technology, which is very good.

Most of us here have a BlackBerry. Well, the BlackBerry today is multifunctional: It's a camera; a recorder; an e-mailer; you can surf the Internet; you can use it as a phone it's a scheduler; and I see other members here are quite knowledgeable. It's going to be everything. It's a satellite device; it's traceable; it's wireless.

The key thing is technology. It will be all voice-activated within two years; it's a whole marketing deal. They're giving us the 286 version until we get to the Microsoft version of it somewhere down the line. These things will be modules that you just plug into the car and it integrates into your Bose system. Well, that kind of technology, when you're thinking of it in this particular application, is very powerful, very expensive and very sensitive to change.

One of the things on this photo stuff business—if you get on your computer, you can enhance and enlarge photographs, and they can look right into your pupil. That's the future. In this card here, iris recognition is also another new and progressive identification technique. I

think, if you look ahead—this is new. It's almost like the election in the United States yesterday; it's revolutionary in terms of a secondary identification.

Even now, we know that the passport information will not be disclosed. We know that. That's federal record, and that's the legislative framework. This one here—they are going to disclose it. Some of this data is going to be used to do the profiling at the border: "Here's my photograph and here's me," so they can match them. So they're really using it, and who's to say they're not skimming it and storing it? If you're a repeat person, and they suspect you're smuggling booze or something or whatever else you might be doing—hopefully not guns. I can speak for our caucus—we wouldn't do it—but I can't speak for other caucuses.

But I guess my point being there, I think you would open up Pandora's box any time you have technology involved in an ultimate solution. How did these people who did the things in 9/11 get all these identifications? People copy stuff today, they cut and paste, and they do it online with highly technical equipment. So it's an interesting bill from that perspective as well.

I suspect that the last thing is—here it is here; it's another part here—we're talking this morning in this august chamber when I'd prefer to be talking about Bill 114 or Bill 119. I can't, because the Speaker has warned me, but this bill we're kind of agreeing on. For the most part, we're agreeing. It's third reading. It was first introduced on June 3, 2008; second reading was on June 11, 2008; and here we are, November 5, 2008. This thing has to be in place. I believe the implementation date is June 2009. That's the date that's been set.

Now, we don't know what the new President of the United States is going to do. Here's the new President—and congratulations to him—and I thought, quite honestly, that John McCain's response was equally eloquent—

*Interjections.*

**Mr. John O'Toole:** No, no, it really was, if you've seen it—as Barack Obama's. So it is a changing time. I get that, and I completely support that. It's probably needed. We would all agree that the current road they're on is the wrong road. I'd agree with that. I say it publicly all the time. But the expectation level is so high—cynicism sets in after the 100 days—he's going to need three terms. FDR needed three terms. He was the only one who did.

**Mr. Gilles Bisson:** He got five.

**Mr. John O'Toole:** He needed more than two, is all I know. Well, maybe Barack should get five terms; they should change the Constitution.

My point there is that here we are, we're setting out on a new journey of hope, and in Ontario we're now on welfare. So here we are today talking about this bill, which is about spending money and collecting money to solve the problem of getting people into the United States—we're really not sure how much it costs—and by the same token, what are we doing to get Americans into Canada legally and legitimately? I want them coming to Stratford. I want them coming to Niagara Falls. I want

them to come to Niagara-on-the-Lake. I want them coming to Durham. There are so many great destinations in Ontario. The former Minister of Tourism is here. I think he did a good job in that ministry, because he's a very theatrical person. We all want to promote Ontario, but this bill does nothing to bring foreigners like Americans into our province. So I would say, there is some work to do on that side of it. It lets us go into the United States to do Christmas shopping—you know what I mean?—but I want them coming here to do the Christmas shopping. The border cities and the border mayors know just how important that movement of people is to our economy and the local economy. There's not much in that bill for that part of it.

We talked about three principles that I wanted, on behalf of Frank Klees, our critic, who has been—because unanimous consent wasn't granted. I don't know the reason for that, but I'm sure it's valid. I'll have to speak to Mr. Bisson on that. First, it's voluntary. We'd like to see that voluntary component assured, so that it wouldn't be implied consent some time down the road. We've talked to some extent on the privacy issues that have been raised by the privacy commissioner for Ontario as well as our caucus and other caucuses, and even in the media. We've talked about the costs of the issue and implementation for the public. I would think, other than that, the bill is—we're basically using as much of the time here that's required to be used, and we do have question period in the morning, so I'm sure this will not come up during question period. I think there will be other things coming up today in question period. I know the minister is relieved to hear that, but nothing I've said here would cause this thing to be derailed.

It's interesting, if you look at the detail in the bill—this is where the general public doesn't have the privileges we do here. This is section 18. It says:

"Power to do things electronically

"18(1) Anything that the minister or registrar of motor vehicles is required or authorized to do or to provide under this act may be done or provided by electronic means or in an electronic format."

I would never hope that—there's this Service Ontario—that's how you get these things, because we need to do that match. We need to have, as clerical a function as it may be, some validation function, a human interaction there.

I would say also that it says:

"(2) Anything that any person is required or authorized to do or to provide to the minister or the ministry under this act may be done or provided by electronic means or in an electronic format, in the circumstances and in the manner specified by the ministry."

This doesn't tell me too much about whether I can do this whole thing online—sending them a photograph, promising that that's me, and then logging on and giving my address and all the other peculiar things that they want. If that is the case, that leaves a little bit of uncertainty as to how this actually happens, given that we know today—and the member from Renfrew–Nipissing—

Pembroke was explaining to me that there are people using the Service Ontario system today to change their address on their cards. They're living in Toronto and they're getting driver's cards that are from somewhere else.

I would hope that, again, if this thing opens up you have to keep it hands-on. I don't want it all done electronically—not on your life. There are so many people who are very clever out there today who like to fool the system, maybe even just to say that they can do it, and that's what the start is; getting it right at the beginning will give you a much steadier prediction on where you're going to end up in the future.

#### 1010

Section 19 is "Records": "The minister shall keep a record of every photo card that is issued, renewed or cancelled, and of every application made for a photo card, and shall keep a record of the particulars of each issuance, renewal, cancellation and application." There are going to be a lot of filing cabinets somewhere; that's all I know. But that's real estate. You're building in a little kind of—I'm may even apply for one of the jobs there, because there's going to be a lot of filing going on and collecting data. You could probably make about \$85,000 a year or more doing these kinds of things. In that section: "The minister may keep any other records that he or she considers necessary for the administration of this act." A lot of paperwork in here, and we can see that.

Certified copies—this is good. This can happen today. I'm always surprised that, as elected members who take an oath, have a criminal background check and all these disclosures to the Integrity Commissioner and all that stuff, they know more about me than I really want them to know. But here it is: I can't understand why—they say "MPs and other ministers." A minister? Some of them are in courts, for different reasons. They can sign things, certify that you're so and so—why can't MPPs? Why aren't we on that list? Not that I particularly want it, but I have people come to me and say, "You have to go to some lawyer?" Is he better than us? I don't think so, and I don't mean that in a partisan way, but this thing says: "A copy of any document filed in the ministry under this act, or any statement containing information from the records required or authorized to be kept under this act, that purports to be certified by the registrar of motor vehicles under the seal of the ministry as being a true copy of the original shall be received in evidence in all courts without proof of the seal, the registrar of motor vehicles' signature or the manner of preparing the copy or statement, and is proof, in the absence of evidence to the contrary, of the facts contained in the copy or statement."

What they're saying here is that these things are going to have a lot of functionality in the case of proving a person's identity and the fact that it was sought and secured as has been provided.

Section 20: "The registrar of motor vehicles' signature on a copy or statement described in subsection (1) may be an original signature or an engraved, lithographed,

printed or otherwise mechanically or electronically reproduced signature or facsimile signature.” Well, in that case, why have we got all these signature pens if the person isn’t actually stating and verifying by doing it? I know you sign a lot of letters—some of them to me, actually—

**Hon. James J. Bradley:** Most of them, actually.

**Mr. John O’Toole:** Exactly. But that’s the whole point. You probably have a signature pen—

**Hon. James J. Bradley:** No, no; I sign yours.

**Mr. John O’Toole:** Oh, you do? Well, that’s good. I’ll collect them, because you’ll become popular.

**Hon. James J. Bradley:** Some of them say, “Dear John.”

**Mr. John O’Toole:** “Dear John”—exactly.

The minister’s seal—all I’m saying is that there is an administrative function to this. The bill is not some little, “It happened on a Wednesday at the Legislature.” It’s actually 20 pages long, with a lot of small print and detail. I believe that, if you look at the bill—I read the preamble itself, which is actually almost two pages. I also find the content part important. In this content part, there are, I believe, 27 different sections of the bill. It really isn’t amending too many other acts, actually, if you look at it, because sometimes, to read a bill, you have to look at the bill that it’s amending to really know what it’s doing, and that is something that some of us don’t do very well. But there are 49 sections. The last two or three are quite small. It repeals other acts.

As I said, I think we brought some of our concerns to the attention of the House, and I’m just going to put on the record, on behalf of Mr. Klees, who does express his sincere regrets that he was unable to come today because of other important duties he’s performing on behalf of the people of Ontario—I’ll send him a copy of Hansard so that he knows I did say that—

*Interjection.*

**Mr. John O’Toole:** Pardon? Yes, he’s probably watching this.

I think that Mr. Klees, who is a consummate politician and a classy person, was probably watching the election results last night, because he takes great interest in—

*Interjection.*

**Mr. John O’Toole:** Yes. And the weather is good enough, so one could spend some time outside—four to five hours perhaps.

Anyway, it says that the combined photo card may be used exactly as one would use a regular driver’s licence. However, the card will also display certain information about the holder—for instance, their citizenship—and may be equipped with certain machine-readable features. The features will allow the holder to access the US by land and by water. The key here is air—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Durham, pursuant to standing order 8(a), it being 10:15 of the clock, this House is in recess until 10:30 of the clock.

*Third reading debate deemed adjourned.*

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. John O’Toole:** I’m pleased to introduce, on bring your child to work day, although it’s not my child, Kevin Turner and his parents, Denise and Scott Turner. Kevin is a page from my riding who lives in the community of Newcastle.

**Ms. Helena Jaczek:** I’d like to introduce guests from my riding, Shirley Wales and Rick Fine, in the east members’ gallery.

**Hon. Kathleen O. Wynne:** I would like to welcome to the Legislature, on my take-a-kid-to-work day, my niece, Elizabeth Hodgson, from Bradford high school.

**Ms. Cheri DiNovo:** I want to introduce again Tamara Crispin, mother of Willem Crispin-Frei, and also some other members of the Crispin-Frei family: Genevieve and Tamara. Welcome.

**Mr. Michael A. Brown:** I would like to recognize Robert Kawamoto and his sons Byers and Ryan Kawamoto, who are the uncle and cousins of page Chloe Halpenny, who is from Goulais River. For those who don’t know, Sault Ste. Marie is a suburb of Goulais River.

**Hon. Gerry Phillips:** I’m pleased to introduce, in the members’ east gallery, my grandson Jesse Lyle, who is part of take-your-grade-9-student-to-work day. He’s watching me and pleased to be here.

**Hon. Deborah Matthews:** I would like to introduce, for my take-your-kid-to-work day, Erika Knutson from the riding of London North Centre.

**The Speaker (Hon. Steve Peters):** I’d like to take this opportunity, on behalf of the member for Bramalea-Gore-Malton and page Shaukat Khan, to welcome his dad, Dilnawaz Khan, and his aunt, Afsnan Khan, to question period in the public galleries today.

**Mr. Kevin Daniel Flynn:** In the members’ gallery, just joining us today, is a former page, for my take-your-child-to-work day. Her name is Natalie LaMarche. She’s from Iroquois Ridge High School in Oakville.

**The Speaker (Hon. Steve Peters):** There being no further introductions, it’s now time for oral questions. Member for Sarnia-Lambton.

*Interjections.*

**The Speaker (Hon. Steve Peters):** It’s nice to hear the enthusiasm for the honourable member who is about to speak, but as Speaker, I would like to hear the honourable member’s question, please.

## ORAL QUESTIONS

### SMALL BUSINESS

**Mr. Robert Bailey:** Thank you, Mr. Speaker. I appreciate the great welcome.

My question today is to the Minister of Labour regarding his bill that would tack \$11,000 onto a tax bill every year for every small construction business in

Ontario, which he is now trying to ram through this House with little debate or consultation.

The Small Business Agency of Ontario looked at this legislation last year and told you it was a bad idea. You failed to consult the Canadian Federation of Independent Business, which is here with us today in the gallery. They represent over 40,000 businesses in Ontario.

Why, Minister, at this time, when Ontario's economy is struggling so badly that it's now a have-not province, would you hammer small business with a whopping new tax that will force them to close up shop?

**Hon. Peter Fonseca:** I can tell the member that it's unfortunate that the member does not take the health and safety of Ontario's hard-working people seriously. It's unfortunate that the member does not care about fairness in the workplace. This proposed legislation will level the playing field, make sure that we support the good companies that are out there building our infrastructure, make sure that we support those vulnerable workers, take care of the safety of those construction workers on site. That's what we're doing with this legislation. We're making sure that we can move the yardstick when it comes to health and safety, making sure that we support those good companies, the companies that are paying their fair share. It's unfortunate that the member supports the underground economy, supports those that are not paying their fair share.

**Mr. Robert Bailey:** Clearly the minister needs a new speechwriter, because I still didn't get a straight answer. By limiting debate on this bill, the minister doesn't want to hear from business owners like Roger Gunthorpe of Kemptonville, who said:

"Does the government not realize the tough times that small, honest businesses have to deal with every day, let alone the gloomy future that appears to be ahead? If the present government wants to put us out of business with this kind of action, why don't they do it swiftly and then we can join the lineup for handouts with the rest of the Liberals."

With this bill, small business employees will find themselves safely at home and out of a job. Is that what you mean, Minister, by workers' safety?

**Hon. Peter Fonseca:** What I'm hearing from the member is that he believes that some should pay and some should not pay. We feel that we're all in this together. All those construction workers deserve to be insured, deserve to be covered, deserve to be taken care of. We're supporting them. We're supporting health and safety in the workplace. We want to make sure that all those businesses that are out there—and we have some great businesses—are playing on a level playing field, not being undercut by some bad actors that are out there that are not paying their fair share. We're trying to address the underground economic activity that's taking place. The Ontario Construction Secretariat has said that \$2 billion is being lost. I would hope that the member would feel those dollars would help a lot of projects in his riding and all of our ridings.

**Mr. Robert Bailey:** The truth is, Minister, you're really not interested in what this tax is going to do to

small business in this province. Judith Andrew of the CFIB, the Canadian Federation of Independent Business, is here with us today. Two weeks ago, she presented you with over 25,000 objections to this bill from her members—you didn't even bat an eye. In her letter to you, she described your response to her members' concerns as "cocky," "uncaring" and "dishonest"—those are her words, not mine.

Perhaps the minister should get some tips on sensitivity from the Attorney General, who had to take a crash course on that himself last week.

Minister, is this how this Liberal government treats its stakeholders?

**Hon. Peter Fonseca:** This proposed legislation is for construction and it's about the construction industry. It is an industry of high risk. We want to make sure that when those 90,000 independent operators and others that are not insured today by WSIB go into a workplace, if they are to be injured, they know that they have those benefits. We want to make sure that their families are taken care of. I know the member doesn't care about that, but we do.

I also want to bring up from business—let's look at the Council of Ontario Construction Associations and what they had to say. Ian Cunningham, president:

"This is a timely issue as the construction industry is actively seeking to proactively improve workplace safety across the industry and address the often thorny issue of coverage for independent operators."

We're doing that; we're moving forward. It's unfortunate that the member cannot see the light.

## SMALL BUSINESS

**Mr. Robert W. Runciman:** Back to the Minister of Labour and the reality that this new WSIB bill has nothing to do with safety. If it did, perhaps the minister can explain: Why would it include thousands of office workers who never set foot on a construction site and who have their own private insurance?

The CFIB has said that this will do nothing to tackle the underground economy. David McDonald, chair of the Open Shop Contractors Association, said, "This will force legitimate guys to go illegitimate."

Minister, if it's not about workers' safety—and many seem to have reached that conclusion—or the underground economy, then whose interest does this bill really serve?

**1040**

**Hon. Peter Fonseca:** What I'm hearing from this member, like his other party member, is that they want to take a laissez-faire attitude, allow for that underground economic activity to continue, and not address the health and safety concerns of construction workers and work with good businesses that are out there doing their job.

Once again, let me bring up—and this is to the member from Sarnia. This is what Doug Chalmers, director of Aluma Systems, has to say: "Congratulations. Absolutely brilliant. This will make Ontario a safer workplace and

improve the quality of life for all of us.” That is a business owner telling you, sir, how this will improve the conditions for those construction workers, taking care of vulnerable workers. That may not be important to you, but it is important to us. We believe in fairness. We believe in a level playing field. I would hope that you would feel the same. Unfortunately, that’s not what I’m hearing. What I’m hearing is that you want to allow for the proliferation of the underground—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Robert W. Runciman:** Clearly the minister has limited quotes to draw upon to support his position. He hasn’t referenced union pressure to go after non-union operators. We know it was there because of quotes attributed to a good and close friend of the Liberal government, Mr. Pat Dillon, a union leader in the construction industry. In a news article last year, Mr. Dillon said, “We are continuing to push the mandatory WSIB rates with the government.” Minister, is that really who wants this new legislation? Because it sure isn’t small construction companies represented by the CFIB.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I ask the member from Lanark to withdraw the comment, please.

**Mr. Randy Hillier:** I withdraw.

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Peter Fonseca:** Here goes this member again, bashing labour, not looking after good businesses that are playing by the rules, playing fairly, and not looking after the health and safety of employees. You may not care about those things; we do. We want to make sure that those underground economic practices that threaten the health and safety of our workers, undermine labour standards and bring about an erosion to construction quality—we want to make sure that we stop those from happening. That’s why this proposed legislation is going to go a long way to helping those employees, helping those good businesses, and making sure that we don’t lose all that revenue that is going to the underground economy.

I know the member wants investments in his riding. Well, those dollars will go a long way. I would hope that the member would see the light and that we are here—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert W. Runciman:** It’s regrettable that we hear this tired rhetoric. I’m someone who suffered a very serious industrial accident and as a union president fought for years for safety improvements. That’s the reality, Minister, and bringing in a new tax on businesses that are already struggling in a difficult economy with at best questionable benefits raises legitimate questions about motivation. Who wants this, and why? Probably the most ardent supporter of the bill is the aforementioned Pat Dillon from the building and construction trades council and also, perhaps not so incidentally, co-chair of a group that spent millions to re-elect this bunch.

The Speaker won’t allow me to impute motives, so I won’t, but I will ask the minister: Does he not recognize the scandalous nature of what he’s doing here?

**Hon. Peter Fonseca:** Again, this member fails to realize that it is about the workers. It is about the safety of those construction workers. This government and Premier McGuinty feel strongly about infrastructure and how it can be an economic driver. We have put \$30-billion-plus into ReNew Ontario; that’s our roads, our hospitals, our bridges, our schools. That infrastructure is being built by those construction workers. If we’re going to make those investments, it is our duty to protect them, to make sure that when they go to work in the morning, they are going to come back at night to their families, that they know that if, God forbid, they do get injured on the worksite, they are covered; they do have benefits in place. I think all of us have had people come into our constituency offices where they have gotten hurt on the worksite, they don’t have insurance—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## ELECTRICITY SUPPLY

**Mr. Howard Hampton:** My question is to the Acting Premier. The Ontario Energy Board found this week that the cost of electricity from the Pickering A nuclear plant is the highest of any such nuclear plant in North America, and Pickering B is not far behind. Clearly, restarting the Pickering A nuclear reactors was a mistake. It diverted billions of dollars away from reliable, cleaner, cheaper and more job-intensive energy options, such as energy efficiency, conservation, wind, solar, biomass and co-generation.

My question is this: The decision about Pickering B is about to be made. Will the McGuinty government commit to submitting the cost estimates for rebuilding Pickering B nuclear station to this Legislature and the Auditor General before the McGuinty government makes a decision to go ahead on Pickering B?

**Hon. George Smitherman:** I want to thank the honourable member for the question. I want to thank the Ontario Energy Board because they had before them a rate request that they refused to accept and they laid responsibility for that appropriately with the operators of said nuclear operation.

Those are old nuclear plants. They’re old. They’re small. It’s outdated technology. I think that there are serious challenges with nuclear technology that first began construction in the 1960s. It’s part and parcel of why we think it’s important to renew our nuclear fleet, recognizing that it’s providing about 50% of all of the electricity that we’re using in the province of Ontario.

I look forward in supplementary to offering more information to my honourable friend.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Howard Hampton:** Well, I think that the minister’s answer lets the cat out of the bag. According to the McGuinty government, the only plausible alternative for

replacing old nuclear plants is more nuclear plants. That gets to the heart of the problem, because at the end of the day your energy plan is all about, “Go nuclear; go big.” Your attention to green energy, your attention to renewable energy is superficial and, frankly, not worth much money.

I’m asking the McGuinty government to consider a real change in the nuclear plan. Why won’t the McGuinty government direct the Ontario Power Authority to replace Pickering B with green energy instead of more expensive and slow-to-deploy nuclear plants?

**Hon. George Smitherman:** Firstly, the honourable member likes to ignore a pretty important fact in the consideration of the renaissance and transition of Ontario’s energy system: We’re getting off of coal. The honourable member doesn’t even mention coal, but it’s 18% of the supply that we use in the province of Ontario. In the next six years, we’re getting off of it. We’re not going to be using it. It’s the biggest single contribution that we can make to climate change. We’re depending on strong conservation and renewables to take up that slack.

The honourable member calls “superficial” the investment of billions of dollars, on the part of hundreds of different individuals and groups, in renewable energy implementation in the province of Ontario. In this year alone, with respect to wind, we’re doubling our supply: three big wind farms in a space of a few weeks opening in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** The McGuinty government tries to confuse the issue. Nuclear has nothing to do with coal because the nuclear plants will take too long to build—far past 2014. Coal, you’ve already stated, will have to be replaced with natural gas, which will be very expensive.

I want to, again, get back to the issue at hand. The McGuinty government continues to stubbornly underestimate the cost of nuclear power and the long timelines for building nuclear stations. Shovels aren’t even in the ground yet and the fact of the matter is, your “Go big; go nuclear” plan has doubled in cost. OPG is a year behind schedule in developing the plan for rebuilding the Pickering station. In Finland, the construction of AREVA’s reactor, one of the Darlington bidders, is three years behind schedule and \$4 billion over budget.

Again, my question is: Will you remove the cap on renewable energy development? Will you develop a plan other than “Go nuclear; go big”?

**Hon. George Smitherman:** What the honourable member refuses to recognize is, this notion of “Go nuclear; go big” has been a premise that has been built into the fabric of energy policy in the province of Ontario over three or four decades and governments of all parties.

Fifty per cent of all the electricity that we use in the province of Ontario—baseload supply—comes from nuclear. Having reliable baseload supply is one of the necessary features to have ambitions with respect to re-

newables, because they do have issues with respect to intermittency.

We’re charging ahead and implementing renewables with vigour and aggression, and it would be wonderful to see the honourable member stand up in communities to support the evolution of renewable energy. There are barriers. We are going to make improvements, and as we speak, the OPA, with all of the agencies in energy, is working to make improvements in the implementation of even more renewables.

**The Speaker (Hon. Steve Peters):** New question.

**Mr. Howard Hampton:** What’s clear is, the McGuinty government is charging ahead with “Go nuclear; go big.”

**1050**

#### MANUFACTURING JOBS

**Mr. Howard Hampton:** I want to ask another energy-related question to the Acting Premier. Yesterday, Domtar announced it is permanently shutting down the paper machines and the paper-converting operations at its Dryden mill. A mill that five years ago employed 1,100 people is now down to 300. This adds to the 40,000 direct and indirect jobs that have been lost across northern Ontario in this sector. The McGuinty government’s answer: Blame Ottawa, blame anyone else, but take responsibility.

My question is: When will the McGuinty government finally realize that Ontario desperately needs an industrial hydro rate, like they have in Quebec and Manitoba and Germany, to help sustain good manufacturing jobs in the jurisdiction?

**Hon. George Smitherman:** I do want to say that in the circumstances that we see unfolding in Dryden—and I had the opportunity both last night and this morning to speak with the mayor—we know that it’s very, very devastating for individuals and for that community, and we pledge to continue to work with them to try to address these circumstances. The honourable member comes from an area that’s substantially dependent on pulp and paper, the forestry sector and the like, yet he pretends that he doesn’t understand the global implications for those businesses.

On the matter at hand, with respect to an industrial hydro rate: The member mentioned Germany. I will remind the honourable member that that rate is made possible through average consumers in Germany paying four times the kilowatt-hour cost here in the province of Ontario. Is that also part of the member’s proposal?

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Howard Hampton:** Germany also puts in place all kinds of energy efficiency strategies so people won’t use as much electricity in their homes. The McGuinty government misses the point again.

Domtar now has 10 uncoated free-sheet paper mills in the United States; none in Ontario. What’s happening is this: You continue to harvest the wood fibre in Ontario, they run it through pulp mills, and the pulp is then

shipped to the United States, where all the value-added is done in terms of creating paper. The McGuinty government is taking us back to the 1940s: wood fibre harvested here; value-added done in the United States.

But it's not just the forestry sector. In the steel industry, similar things are happening: The price of steel is dropping; the cost of industrial electricity is going up under the McGuinty government.

I ask again: When is the McGuinty government going to realize that it must implement a reasonable industrial hydro rate if we're going to sustain good manufacturing jobs in Ontario?

**Hon. George Smitherman:** Two things, I think, are important. Firstly, with respect to the rates of industrial hydro that businesses in Ontario are paying, these are competitive with jurisdictions like New York and Michigan and Pennsylvania—and the honourable member specifically mentioned the United States of America in his contrast.

But I think what's more interesting is the view that the honourable member expressed on page 251 of his book Public Power: "Industrial energy price subsidization can be attractive in theory, but tricky in practice.... I think it far better to work with industry to lower its energy costs through greater efficiency, not through a scheme of subsidized rates."

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** Having a reasonable industrial hydro rate is not subsidization. What we're saying is, having a reasonable industrial hydro rate to support jobs is worth more than—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Member from Algoma.

Please continue.

**Mr. Howard Hampton:** Having a reasonable industrial hydro rate—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Minister of Municipal Affairs, the House just silenced, and the moment the honourable member stood up, you piped up.

Please continue.

**Mr. Howard Hampton:** Having a reasonable industrial hydro rate says that we value electricity for jobs more than we value it for someone running an energy-sucking plasma television or using it only for air conditioning. That's the difference.

It's not just the steel sector, and it's not just the forest sector now, but the mining sector is also being hit. What's one of its biggest cost items? The cost of industrial electricity. I say again: Quebec has shown the way—a very reasonable rate for industrial electricity. Manitoba, British Columbia and Saskatchewan have reasonable rates for industrial electricity. When will the McGuinty government get the message in Ontario?

**Hon. George Smitherman:** The honourable member had a whole minute, but he didn't spend any of it addressing a quote from his book, page 251 of Public

Power. I'll read it again, and he can research it; maybe tomorrow we can talk about it some more. I'm quoting Howard Hampton: "Industrial energy price subsidization can be attractive in theory, but tricky in practice.... I think it far better to work with industry to lower its energy costs through greater efficiency, not through a scheme of subsidized rates."

The advice that the honourable member offered then on page 251 of Public Power is the policy that we follow. We work with these big users in the province of Ontario, and we make sure that our rates are competitive with jurisdictions adjoining us in New York, Michigan and Pennsylvania. This is the honourable member's frame of reference in his very first question: "How can we be competitive with United States jurisdictions?"

#### POST-SECONDARY EDUCATION

**Mr. Jim Wilson:** My question is to the Minister of Training, Colleges and Universities. As you know, Minister, the Canadian Federation of Students will hold a rally this afternoon where thousands of students are expected to gather on the front lawn of this Legislature. They'll be here to protest your government's high tuition fees and the Premier's broken promises to students.

You'll recall, Minister, that the Premier not only made a promise, but he signed a pledge, as opposition leader in 1999, to bring per person funding for post-secondary education up to the national average. You've had five years in government, and still you've failed to live up to this commitment. Ontario is dead last in per student funding in all of Canada.

Minister, you don't mind bragging in this legislation about your so-called Reaching Higher plan for post-secondary education, so I ask you: Will you be joining with me this afternoon in speaking to the thousands of students out front?

**Hon. John Milloy:** I first of all want to welcome the CFS students who are at Queen's Park today. In my role as minister, I've had the pleasure of meeting with numerous student organizations, including the CFS, and I will be meeting with the leadership of the CFS towards the end of today. I look forward to an excellent dialogue about what our government is doing in terms of making education affordable and accessible.

I'm very proud to remind the honourable member that of the \$6.2-billion Reaching Higher plan, \$1.5 billion of that went towards student assistance. At the same time, as a government, we froze tuition for two years and brought in a tuition framework which has a cap to it. In fact, it asks the government to contribute \$3 for every \$1 that we've—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jim Wilson:** It's nice that the minister is having a closed-door private meeting with CFS officials, but the thousands of students who are going to gather on the lawn this afternoon are wondering why you won't come out in person to speak to them. You're not even sending

your parliamentary assistant to speak to the gathered crowd.

Could it be, Minister, that all your bragging really amounts to nothing and that the students know that their lives haven't been improved under your government? Could it be that after five years of Dalton McGuinty, the students know that only the state of Alabama has a more disgraceful student funding record in all of North America or that we're dead last in per student funding in Canada, with the second-highest tuition fees, the largest class sizes and the worst student-to-faculty ratio in all of Canada? Is that why you don't have the guts to go out front and face the students and talk to them?

Thousands will gather. You're the minister. Go out and do the bragging there that you do in here, or have you just not got the guts to meet them?

**Hon. John Milloy:** As I said, I look forward to my meeting this afternoon, but I'd like to share some statistics with my friend across the way.

Ontario's students receive the highest amount of needs-based assistance of any province in Canada. Ontario's students currently receive a higher level of non-repayable assistance than ever before. We have doubled our investment in student aid since 2003-04. We're helping 150,000 students per year with financial assistance. Let's look at their record: cut student aid by 41%; increased tuition fees by 71% at universities and 64% at colleges; cut \$434 million from colleges and universities in their first two years. I'll put our record up against theirs any day of the week.

**1100**

#### POST-SECONDARY EDUCATION

**Mr. Rosario Marchese:** To the same minister: Like all investors, universities have lost millions over the last few months. Who is going to take the hit? It's going to be students, with cuts to student aid, scholarships and programming.

Increasing OSAP maximums and saddling our graduates with a lifetime of debt is not a solution. Students want a concrete plan that is going to keep university costs and student debt from rising. When are you going to create such a plan?

**Hon. John Milloy:** I welcome the honourable member's question, because when answering the question from the Conservatives, I didn't have a chance to read all the statistics. Let me share some more.

As I said, we're helping 150,000 students per year with financial assistance. We have tripled the number of grants available to students. In fact, one in four students, or approximately 120,000, receive non-repayable grants. Twenty per cent of Ontario students receive assistance from their institution, compared to the national average of 11%.

As I mentioned, we capped tuition fees following a two-year freeze. Under the new tuition-fee framework, no institution is allowed to raise tuition without participating in our government's student access guarantee,

which means that no qualified student will be prevented from attending public colleges and universities due to a lack of financial support.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** Minister, your record is a matter of shame, not pride. During the last six prosperous years, we've had the fastest-rising tuition fees in the country and the worst per capita post-secondary funding in Canada, all under the watch of the so-called education Premier. The only number that matters is that you are number 10—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment. I ask the honourable member for Durham to withdraw his comment, please.

**Mr. John O'Toole:** Withdraw.

**The Speaker (Hon. Steve Peters):** Thank you.

**Mr. Rosario Marchese:** The only number that matters is that we are number 10 in this country. Students and their parents need help now more than ever. When will your government realize that accessible, affordable, publicly funded post-secondary education for all students is the best economic strategy there is, and create a plan that provides it?

**Hon. John Milloy:** I will continue to share with my honourable friend. We increased OSAP maximums by 27%, the first time in 12 years. We've limited students' annual repayable debt to \$7,000 through the Ontario student opportunity grant.

My honourable friend mentioned graduate students. Ontario graduate students, both at the master's and doctoral level, receive higher needs-based funding than their colleagues in the rest of Canada. A greater proportion of Ontario graduate students receive financial support than elsewhere in Canada.

Let me remind him of the NDP record in power: cut student aid by nearly 50%; cut funding to post-secondary education; promised to eliminate tuition, then they were going to freeze it. Instead, they increased tuition by 50% and then eliminated upfront grants, something that we have reinstated.

Once again, I'll put our record up against their record and their record any day of the week.

#### TRANSIT SERVICES

**Mrs. Laura Albanese:** My question is for the Minister of the Environment. In my riding of York South-Weston, there is a great deal of discussion about changes to transit service. MoveOntario 2020 has raised the possibility of significant changes to the transportation landscape that will run through my riding, including the possibility of new light rapid transit lines.

However, while the constituents of York South-Weston will welcome improved transit service, there is also significant attention being paid to the possibility of an air-rail link from Pearson airport to downtown Toronto. In particular, the recently approved changes to the transit environmental assessment process are causing some

concern. Should the proponent choose to proceed under the new six-month regulation, will the project still definitely be subject to an environmental assessment process, and will the local impacts of this project be considered, such as noise, safety, pollution?

**Hon. John Gerretsen:** First of all, I'd like to compliment and congratulate this member on the tremendous advocacy work that she does on a continual basis for the people of York South-Weston, because we've spoken about this situation on a number of occasions.

Let me be clear: Either way, whether the current individual environmental assessment is proceeded with or the new six-month environmental assessment is done, an environmental assessment will be done. All of the issues that have been brought to our attention already, such as noise, such as pollution—the public consultation will take place. We want to make sure that at the end of the day the community of York South-Weston will be a viable community, will be a strong community and will be made better as a result of the transit that may be going into this area. A full environmental assessment or the six-month rule will mean that the—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Laura Albanese:** Thank you. The constituents of York South-Weston will appreciate getting such a clear answer from the House and from the minister in particular.

Whether the proponent follows the environmental assessment path that it's currently on or it decides to follow the new six-month environmental assessment for transit, a necessity in either project is public consultation. It is my duty to raise awareness that there is much discussion in York South-Weston about the effect that a possible air-rail link will have on the community. If an air-rail link should come through the Georgetown line, it must stop in Weston, minimizing street closures, and give the community a chance to be revitalized. My constituents must know: Will they be guaranteed to be heard as we continue on with this process?

**Hon. John Gerretsen:** I'll refer that to the Minister of Transportation.

**Hon. James J. Bradley:** Both Mayor Miller and Premier McGuinty have stated that Toronto needs what most of the world's major cities already have—I think members would agree—a rail connection between the airport and downtown. In fact, the air-rail link is included in the Metrolinx draft regional transportation plan, which was released in September. Extensive consultations have already occurred, through the current EA process and through the development of the regional transportation plan. We've heard the concerns of the community through numerous public consultations and are working to address them. For example, a stop in Weston will be actively considered. These projects can provide benefits for Ontario's environment, economy and overall quality of life. We are optimistic that a solution will be found which addresses the need for rapid transit to the airport while addressing the concerns raised by the constituents

of the riding of York South-Weston. I thank the member for her question.

## INTERNATIONAL TRADE

**Mr. John Yakabuski:** My question is for the Deputy Premier. The Premier is in China right now on a trip reportedly designed to increase trade and create jobs for Ontarians. He's supposed to be over there promoting Ontario jobs, Ontario technology and Ontario know-how. When the subject turns to nuclear technology, can the minister tell us what the Premier is saying to the Chinese?

**Hon. George Smitherman:** I do want to thank the honourable member for his fishing expedition. If the honourable member has a more specific question, I'd be happy to look to entertain it. I think that the heart of the Premier's efforts in China is to work, at this stage in his mission, with other Premiers from other jurisdictions in advancing the opportunities for Canada and China to have enhanced trade opportunities. I'm not personally aware of those elements of it that are specific to promoting the nuclear industry, but we'll look forward, by way of supplementary, to speak to the honourable member a little bit more.

**Mr. John Yakabuski:** I'm sure they talk every day on the phone.

I know the people in my riding, many of whom work in the high-tech field of nuclear research and development, are very eager to know if the Premier's there promoting them and their know-how to secure their Ontario jobs. What message should I be taking back to the people in Renfrew-Nipissing-Pembroke?

1110

**Hon. George Smitherman:** I think the honourable member would first want to engage his federal colleague—I believe her name is Cheryl Gallant—in a conversation about the federal government's support for their agency. I could say that here in the province of Ontario, AECL has their very best client. About half of all the nuclear reactors that AECL has ever sold were purchased through the work of, by extension at least, all of the people of Ontario. That's been a matter of conversation even in the House here this morning.

As we move forward to secure Ontario's stable energy future, we think it's important that the process allow all of the best technologies to compete head to head. We have billions of dollars on offer for stable, reliable, emission-free electricity. We think it's absolutely important on behalf of taxpayers that they get the very best deal with the very best technology, and we're excited by the competition that's ongoing.

## POVERTY

**Mr. Michael Prue:** My question is to the Minister of Children and Youth Services. Over 100 faith leaders and activists are here today at Queen's Park as part of the

ISARC forum. These are people who have literally dedicated their lives to helping the poor and eliminating poverty in Ontario. They work in food banks. They work in shelters. They reach out to those in need. They have lobbied this government and other governments for years to get governments to take poverty seriously. They have participated in this government's behind-closed-doors poverty consultations.

They want to hear now, clearly and systematically, what this government heard from Ontarians during the poverty consultations. Will the government commit to release a detailed report on the content of the consultations before releasing its poverty plan in December?

**Hon. Deborah Matthews:** I would like to join the member opposite in welcoming the membership of ISARC here today. It's a remarkable group of people, faith leaders, very broad representation. They come here every year. I know several of the members from this side will be joining them at lunchtime.

As you have said, they have made a really terrific contribution to the conversation on poverty reduction. Across this province, people are talking about how we can work together to reduce poverty. There's an understanding now that we simply must work together to reduce levels of poverty in this province and that the solution lies not just with this level of government, not just with all levels of government, but the solutions are in the communities. The members of ISARC know that, and I look forward to meeting with them later today.

**Mr. Michael Prue:** This government and this minister talk again and again about how important the consultations were and how much they thank those who participated, but they won't say in detail what they heard. If the government won't say what they heard, Ontarians will have little way of knowing whether the views of the participants in the hearings were seriously and systematically taken into account in the government's poverty plan. Why won't the government assure the House that, in advance of its poverty reduction report in December, it will include a detailed description and analysis of the poverty reduction priorities presented to it by the people of Ontario, and particularly the people from ISARC?

**Hon. Deborah Matthews:** As the member opposite well knows, the submissions to the poverty reduction strategy are widely available. You have seen them. Others have seen them. Many organizations have publicly posted their submissions to us. We want everyone to be engaged in the conversation. Everyone is engaged. We are only a few weeks only, as you well know, from releasing the strategy that will address the issues that have been raised across the province.

#### WORKPLACE SAFETY

**Ms. Sophia Aggelonitis:** My question is for the Minister of Labour. In November 2005, a nurse was stabbed to death while on the job. Her name was Lori Dupont, and her murder was devastating not only to her family,

friends and co-workers, but also to all our communities. Everyone should be able to work without fear of violence, in a safe and healthy environment. I want to reassure my constituents that prevention of violence in the workplace is a priority for this government. Can you tell us what the Ministry of Labour is doing to address this very important issue?

**Hon. Peter Fonseca:** First, I'd like to thank the member for Hamilton Mountain for her hard work, her dedication and her advocacy on this very important issue. She is quite right. November 12 will mark the third anniversary of this terrible and senseless tragedy, the murder of Lori Dupont.

I had the opportunity to meet with Lori's parents on October 17, with the Minister of International Trade, down in Windsor and to speak with the family and talk about how we're moving forward to address violence—domestic violence—in the workplace. My predecessor launched a consultation on September 17 that concluded on October 17. We have almost 200 submissions that have been made. We're looking at those recommendations. I can tell you that the consultation came from the coroner's inquest, and it was framed by the recommendations that came from that inquest on the Lori Dupont murder. So we are moving—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Sophia Aggelonitis:** Thank you for that information, Minister. It is reassuring to know that this issue is being taken seriously. Workplace violence is indeed a complicated matter, one that deserves careful study and thoughtful consideration. It is an issue that can affect all business sectors and occupations. Workplace violence can have a high cost, not only in terms of the cost to employers in areas such as sick leave, lost productivity and insurance premiums, but also, and more importantly, in terms of the emotional trauma and physical injury that it causes.

Minister, I know that you have undertaken a number of other initiatives in addition to this consultation. Can you speak to these initiatives?

**Hon. Peter Fonseca:** Once again, it is a sad anniversary today that we speak of: the Lori Dupont murder. We have made sure within our ministry that all of our inspectors, 430 inspectors, have been trained up, when it comes to initiatives on violence in the workplace, to make sure that they can address those when they come into a workplace and look for best practices to be able to help those employers and employees.

As well, our inspectors are trained now to conduct investigations on workplace violence when it comes to complaints, and take some enforcement action when it relates to workplace violence. We want to make sure that we have the resources to address violence in the workplace, to look at harassment, to look at bullying, to make sure that we can protect the health and safety of all of our workers—

**The Speaker (Hon. Steve Peters):** Thank you.

## HUNTING LICENCES

**Mr. Jerry J. Ouellette:** My question is for the Minister of Natural Resources. Minister, last week I'd heard of a problem or a rumour about deer licence issuing. I went to Service Ontario, where I found out the shocking news. I'm going to send over the correct data in both forms to make sure you have it.

What's taken place, Minister, is that the local issuing office handed me this information—the incorrect one—and thousands upon thousands of deer licences are being issued on old data. This week is the deer hunt, the key part of the deer hunt in the province of Ontario. With the data that was issued to me by the licensing office, there are potentially tens of thousands of individuals hunting illegally in the province of Ontario. Minister, how can this take place within your ministry?

**Hon. Donna H. Cansfield:** I thank the member for the question. I'm not aware of the situation but I will certainly take it under advisement right now—today. I will get back to you this afternoon on what actually is occurring in those wildlife management units. I thank you for bringing this to my attention.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Jerry J. Ouellette:** Thank you, Minister. On Friday, I did the correct thing in the best interests of the outdoors community. I notified the local district office to make sure that the correction was taking place at that time so that those individuals who started deer hunting on Monday were doing so in a proper fashion. The difficulty now is, as you may or may not know, the deer hunt started on October 1 for bow hunters, as well as September 1 in a number of other areas in Ontario. Potentially, there are thousands of individuals who could be charged for hunting on a tag in the wrong area.

What direction are you going to send your conservation officers to ensure that those individuals are not charged improperly because of a ministerial error?

**Hon. Donna H. Cansfield:** Thank you very much for the question. I will ensure that the director for the conservation officers is notified immediately and that the situation comes to her attention so she can get it through to all of the conservation officers in the area. But more so, I think, is the issue around how many tags have actually been issued. We will get to the bottom of that, and I will get back to you today.

1120

## PAY EQUITY

**Ms. Cheri DiNovo:** My question is to the Minister Responsible for Women's Issues. It has been 20 years since the Pay Equity Act was passed in Ontario, yet we still see a staggering 29% gender pay gap. The Equal Pay Coalition, in their Framework for Action released today, has aptly called this a human rights crisis. This Ontario government has fallen shamefully short. The cost of the wage gap in Ontario is staggering. We cannot afford inequality. The coalition is calling for immediate funding

to reopen the pay equity legal clinic to provide support for women filing pay discrimination complaints.

Will this government stop merely paying lip service to the contribution of Ontario women and actually take this necessary step?

**Hon. Deborah Matthews:** I think it's really important, when we talk about the wage gap, that we recognize the steps that this government has taken to begin to close that wage gap. When we look at who the minimum wage earners are, they are disproportionately women. That's why the increases to minimum wage that we have already implemented and are continuing to implement will disproportionately benefit women. That's a good thing, and that will help close the wage gap.

We also have to remember that some of the initiatives we've implemented, for example, the Ontario child benefit—which you chose to vote against—disproportionately go to single mums, those parents with low incomes who need a little bit of extra help to raise their children.

So I'm asking the member opposite to actually join with us and begin to work to close the pay gap.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Cheri DiNovo:** As the minister well knows, the minimum wage is still below the poverty line, condemning most Ontario women to live below the poverty line. The Equal Pay Coalition and Ontario women should hear that answer as a no. It is not enough to rhyme off nominal initiatives while choking the life out of bodies like the Pay Equity Commission with unreasonable budgetary restrictions, as you have recently. The Equal Pay Coalition is calling for the full restoration of funding to the Pay Equity Commission and tribunal to at least minimum 1992-93 levels, with proper adjustments, so that the Pay Equity Act can be vigilantly enforced. It is not enough to merely have progressive legislation; it must be enforced.

When will this government fulfill its responsibility to the people and prosperity of Ontario and guarantee this funding so the—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Deborah Matthews:** I do recognize that the pay gap does exist; I think that is irrefutable. We are committed, as I said earlier, to begin to reduce that wage gap. There are many contributing factors. We are aware of them. I think our record speaks volumes about our commitment to improve the lives of women, to improve opportunities for women and to work very hard at continuing the progress that we have made.

## NORTHERN ONTARIO

**Mr. Michael A. Brown:** I have a question to the Minister of Training, Colleges and Universities. The minister would know that northern Ontario faces unique economic challenges. We know that some sectors, such as the forestry sector, have experienced great difficulties in the face of economic turndown. We also know that northern Ontario, like the rest of the province, is in need

of more skilled labour to ensure that we can fill the jobs that are available.

I know that the minister has been working hard to ensure that Ontarians have the knowledge and skills they need in this new economy. My constituents would like to know how the minister will ensure that residents in the north are able to take advantage of the economic development opportunities available. Would the minister inform this House what the government is doing to create more opportunities for northern Ontario communities?

**Hon. John Milloy:** I want to thank the member for the question and for his advocacy on behalf of northern Ontario. The member is right that we have to work in terms of developing skilled trades capacity throughout the province, but particularly in northern Ontario.

This summer I was very pleased that, as a result of the \$190-million investment for strategic skills training capital projects announced in the March budget, I was able to visit Northern College in Timmins, as well as their satellite campus in Moosonee. During the trip, I was very pleased to announce an \$8-million investment in the Nor Tech Centre for Trades and Technology. This new centre will allow new and expanded facilities to the Timmins campus and the college to offer more programs in high-demand skilled trades and technology. The college is also going to be enhancing its satellite campus in Moosonee, allowing it to enhance its training programs that help to respond to economic development opportunities along the James Bay coast.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael A. Brown:** I know that many people in the north were pleased with the recent investments that have been made to our local community colleges.

There are many people in the north who are faced with major challenges today. Families are being affected by layoffs and people are worried about how to make ends meet. Downsizing in the forestry industry has an especially devastating effect in the north.

Although we are pleased that the government is taking steps to improve economic conditions, we know that capital investments take time before their benefits are actually realized.

Individuals who have been laid off want to know how we are going to help them today. Many who now find themselves without a job have never been in this situation before. They don't know how to start. Many are worried. They can't begin to imagine how they're going to tackle the daunting task of finding another job.

Can the minister tell the House what services are available to individuals who are looking for work?

**Hon. John Milloy:** Again, I appreciate the question. I know members of all sides of the House are concerned when a layoff happens.

My ministry's rapid re-employment and training service provides immediate assistance to those who are affected by downsizing or layoffs. I've had the chance to speak in this Legislature many times about action centres, which are specifically targeted to laid-off workers. The member mentioned the forestry sector and I'm pleased to

inform the House there are currently 11 action centres in communities across the north which serve over 5,000 laid-off forestry workers. Action centres offer a comfortable environment in which workers can meet other workers, discuss ideas, share information and access a variety of services developed specifically to help them find work.

I've had the opportunity to visit several action centres, including those in northern Ontario, and I'm always impressed with the enthusiasm and the energy as workers come together and tap in to services offered by Employment Ontario, including training—

**The Speaker (Hon. Steve Peters):** Thank you.

## WILDLIFE MANAGEMENT

**Ms. Lisa MacLeod:** My question is for the Minister of Natural Resources. Over the past three days, residents in Greely have been asking your ministry to protect them from a growing coyote problem. My constituents Andy and Jodi wrote to you, "Several neighbours have lost their domestic animals. Children are afraid to play outside or to go to the park.... I feel that someone needs to take responsibility for the safety of the citizens who pay all levels of government and expect something to be done."

On January 24, I asked your ministerial office to take specific steps to help my residents to be safe from coyotes. I'm going to send over an original copy of that right now through the page.

Today, Minister, will you fix the coyote problem by finally acting on my original recommendations so that my constituents like Andy and Jodi will once again feel safe from these predators?

**Hon. Donna H. Cansfield:** I thank the member for the question. This actually is a very serious situation because there was a pet—and understandably all of us are distressed over the possibility of our pets being destroyed by a coyote.

The ministry has been working with the community and with the city of Ottawa. In fact, to date, I think some 22 coyotes have been killed; four or five of them have been trapped.

We have a responsibility, certainly, on crown land, but we work on patented land with the landowners. We give them permits to actually go in and to cull the culprits in this case. I've sent my ministry folks to Greely to speak to the people, one on one, to see what it is we can do—a combination of how to deal with the situation and also how to deal with wildlife conflict as a whole.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Lisa MacLeod:** I appreciate the minister's working on this. It's been a long year, and a lot of constituents in Greely and in Barrhaven are very concerned.

Councillor Doug Thompson wrote earlier that the provincial government, through the Ministry of Natural Resources, is responsible for wildlife issues, which you do acknowledge, Minister, but you've refused to deal with the coyote problem. City police will only respond if humans are in danger and city bylaws maintain it's a

provincial issue. So what he's asking is that you actually work with the city of Ottawa in creating a trapping and relocation program and that you provide assistance to the city of Ottawa.

**1130**

Minister, will you start co-operating with the city of Ottawa? I spoke with Councillor Thompson just before question period. He wasn't aware of your ministry working with his constituency. He's actually put one fifth of his own office budget in terms of trapping and relocation.

Will you direct your ministry to finally contact Councillor Thompson and the other rural councillors in the city of Ottawa to come up with a game plan to deal with this growing problem—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Donna H. Cansfield:** Absolutely, the MNR is committed. As I indicated, we have responsibility for the animals on crown land. On patented land, private land, we work with the landowners, and this is obviously critical because we don't trespass on patented land.

Having said that, we will work very closely with the city. It is a very serious challenge. I've asked for coyote numbers; I've asked to have an idea of the range. I want to know what we're working with in terms of what permits are out there, and again, how do we work with and educate? Because you need to do both. We need to co-exist with wildlife, but at the same time we must be safe. So, yes, you have my commitment.

#### CONTAMINATED SOIL

**M<sup>me</sup> France Gélinas:** My question is for the environment minister. The minister has received correspondence from the community committee of the Sudbury soils study. The members of the committee are worried about the health impacts of chemicals from a century of mining the Sudbury basin. In several communities in greater Sudbury, lead, nickel and arsenic are above the levels considered safe.

Minister, what will be done to clean up affected areas and properties, and what will be done for those whose health is at risk?

**Hon. John Gerretsen:** I thank the member for the question, because it is a serious issue. A lot of these situations have been ongoing for a long period of time, and we take these kinds of situations extremely seriously.

As you know, the community has done their studies; they've been ongoing. The ministry has been working with the community to try to resolve some of these issues. But as the member will also know, it's taken years upon years to get to the situation we're at now, where in the past the right and proper environmental concerns weren't taken when a lot of these activities took place.

We are working with the community. We will be developing an action plan, and we would be more than pleased to work with this member, as we have in the past, as well as with the community of greater Sudbury.

**M<sup>me</sup> France Gélinas:** The residents of Sudbury, the members of CAW Mine Mill local 598, the members of Steelworkers local 6500, the Centre de santé communautaire de Sudbury and Environmental Defence Canada are all worried that this government won't assume their responsibility for the health of Sudburians. What is the environment minister doing to clean up contamination from a century of mining and to ensure that the health of the people of Sudbury is not put at risk?

**Hon. John Gerretsen:** I'd like to refer this to the Minister of Northern Development and Mines.

**Hon. Michael Gravelle:** Thank you for the question. Certainly our government has made an unprecedented commitment to abandoned mine rehabilitation, as I think the member from Nickel Belt knows well. Since 2003, our government has committed almost \$90 million to the abandoned mine rehabilitation program. Overall, since the program's inception in 1999, \$118 million has been officially announced to rehabilitate. So certainly we are the first government to commit to a long-term funding initiative. There have been many positive advances made. It's something we take incredibly seriously and that we remain very strongly committed to.

#### RESEARCH AND DEVELOPMENT

**Mrs. Carol Mitchell:** My question is to the Minister of Research and Innovation. Minister, I've been listening very carefully to those on the opposition benches making claims about the level of taxation in the province of Ontario. I know that as part of our five-point economic plan, our government has been cutting taxes on businesses. The Conservatives have been taking a very negative view, claiming Ontario is the most uncompetitive jurisdiction in North America when it comes to tax rates on new business investment.

Of specific interest to the Ministry of Research and Innovation, the Conservatives say Ontario imposes high taxes on growth-enhancing and knowledge-based industries. Ontario needs to be competitive when it comes to research and development, and we need to create a climate that encourages new and innovative firms to be established here.

Minister, is it true? Are we taxing innovative—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. John Wilkinson:** I thank my friend from Huron-Bruce for the question. Absolutely not. I can assure the House that the inferences made by the opposition benches are wrong. I want to say that there was a recent study by KPMG entitled "Competitive Alternatives," and Canada was deemed as one of the lowest business costs relative to a number of international peers. Specifically, Canada's cost advantage in research and development was deemed to be some 10.9% below the United States. Our cost advantage is to our advantage, according to them.

This is evident in Ontario. According to Research Infosource, in 2006, six of the top 10 R and D companies

in Canada were located where? Right here in the province of Ontario. That's why we continue to strengthen our cost advantage, our 20% refundable tax credit for the Ontario Business Research Institute tax credit—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has ended. The House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1136 to 1500.*

## MEMBERS' STATEMENTS

### EMANCIPATION DAY

**Mr. Ted Arnott:** For Canadians of African heritage, this year is one full of meaning and symbolism. In opening a new and powerful chapter of history, Barack Obama's election yesterday is a source of pride for the black community in the United States, in Canada and throughout the world.

In 2009, we will observe the 175th anniversary of the passage of the legislation that abolished slavery in the British Empire. This law sparked the northward movement of escaped slaves from the southern states into Canada, via the Underground Railroad. Historic markers on the road to freedom are featured in many communities across our province. In the county of Wellington, the Queen's Bush settlement was once home to 2,000 black settlers in the 1800s.

I was honoured to be present with our friend the Honourable Lincoln Alexander at an Ontario Heritage Trust ceremony this summer at the Queen's Bush settlement. That day, a man approached me to say that August 1 should be recognized as Emancipation Day in Ontario, an idea that Rosemary Sadlier and the Ontario Black History Society have long advocated.

I agreed, and that's why I'm co-sponsoring Bill 111, An Act to proclaim Emancipation Day. I want to thank the member for Lambton-Kent-Middlesex, Maria Van Bommel, for working in co-operation with me to co-sponsor Bill 111.

We should all be proud that in the 19th century, Canada was a beacon of hope to the enslaved and the oppressed. That's why Bill 111 and the freedom it represents are so important. I encourage all MPPs to actively support it.

### THUNDER BAY PAPER MILL

**Mr. Bill Mauro:** Last week in Thunder Bay, a business that had reopened went into receivership. About 200 men and women, some who had left other employment to go back to work, abruptly found themselves out of work.

The reopening was great news for workers, families and the entire community, and was a good-news story across the country. The reopening was the result of the efforts of a lot of people. A labour agreement that

provided stability and help from the mayor and council of the city of Thunder Bay, the chamber of commerce, individual investors and businesses, and our government all came together to achieve a restart. Everyone is hoping that, through this process, a new buyer can be found and that we will see a reopening.

Here's what the leader of the third party said when he was interviewed about the closure: "It was an announcement made to get Bill Mauro and Michael Gravelle through the election." In his typical personal attack style, the NDP leader has smeared several people and several groups. He has implied that the reopening was a political exercise engineered for an election result. He doesn't seem to understand that our government didn't make the announcement; the owners of the business made the announcement.

The leader of the third party needs to apologize to the people and the groups that he implied were part of this exercise, which if he was paying attention, he would have known was announced long before the election was even called.

The leader of the third party needs to apologize to the mayor and the city of Thunder Bay. He needs to apologize to the local individual investors and businesses that stepped up to the plate, the chamber of commerce, and quit preying on the misfortune—

**The Speaker (Hon. Steve Peters):** Thank you. Members' statements?

### PIERRE PILOTE

**Mr. Garfield Dunlop:** It is an honour and a pleasure to inform the Legislature that a resident of Simcoe North, Mr. Pierre Pilote, will be honoured in Chicago by the National Hockey League Chicago Blackhawks on November 12.

Pierre Pilote, a member of the Hockey Hall of Fame, a Stanley Cup winner, five times named to the first all-star team, three times named to the second all-star team, three-time Norris trophy winner as the NHL's best defenceman, captain of the powerful Chicago Blackhawks teams of the 1960s, and a teammate of hockey legends such as Bobby Hull, Stan Mikita and Glenn Hall, will have his number 3 hockey jersey officially retired in a pre-game ceremony at the Staples Center in Chicago on November 12. Pierre Pilote never played in an organized league until he was 17.

Pierre shares this honour with the late Keith Magnuson, a star defenceman who also had the honour of wearing sweater number 3.

It is really a thrill for me to have such an accomplished individual living in my constituency in the community of Wyevale.

I have met Pierre and his wife on many occasions. Each and every time I meet Pierre, the discussion usually turns to my childhood memories of watching the Original Six hockey clubs on Hockey Night in Canada.

It is indeed a rare occasion for an NHL hockey club to retire a hockey player's number. I wanted this House to

realize that this gesture is being awarded to an outstanding Ontario citizen and athlete, Pierre Pilote. Please join me in congratulating the Pilote family on Pierre's outstanding hockey career.

### ELECTRIC VEHICLES

**Ms. Andrea Horwath:** Ontario has a lot of great radio stations, and we've all heard about the "power of radio." One Toronto radio station has really taken that expression to heart.

FM 102.1 the Edge is using its media muscle to push the McGuinty government to allow electric cars, e-bikes and scooters on Ontario's roads. Broadcaster Barry Taylor's name would be well known to the transportation minister in particular. Mr. Taylor and his many listeners have been dogged in pursuing action on e-cars and bikes. They've been calling, e-mailing, signing petitions by the thousands, urging the minister to gear up and get going on e-vehicles. Unbelievably, the popular Zenn car and other electric vehicles are still in the trial phase in Ontario, having waited for permanent approval for years now. Meanwhile, electric vehicles are already legal in other provinces where governments take the environment much more seriously. The grassroots radio campaign is telling the McGuinty government to go green, not yellow, when it comes to electric vehicles.

I urge all members of this House to throw their support behind the proposal I introduced as motion 49: that the government of Ontario should immediately approve Zenn cars and electric bicycles, as defined by Transport Canada in 2001, for permanent legal use on Ontario roads, with the exception of the 400-series highways.

To Barry Taylor, the Edge, and listeners far and wide, I say thank you. Keep up the pressure, and continue your calls, letters and petitions to ministers and MPPs. That's how wheels will start turning in this province, particularly e-wheels.

### ONTARIO TRILLIUM FOUNDATION

**Mrs. Carol Mitchell:** I rise today to speak to the good work that the Ontario Trillium Foundation is doing in the riding of Huron-Bruce. In the past month, I've been able to travel my riding to announce funding that the foundation has provided to very worthy community projects.

Next week, on Remembrance Day, I will present another Trillium grant that will help celebrate the significance of what the Royal Canadian Legion means to our rural communities. Next Tuesday, I will be in Goderich to present an Ontario Trillium grant to the Royal Canadian Legion Branch 109, as part of the legion's Remembrance Day program. The grant, which totals \$12,500, will be used to make the second floor of the Goderich legion fully accessible to people of all abilities. This will allow everyone from the community to partake in the many events that the legion branch hosts, including the annual day of remembrance events on November 11.

Ontario's legions play a very important role, particularly in our rural areas, in helping communities to honour the veterans who dedicated themselves to this country and those who gave their last full measure of devotion so that we can all enjoy the freedom we have become accustomed to.

### ONTARIO ECONOMY

**Mr. Randy Hillier:** Ontario is now a have-not province. We are now in the red. Thank you, Mr. Premier.

And for the second time this week, the Liberals have used closure to silence debate on two very important bills which push us deeper into the red.

Why are we a have-not province? Because the Liberals use red tape to destroy our small businesses and drive our manufacturers offshore. In fact, this government has brought in over 2,000 new regulations.

The Premier returns from China this week. I can hardly wait for his report. Did he find the 200,000 lost jobs that he went looking for, or did he agree to export more jobs and businesses?

Clearly, the Premier is fond of trading with China. We export our jobs, and the Liberals import closure: closure of our businesses and closure of debate.

Ontario is now last in Canada and striving to be first in China. The Premier journeys thousands of miles, but our economy does not take a single step forward, only backwards.

Let me be the first to say, "Welcome back," to the Premier. Our status changed while you were gone.

### 1510

### DON LAW

**Ms. Laurel C. Broten:** Each year, the government of Ontario celebrates the accomplishments and contributions that seniors make in communities across Ontario with the Ontario Senior Achievement Award. I am very pleased to rise in this House to recognize my constituent Mr. Don Law, who was one of 25 Ontarians to receive this honour in a ceremony at Queen's Park last month.

Don founded the Franklin Horner Community Centre in 1984, at a time when there was an urgent need for a multi-use community centre in the Alderwood area in my community. As president of Franklin Horner, Don was a constant presence at the centre, working to ensure its smooth operation, affordability and accessibility to all Alderwood residents and beyond.

Don is a determined advocate for the betterment of his community, and the direct result of his effort was the creation of Franklin Horner. Over more than 20 years, it has evolved into a real home for seniors, youth and multicultural organizations.

Today, at 87 years of age, Don is still an active member of the Etobicoke-Lakeshore community and a great example of what you can accomplish when you are committed to a cause.

I would ask all members of this House to join me in congratulating Don Law on his achievement, his exceptional contribution to Etobicoke–Lakeshore and his commitment to volunteerism in Ontario. Congratulations, Don.

### RICHARDSON MASONIC LODGE

**Ms. Helena Jaczek:** This past summer, I attended a Doors Open Ontario event in my riding of Oak Ridges–Markham. The Richardson Masonic Lodge in Whitchurch-Stouffville welcomed the community into its chambers.

The masons of Richardson Lodge No. 136 GRC held their inaugural meeting in Cashel on June 15, 1860. Over the decades, the lodge has moved many times, before settling at the current site in Stouffville, in 1955, at 279 Second Street.

To this day, the Masons at the lodge, as do the 53,000 Masons province-wide, continue to play an active role in the community, supporting myriad charitable causes.

On this occasion, the Goodman Foundation presented an award of \$1,000 to the lodge to recognize the warm welcome with which the lodge greeted the Jewish community in the 1930s and 1940s. The lodge then bestowed this grant on its charity of choice for this year, the Juvenile Diabetes Research Foundation.

Three generations of the Borins family—Harriette, Allan and Mark Borins—were on hand as my constituent, 11-year-old Dylan Shankland, proudly accepted the grant as ambassador of the Juvenile Diabetes Research Foundation.

I wish to thank our government and the Ontario Heritage Trust, which, through initiatives like Doors Open Ontario, preserves, protects and promotes socio-cultural heritage landmarks such as the Richardson Masonic Lodge.

### ÉGLISE TRÈS-SAINTE-TRINITÉ DE ROCKLAND

**M. Jean-Marc Lalonde:** C'est un grand honneur pour moi d'accueillir aujourd'hui mon épouse, Gisèle, qui accompagne des paroissiens, ainsi que leur pasteur, l'abbé Jean-François Morin, qui sont venus à Queen's Park pour le dévoilement officiel de l'exposition des reliques de l'église Très-Sainte-Trinité de Rockland. La désignation de l'église Très-Sainte-Trinité et sa maison paroissiale est en somme une reconnaissance bien méritée de l'œuvre d'un pionnier canadien-français de l'est ontarien, l'abbé Pierre Siméon Hudon, qui a pris charge de cette nouvelle paroisse le 31 mai 1889.

La première chapelle, inaugurée en 1886, fut complètement rasée par les flammes en janvier 1899. Une seconde église fut érigée. Son intérieur était détruit le 23 décembre 1916. Cette troisième génération de l'église Très-Sainte-Trinité et le nouveau presbytère, érigés entre 1917 et 1920, se distinguent par leur magnifique texture extérieure de pierre grise.

On peut encore, à ce jour, admirer les œuvres d'artisans du Canada français de renommée internationale. L'église Très-Sainte-Trinité est une des deux églises dans la province qui ont conservé leur chaire surmontée d'un abat-voix.

Je remercie M. Louis Aubry, l'historien de notre paroisse. Bienvenue à Queen's Park aux gens de chez nous.

**The Speaker (Hon. Steve Peters):** I just wanted to comment and thank the member from Glengarry–Prescott–Russell for bringing his friends.

I just ask the honourable members to look at the gentleman in the top row of the gallery, who has arrived a little early. He's watching to see who has been naughty or nice.

**Interjection:** Hey, Santa Claus.

*Interjections.*

**The Speaker (Hon. Steve Peters):** You'd be better behaved in your seats.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON SOCIAL POLICY

**Mr. Shafiq Qaadri:** I beg leave to present a report from the Standing Committee on Social Policy and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill without amendment:

Bill 97, An Act to increase access to qualified health professionals for all Ontarians by amending the Regulated Health Professions Act, 1991 / Projet de loi 97, Loi visant à accroître l'accès des Ontariennes et des Ontariens aux professionnels de la santé qualifiés en modifiant la Loi de 1991 sur les professions de la santé réglementées.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** The bill is therefore ordered for third reading.

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr. Michael Prue:** I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill without amendment:

Bill Pr10, An Act respecting Master's College and Seminary.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

## INTRODUCTION OF BILLS

**SMOKE-FREE ONTARIO  
AMENDMENT ACT (CIGARILLOS), 2008**  
**LOI DE 2008 MODIFIANT  
LA LOI FAVORISANT  
UN ONTARIO SANS FUMÉE  
(CIGARILLOS)**

Mme Gélinas moved first reading of the following bill:

Bill 124, An Act to amend the Smoke-Free Ontario Act with respect to cigarillos / Projet de loi 124, Loi modifiant la Loi favorisant un Ontario sans fumée en ce qui a trait aux cigarillos.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**M<sup>me</sup> France Gélinas:** This bill, when passed, will ban the sale of flavoured and individually sold cigarillos, which are clearly targeted to encourage young Ontarians to smoke. I'm pleased to be working with the member from Brant, who is co-sponsoring this bill, along with the Ontario Campaign for Action on Tobacco, the Canadian Cancer Society which is in the gallery today, the Ontario Lung Association, the Heart and Stroke Foundation of Ontario, and the Non-Smokers' Rights Association.

## PETITIONS

### GASOLINE PRICES

**Mr. John O'Toole:** I'm very pleased to read a petition—a timely petition, I might add as well. You may have heard this one. It reads as follows:

“Whereas the high gasoline prices are now unaffordable for the average person; and

“Whereas the McGuinty government's tax on a litre of gasoline is 14.7 cents a litre; and

“Whereas the federal government's tax on a litre of gasoline is 10 cents plus the GST”—which has been reduced by two cents;

“Therefore, we the undersigned hereby petition the Parliament of Ontario as follows:

“(1) That the McGuinty government immediately freeze gas prices for a temporary period until world oil prices moderate.

“(2) That the McGuinty government and the federal government immediately lower or eliminate their tax on gas for a temporary period until world oil prices moderate.

“(3) That the McGuinty government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario.”

I'm pleased to sign this petition and present it to page Noreen on her last day here at Queen's Park.

### GASOLINE PRICES

**Mr. Gilles Bisson:** I have a petition from the community of Pickle Lake. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the skyrocketing price of gasoline is causing hardship to families across Ontario; and

“Whereas the McGuinty Liberal government charges a gasoline tax of 14.7 cents per litre to drivers in all parts of Ontario; and

“Whereas gasoline tax revenues now go exclusively to big cities with transit systems, with roads and bridges crumbling in other communities across Ontario; and

“Whereas residents of Ontario have been shut out of provincial gasoline tax revenues to which they have contributed; and

“Whereas whatever one-time money has flowed to municipalities from the McGuinty Liberal government has been neither stable nor predictable and has been insufficient to meet our infrastructure needs;

“We, the undersigned, petition the Legislative Assembly of Ontario to redistribute provincial gasoline tax revenues fairly to all communities across the province.”

I have affixed my signature to that petition.

**1520**

### CHILD CUSTODY

**Mr. Jim Brownell:** I have a petition from a number of constituents from my riding to the Legislative Assembly of Ontario.

“We, the people of Ontario, deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents;

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration

each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act as above to emphasize the importance of children's relationships with their parents and grandparents."

As I support this petition, I'll affix my signature and send it to the clerks' table.

#### MECHANIC CERTIFICATION

**Ms. Helena Jaczek:** I have a petition from the Certified Trades and Apprenticeship Association of Canada.

"Whereas the refrigeration and air conditioning mechanics of Ontario that have served in apprenticeship under the Ministry of Training, Colleges and Universities and have received a 313a certificate of qualification are not having their certificates properly recognized by other ministries of Ontario and their agents.

"Therefore, we ask the Legislative Assembly of Ontario to compel the ministries to recognize the education and skill of a mechanic certified by the Ministry of Training, Colleges and Universities.

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

"Refrigeration and air conditioning mechanics that have served a 9,000-hour apprenticeship under the Ministry of Training, Colleges and Universities and have received a 313a certificate of qualification have been trained to do things that they are now being asking to retrain to do at considerable expense to themselves.

"(a) The Technical Standards And Safety Authority, TSSA, has implemented a brazing licence. This licence should not apply to 313a refrigeration and air conditioning mechanics. This is a skill that they were taught and learned during their apprenticeship. However, the TSSA is not recognizing this skill and forcing these mechanics to be retested at their own expense. They claim that there is a safety issue but can produce no evidence of any such an issue as it relates to refrigeration and air conditioning mechanics.

"(b) The Ministry of the Environment, MOE, has implemented the ozone depletion program, ODP, to comply with the Montreal Protocol. This is a worthy program but should only be available to refrigeration and air conditioning mechanics 313a and 313d and to automotive service technicians 310s for work on automobile air conditioning systems since it relates to the purchase of refrigerant. Therefore, this should have been implemented as an endorsement to their certificate of qualification, not as an open course available to anyone."

I agree with the petition, affix my signature to it and will give it to page Jenna.

**Hon. David Caplan:** Point of order.

**The Speaker (Hon. Steve Peters):** Minister of Health on a point of order.

**Hon. David Caplan:** On a point of order: I've forgotten what the petition said. Could I hear it again, please?

#### CHILD CARE

**Mr. Paul Miller:** "To the Legislative Assembly of Ontario:

"Whereas the Minister of Community and Social Services has launched a blatant attack on our province's grandparents raising their at-risk grandchildren by cutting off access to the temporary care assistance program;

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

"That the Legislature call on the minister to overturn her July 2008 directives outlining the temporary care assistance program and grant all grandparents raising their at-risk grandchildren access to this much-needed financial support."

I support this petition and I'll hereby sign this. Andrew will bring this down.

#### ROUTE 17

**M. Jean-Marc Lalonde:** I have a petition from constituents from Glengarry-Prescott-Russell, and this is the first one of many others to come.

« À l'Assemblé législative de l'Ontario:

« Attendu que la route 17/174 a besoin d'être élargie à quatre voies, du chemin Trim à la route régionale Prescott et Russell numéro 8, afin d'améliorer la sécurité routière;

« Attendu que la route 17/174 a été reconnue par le passé pour sa condition dangereuse ainsi que le taux d'accidents annuel notable;

« Attendu que cette route représente la principale voie d'accès à la capitale nationale pour la population ouvrière de Clarence-Rockland, Alfred Plantagenet et Hawkesbury;

« Attendu que les comtés unis de Prescott et Russell ont manifesté leur intérêt à effectuer une étude environnementale destinée à l'élargissement de la route 17/174, en passant une résolution au conseil;

« Attendu que la ville d'Ottawa a passé une résolution au conseil demandant, soit à la province ou aux comtés unis de Prescott et Russell, de prendre l'initiative de l'étude environnementale pour la route 17/174;

« Attendu que le gouvernement fédéral et le gouvernement provincial se sont tous deux engagés à fournir 40 \$ millions pour l'élargissement de la route 17/174;

« Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

« Nous demandons que les fonds nécessaires soient alloués aux comtés unis de Prescott et Russell afin de réaliser l'évaluation environnementale obligatoire à l'élargissement de la route 17/174 de deux à quatre voies, du chemin Trim à la route régionale Prescott et Russell numéro 8. »

J'y ajoute ma signature.

### GASOLINE PRICES

**Mr. John Yakabuski:** I have a petition here from all across the province of Ontario but mainly today what would seem to be everybody from the towns of Whitney and Madawaska in my riding of Renfrew–Nipissing–Pembroke.

“To the Legislative Assembly of Ontario:

“Whereas the skyrocketing price of gasoline is causing hardship to families across Ontario; and

“Whereas the McGuinty Liberal government charges a gasoline tax of 14.7 cents per litre to drivers in all parts of Ontario; and

“Whereas gasoline tax revenues now go exclusively to big cities with transit systems, while roads and bridges crumble in other communities across Ontario; and

“Whereas many residents of Renfrew–Nipissing–Pembroke have been shut out of provincial gasoline tax revenues to which they have contributed; and

“Whereas whatever one-time money has flowed to municipalities from the McGuinty Liberal government has been neither stable nor predictable and has been insufficient to meet our infrastructure needs;

“We, the undersigned, petition the Legislative Assembly of Ontario to redistribute” political “gasoline tax revenues fairly to all communities across the province.”

Clearly, I support this. I will sign it and send it down with Kevin.

### CHILD CUSTODY

**Mr. Jeff Leal:** I have a petition today from citizens in the riding of Peterborough supporting Bill 33, a private member’s bill by the member from Niagara Falls.

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents,” as requested in Bill 33 as put forward by MPP Kim Craitor;

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact

between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

I will affix my signature to it and give it to page Shaukat.

### GASOLINE PRICES

**Mr. Gerry Martiniuk:** “To the Legislative Assembly of Ontario:

“Whereas high gasoline prices are now unaffordable for the average person; and

“Whereas the McGuinty government’s tax on a litre of gasoline is 14.7 cents; and

“Whereas the federal”—

*Interjections.*

**Mr. Gerry Martiniuk:** I know the truth hurts, but put up with it.

**1530**

“Whereas the federal government’s tax on a litre of gasoline is 10 cents plus the GST;

“Therefore, we the undersigned hereby petition the Parliament of Ontario as follows:

“(1) That the McGuinty government immediately freeze gas prices for a temporary period until world prices moderate.

“(2) That the McGuinty government and the federal government immediately lower or eliminate their tax on gas for a temporary period until world oil prices moderate.

“(3) That the McGuinty government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario.”

As I agree with this petition, I affix my name thereto.

### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Mike Colle:** I have a petition, entitled Fairness for the People of Ontario.

“Whereas the federal government gives more support for economic development, health care and infrastructure to other parts of Canada, and unemployed workers in Ontario get less employment insurance support than in other parts of Canada;

“Whereas the federal system of taxes and equalization extracts over \$20 billion from the people of Ontario every year above and beyond what Ottawa invests in Ontario;

“Whereas laid-off workers in Ontario get \$4,630 less in employment insurance than they would get if they lived in another part of Canada;

“Whereas federal health care money is supposed to be divided equally among all Canadians, but right now Ontario residents are shortchanged by \$773 million per year;

"Whereas the federal government provides economic development support for people living in" other parts of Canada, "but provides no economic development support for southern Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario to demand that the federal government stop gouging the people of Ontario and treat them fairly."

I totally support this petition and affix my name to it.

### CHILD CARE

**Mr. John O'Toole:** I want to present a petition that has been worked on by the member for Hamilton East-Stoney Creek, and I support the work he has done. It reads as follows:

"Whereas the Minister of Community and Social Services has launched a blatant attack on our province's grandparents raising their at-risk grandchildren by cutting off access to the temporary care assistance program;

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

"That the Legislature call on the minister to overturn her July 2008 directives outlining the temporary care assistance program and grant all grandparents raising their at-risk grandchildren access to this much-needed financial support."

I am pleased to sign and support this, and present it to Emily, one of the pages, who leaves today.

**The Speaker (Hon. Steve Peters):** There appearing to be no further petitions, orders of the day.

**Mr. Jean-Marc Lalonde:** On a point of order, Mr. Speaker: I just want to tell you that we have the real Santa up there. If the opposition is looking for a present for Christmas, it's time to go.

**The Speaker (Hon. Steve Peters):** Thank you. It was not a point of order, but we do appreciate Santa Claus being in the chamber today.

### ORDERS OF THE DAY

#### TIME ALLOCATION

#### ATTRIBUTION DE TEMPS

**Hon. Monique M. Smith:** I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 119, An Act to amend the Workplace Safety and Insurance Act, 1997, when Bill 119 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be ordered referred to the Standing Committee on Social Policy; and

That, except in the case of a recorded division arising from morning orders of the day, pursuant to standing order 9(c), no deferral of the second reading vote shall be permitted; and

That the Standing Committee on Social Policy meet on Monday, November 17, 2008, from 2:30 p.m. until not later than 6 p.m. and Tuesday, November 18, 2008, from 4 p.m. until not later than 6 p.m. for the purpose of public hearings on Bill 119, and on Monday, November 24, at 2:30 p.m. for clause-by-clause consideration of Bill 119; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 5 p.m. on Thursday, November 20, 2008. On Monday, November 24, 2008, at no later than 5 p.m. those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Tuesday, November 25, 2008. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the Standing Committee on Social Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That, on the day the order for third reading of the bill is called, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 10 minutes.

**The Speaker (Hon. Steve Peters):** Ms. Smith has moved government notice of motion number 89. Debate?

**Hon. Monique M. Smith:** I'm pleased to rise today to speak to this debate and to discuss in a little more detail Bill 119, which is the bill that is being addressed through this motion.

As the members of this House know, we are taking steps to promote health and safety in the Ontario construction industry by proposing to extend Workplace Safety and Insurance Act, 1997, coverage to categories of individuals working in construction currently not covered. The health and safety of Ontario workers is one of our top priorities.

Extending the WSIA coverage to more individuals in the construction industry will also help fight the under-

ground economy. Underground economic practices threaten health and safety, undermine labour standards, and erode our construction quality. It is the right time to move on this.

As you know, there are three benefits to the proposals that are being debated.

(1) More individuals will have access to health and safety education and training resources of organizations funded by the Workplace Safety and Insurance Board, and compliance with health and safety standards on those work sites will be improved.

(2) The proposal will help level the playing field in the construction industry so that companies registered with the WSIB and complying with other legislation will be able to compete more effectively. This will also help to fight the underground economy in the construction sector.

(3) The proposal will also help to reduce incidences of revenue leakage for the WSIB, where benefits are paid to individuals for whom no WSIB premiums have been paid by the principal or the employer. This is a case where we have individuals who are declaring themselves to be independent operators and are therefore not being covered, and no premiums are being paid for these workers. Often, in the event of a workplace injury, many of those who are not in fact covered will claim the benefits and are found to be workers and therefore receive benefits under the WSIB, despite the fact that there have been no premiums paid. So we have good employers in the construction industry who are paying the premiums, who are registered, who are doing the right thing, while we have others who are kind of going around the system, but still getting the rewards for their workers. This practice undermines both the health and safety of these workers and it undermines the entire construction industry. It does not create a level playing field for those individuals who are following the rules. They are being undercut by those who choose not to follow the rules and in fact are usurping the rules.

We are allowing three years for this to come into place, allowing for those within the industry to make the necessary arrangements within their workplace in order to comply.

Under the current WSIA, coverage is mandatory for workers in the construction industry. However, independent operators, sole proprietors, partners in a partnership, and executive officers of corporations working in the construction industry are not automatically covered. This will change with this legislation, and those not automatically covered will be covered in the future, and it will provide protection for all of those workers.

The safety of our workers, particularly in the construction industry, which can be a dangerous place, is particularly important to our minister and to this government. It is with pride that we are pushing forward with this legislation to ensure that the safety of those workers is protected.

There are many in my caucus who want to speak to this legislation and to this motion, and I am sure that others will be continuing the debate.

1540

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

**Mr. John Yakabuski:** It's my pleasure to join this debate this afternoon, which originally I had expected to be a debate on Bill 119, but it's turned out to be another debate on the Liberals' propensity to shut down debate entirely in this chamber.

Only five speakers from the Progressive Conservative Party have had the opportunity to speak to this bill. This bill is so monumentally important to this government, but they want to shut it down with only five members of the official opposition having had an opportunity to speak to it. In fact, the member for Durham was next up on the list, and he was shut down when they hit six and a half hours; it was gone. Yet this chamber shut down for half an hour; it shut down for half an hour instead of allowing a member of this chamber to speak to the bill. No, this government would rather close it down for half an hour because they didn't even have the rest of their agenda ready. They didn't have the next bill ready to be brought forward, so we had to shut down the chamber for half an hour. But that's the way they work. "Let's just shut down this debate, because the crescendo of opposition to this bill is building day by day, hour by hour." All across the province of Ontario, as people become aware of the implications of this bill, they are voicing their concerns.

Businesses are seeing this as nothing but a cash grab, another tax. This is something that Premier McGuinty promised again in the last election campaign: There would be no new taxes. But this is exactly that, a tax by any other name—just like when they originally called the health tax a premium to try to say that they didn't break their word to the people of Ontario, but then, sorry, they lost that legal battle and they had to call it a tax.

You have to ask yourself, what is the hurry to push this through? Why not give the people of Ontario the opportunity, or give all members of this chamber on both sides of the House the opportunity, to get the feedback from the people of Ontario as to whether or not they believe this is necessary? I have to—I don't want to use the word "assume," but I have to state that it would be fair to say that the previous Ministers of Labour, the Honourable Steve Peters, the Honourable Chris Bentley and the Honourable Brad Duguid, felt that this wasn't necessary, because they were approached by the same union people who wanted this legislation put through and they decided that it was wrong. They believed it was wrong, and they decided they would not push forward with it. They realized that it would be harmful to business and construction operators in the province of Ontario. And that was in good economic times. Now we are entering the worst of times, and this is the time that the Minister of Labour decides we're going to proceed with this. You really have to ask yourself—and I would be the last person to impute the motives of a member of this House. You know that because it says so right in the standing orders, 23(i). So you know I wouldn't do that, but you do have to ask yourself—you know that old

saying, “If it looks like a duck and walks like a duck and quacks like a duck, it might be a duck”? We have to ask ourselves that question when it comes to why the Minister of Labour is succumbing to the pressure of big unions at this time.

I’ve got e-mails from all across my riding and all across the province about the devastating effects this could have on them. I know the minister likes to say that he has the support, for example, of the Ontario Road Builders’ Association. But when they read the bill in its entirety, they say, “Unfortunately, we cannot support Bill 119 as introduced.” While they and a lot of people may support a portion of it, the part that deals with the extension of those premiums to all executives, people who are never going to have a shovel in their hands—quite frankly many of them would not even ever be on a construction site—is going to charge them premiums under this new law.

At a time when we should be investing money in our businesses, investing money in technologies and investing in our people, we are saying to the construction people, “Do you know what? It’s going to get tougher, it’s going to get tighter, and you might have to lay off people.” How are we helping workers in the province of Ontario if what we do actually adds to the unemployment rate in their industry? That is what this bill could do, because it is another tax.

As one gentleman, a chartered accountant, wrote to me in an e-mail: “I am a CA and deal with small businesses every day. Most my clients purchase 24/7 disability separately at less than half the cost of WSIB coverage, which only covers on-the-job injuries. I have personally seen an ever-increasing government intervention in small business across many business sectors, and most of it is not serving any public good. Please express my strong disapproval of this current misguided legislation. It is obvious that neither small business owners nor CFIB were consulted. The minister responsible should resign as he is definitely not in touch with small business, which is the backbone of our economy.” That’s from Hal Ward, a chartered accountant. He echoes what every small business is saying today: that they can’t take another one of the McGuinty government’s tax burdens. Some \$11,000 is the average burden that this would put on a business in this province. Can you just come up with an extra \$11,000?

I have other e-mails from people and small businesses in my riding. One directed to me says, “John, as a small business owner,”—meaning myself—“I suspect you are a champion on behalf of those of us who are concerned that the current proposed legislation will negatively impact us in future as WSIB coverage becomes mandatory for more and more sectors. Independent operators in the construction business should not be forced to take on WSIB coverage; the cost will put some of them out of business. (Many have insurance coverage elsewhere and for less than they would pay WSIB.) Naturally, our bottom line will be impacted as well, as this will mean the loss of some of our customers, and particularly if

business owners such as ourselves are not able to opt out of the coverage as we are able to do currently.” That is from Karen Maxwell, co-owner of the Renfrew Home Hardware Building Centre.

*Interjection.*

**Mr. John Yakabuski:** I am nowhere near the end of my time, I might tell Mr. O’Toole.

I have e-mails from other people in my riding who are absolutely irate about—I’m losing my voice here—the intention of this government to proceed with this bill at this time. They could not—

*Interjection.*

**Mr. John Yakabuski:** Thank you very much, Minister of Health. He’s saying that I should take water. Water is healthy for us, I know.

**Hon. David Caplan:** Did that help?

**Mr. John Yakabuski:** Very much better.

You could not have picked a worse time in the Ontario economy to proceed with this legislation. We have all kinds of time. They’re not talking about implementing this until 2012.

**Mrs. Julia Munro:** That’s after the election.

**Mr. John Yakabuski:** That’s after the next provincial election. Surely they don’t want to go to the polls with this proposal, just as they wouldn’t have wanted to go to the polls with that so-called new agreement they made with municipalities last week. If they had gone to the polls with that in 2007, they would have found out what municipalities really thought about it.

But I want to stick to the subject at hand as I know you will soon caution—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Mr. John Yakabuski:** This government is wrong-headed, misguided and absolutely couldn’t be further off the mark with their intention with this legislation. This is going to be devastating to small business in Ontario. We want to be on the record as having defended their interests because this government does nothing for small business, and never will.

**1550**

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

**Mr. Paul Miller:** I rise this afternoon to speak about this government invoking a time allocation motion on Bill 119, An Act to amend the Workplace Safety and Insurance Act. I’m still new to these types of legislative proceedings but I’m not new to doing what’s right, and I’m not certain that this is the right way to go.

I’m somewhat guided in my thoughts by my research into how my learned colleagues across the floor have responded to time allocation motions in the past. Mr. Bradley said, “How I wish we didn’t have to debate this time allocation motion.... I simply want to say that once again we see the government using its iron fist on the opposition.” Interesting. I agree with Minister Bradley. This government is using its iron fist to stop the basic right of the public to raise their concerns and their support of this legislation.

If his government really wanted to hear from interested parties about the bill, it would ensure that there are more than two days for the Standing Committee on Social Policy to meet and to hear deputations. That said, I want to be clear: Despite this time allocation motion, I do support the thrust of the bill. I appreciate the 15 years of hard work that members of the Provincial Building and Construction Trades Council of Ontario put into this legislation. They have represented the interests of 90,000 construction workers and their families on this issue very, very well.

On time allocations, Mr. Bradley further said, "Thank you very much, Mr. Speaker, for the opportunity, unfortunately, to speak on yet another time allocation motion. That is a motion, of course, where debate is choked off in the Legislative Assembly by the dictum of the government; that's most unfortunate, but it does happen only too often." He further said, "I always deplore the fact that I have to speak on a time allocation motion. I would prefer to be talking about several important issues that could come before the House."

This is an important issue. It should be open to full input by the public through the committees process, not just for two days in Toronto, but for several days throughout Ontario. There are many construction workers and their families who will want to let the government know of their support and their concerns about private contractor loopholes and questionnaire clauses.

The Minister of Agriculture has also spoken against time allocation motions in this Legislature: "I have to say that it is with" great "regret that I have to stand in my place again today to speak to yet another time allocation motion. I think the point I would like to stress in this debate is that this is probably one of the most significant issues that this House will consider in terms of business on behalf of the people of the province of Ontario. The bill was introduced a little more than a week ago and already the government has moved to close debate on this most significant issue."

Interesting, when people move from one side of the House to the other. The minister was right. This is a significant issue. Some 90,000 construction workers have been without workplace protection as offered through the WSIB. With this legislation, they will now be covered. But there are still loopholes and clauses that many Ontarians will want to address with this government, including the official opposition. They should have their opportunity, and hopefully they're listened to on their concerns at the committee level, not just passed over and immediately dismissed by the majority on committee. How can they, when the time allocated for committee hearings is on Monday, November 17, from 2:30 until 6, a gruelling three and a half hours, and again on November 18, from 4 to 6, a whopping—and I've used that term in this House before—two hours to hear from the public?

I know that our Provincial Building and Construction Trades Council of Ontario has been lobbying on behalf of their members for 15 years, and they must be delighted

that this bill has finally come this far. But my brothers and sisters are fair and they will want to ensure that Ontarians, who may feel that their voice will add to this decision-making, should have their opportunity.

Back to my colleagues across the floor: The Minister of Agriculture again went on record with, "Here we go again. Sadly, again, we're here debating a time allocation motion. We're here talking about all the reasons why we would like to see this bill get full debate in the Legislative Assembly." We have Mr. Sorbara, a former finance minister, who, in opposition, said, "I stand here today to condemn this time allocation motion." Will Mr. Sorbara stand here again today to condemn the actions of his government on this time allocation motion? I have my doubts.

Minister Gerretsen, you have also stood in this Legislature to speak strongly against time allocation motions: "It is shutting off debate. We've got many, many members on this side of the House"—which would have been this side then—"who want the opportunity to speak on this bill, and that's being denied." He says further on, "Closure is not the way a democratically elected Parliament should" function and "operate." You bet, Minister. He had it right back then, and hopefully he has it right now, but it doesn't seem to be that way. He didn't stop there. You emphasized your point by saying, "We are losing our parliamentary democracy in this province, and it doesn't do any of us any good. It puts politicians in disrespect"—disrespect—"as far as the general public is concerned."

Would that also include bills that get passed for public viewing in this House, second reading of a private member's bill by the opposition, when it goes to committee and then, when there are no cameras and nobody around, the government shuts it down—all five of them? It shuts it down—no further debate. In fact, they didn't even read it. It's very interesting how rules change when we move in this House.

Yes, Minister, it does put your government in disrespect as far as the general public is concerned. It brings shame on this House and on your government when so many of you, when in opposition, have been so opposed to time allocation motions that you now use to your advantage—interesting. Your comments back then make me question why you are doing this. Why is your government cutting the public off from a fair chance to speak to their government? Why won't you make available to the public across this province the opportunity to speak directly to you, to ask to make the changes that they feel should be made in the legislation? Your answer to my questions is already on the record.

You said, "I would urge this government: See the error of your ways. Do not use time allocation again; enter into a discussion with the House leaders so that we can come up with a meaningful legislative program so that bills can be debated for the length of time that is required in each and every case." Mr. Gerretsen, what happened to your passion? What happened to your righteous indignation on behalf of your Ontario? What happened to your voice, Minister? How did it get lost in this decision?

Minister Gerretsen is not the last voice of the current cabinet to speak vehemently against time allocation motions. Minister Caplan, speaking on behalf of his constituents, said: "I usually start off my remarks by saying it's a pleasure to speak to something on behalf of the people of Don Valley East. But it really isn't. This is yet another closure motion, a gag order on the Legislature. How could it ever be a pleasure to speak to that, when that's the normal course of action and when this Legislature is shut down for the very purpose it was meant for, which was to discuss important matters?"

I'd like to hear your answer. Are this minister's constituents now happy that he has done a 180 on this issue and is party to enacting the very type of closure motions that he spoke so strongly against on their behalf—so strongly against it? Are they now content to have been cut off from public debate? I'm sure that they will not find a stunning total of five and a half hours of public debate to be a fair opportunity to make their views known to this government.

My colleagues across the floor and the rump are doing exactly the things they found so reprehensible when in opposition. They are using this motion called a guillotine motion for a very good reason: because they don't want to hear from a good cross-section of the public across Ontario. Their schedule can only permit those very few who can make it to Toronto and can manage to get onto the deputants list.

#### **1600**

Not only is the public portion of this process severely truncated, but the reporting times are extremely short. Once the Standing Committee on Social Policy has completed the public portion on November 17 and 18, the clause-by-clause meeting is a scant three working days later, on November 24. During those three working days, the deadline for filing amendments to the bill with the clerk is November 20. Then, on November 25, the bill shall be reported to this House.

I wish that my Bill 6 had received such attention. It would have been wonderful: a good bill that never even got past committee so that those many workers who lost their jobs would have gotten severance protection, would have gotten their holiday pay, would have gotten money that was owed to them. Did this government want to do that? No, because it wasn't their idea. "It was an NDP idea, so we shut them down."

I won't be surprised if in a year or two they come out with something and take our ideas and try to mould them and get some kind of credit for it. It won't shock me. I'll be looking forward to it and I'll probably support it any way it can get to the people. I'm not partisan when it comes to things like this; you are.

#### *Interjections.*

**Mr. Paul Miller:** I've had the chance to speak—

#### *Interjections.*

**Mr. Paul Miller:** Well, I find it interesting that you're jeering me, considering I've supported four of your bills. You've supported none of ours, so don't laugh.

Not only is the public portion of this process severely truncated, but the reporting times are extremely short. Once the Standing Committee on Social Policy is completed on the 17th and 18th, that's all she wrote.

I've had the chance to speak to the substance of the bill, and I repeat: The NDP—you know, us little guys over here—and I do support the thrust of the bill. We have some real concerns about the home renovation exemption and the lengthy timelines for implementation, and we'll bring forward our amendments to address these, probably once again falling on deaf ears and not even being dealt with, which wouldn't surprise me.

We're also offended by the truncated time and the limited location for the public to bring their concerns and support directly to their elected representatives.

In closing, I again want to express my party's sincere appreciation to the Provincial Building and Construction Trades Council of Ontario for its tireless work on this legislation. Their commitment to their members and their families is without question. The 90,000 construction workers who will now have the security offered by the WSIA coverage can thank their representatives for 15 years of unwavering commitment, and to that I add the thanks of my NDP caucus and our research staff.

I'd also like to say that, you know, there are a lot of other Ontarians who aren't covered by WSIB. This government has taken one small step with the construction industry. We have all kinds of lending institutions; we have commercial workers; we have all kinds—hundreds and thousands, millions, of Ontarians who still aren't covered by WSIB. Maybe we should extend this a little further. Maybe it will come along.

Thank you, Mr. Speaker, for the time.

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

**Mr. Khalil Ramal:** Thank you, Mr. Speaker, for giving me the opportunity to speak on time allocation on Bill 119, the Workplace Safety and Insurance Amendment Act. It's important to debate this issue.

I listened to the member opposite from the Conservative Party when he was talking about time allocation and how the government is doing it. I want to go back, before I speak on this bill, to the record of the Conservatives. The Conservatives, when they were in power, never allowed any bills to go to committee. No debate was taking place anywhere.

At least this bill is very simple. This bill was put in place before us in this House to protect workers in the province of Ontario.

We had enough chance to hear the comments of the opposition and the third party on this bill. It's important to get this bill over with and let it pass, to see to it that the people of Ontario who work on a daily basis are covered.

It's fascinating when you listen to the Conservative Party speaking about democracy, speaking about debates, speaking about committees. When you go to their record, it was nothing like this. There were no debates, no committees.

At least this bill is going to committee. We're going to listen to the people of Ontario. We're going to listen to the many stakeholders who are going to come to this committee to give us their advice and their ideas.

Also, the honourable member for Hamilton East-Stoney Creek stood in his place talking about democracy and freedom. I hope he comes forward and supports this bill because this bill is very important to him and to us, to every person who works in the province of Ontario.

We have to talk about the essence of the bill to protect workers in construction, everywhere. This bill was introduced to protect workers who have not been covered by the Workplace Safety and Insurance Act. That's why we want to include all the people who work on roofs of houses, who work in small jobs. Our obligation and responsibility as a government, as the Ministry of Labour, as people who get elected to this place, is to protect the people. We said it many different times, and he said it, too: A worker is a worker, whether working at a big company or a small company. Our obligation is to create a safety mechanism for them to be protected, to look after them if they get injured or something happens to them.

It's important to continue on with our lives. I think this bill has had enough debate. We're looking forward to passing it tonight and also to go to the committee to listen to construction workers, to listen to businesspeople, and then we'll see how we can modify it to fit all the people of the province of Ontario.

The honourable member is still talking about debate and democracy and talking about committees. As I said, we listened to many people. We listened to their positions. They spoke for hours and hours, all week last week and this week. We know where they stand. They're against everything introduced by our government. They're against all the poor people, the vulnerable people among us. They're against all the people who work on a daily basis to provide for their families and for themselves and also to help us to continue building this province.

It's about time to get the debate over and get together in this place to pass it and also go to committee to see what people want to say about it and how they can help us to enhance it and make it stronger in order to protect the people of Ontario and protect all the workers, not just the workers who work in a big company or in industry.

Mr. Speaker, thank you for allowing me to speak. I'm looking forward to hearing my friends and colleagues from both sides of the House and, hopefully, by the end of the time, we can vote on it and we can go to committee and see how we can improve the lives of our people in this province.

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

**Mr. Garfield Dunlop:** I appreciate the opportunity to speak to this time allocation motion. I'd like to put a lot of the things in perspective with this time allocation motion that I feel is really, really limiting debate on this.

First of all, I understand, according to what the government is saying, that the bill doesn't take effect

until 2012. So the first question you have to ask is, what is the rush here? Why could we not at least have a lot more time? We only had five speakers with the opportunity to speak to this bill. I think we had at least another nine or 10 for sure who would have wanted to have 10 to 20 minutes to speak to this bill.

Certainly, I asked the other day in my comments that we not time-allocate it, that we have an opportunity to make sure we get full debate. We are getting literally thousands of e-mails from the construction industry across the province of Ontario. This will kill jobs. There's absolutely no question about it. We know right now that it will have a negative impact on small business contractors, particularly at a time when we know that they can't afford it.

We're not going to have an opportunity to even have decent committee hearings. We're going to have a couple of afternoons here at the House. This thing is going to be put through as quickly as possible. Obviously, the government members are getting a lot of negative feedback on this legislation and they want it pushed under the carpet—you know, "Let's try to quiet the groups down."

What we'll be doing as the Conservative caucus is travelling with this bill this winter ourselves. We'll go to communities like Peterborough, Goderich, London, Chatham and Kitchener and all the little communities—St. Catharines. We can go to those places and we'll talk to people, talk to construction associations and tell them, "This doesn't take effect until 2012 and you have not been heard on this bill." They're just now finding out about it. This is the busiest time of the year for these contractors. They don't have time right now to be worried about what's happening in Queen's Park. They take the word that the government of the day will look after the small business operators in the province of Ontario. That's not happening here.

#### 1610

Take, for example, the time allocation. We're going to have one hour for third reading debate on a bill that affects thousands and thousands of people. Tonight, downstairs in rooms 228 and 230, you'll have three hours at the wine tasting. You can taste wine for three hours. Three hours for a wine tasting, but you get one hour to debate this bill, which affects every small business operator in construction in the province of Ontario. It is absolutely shameful that this could happen—absolutely shameful. Three hours for wine tasting; one hour for third reading debate on an important bill like this.

I cannot believe how gutless that Minister of Labour could be to allow that to happen in this House. This is a disgrace to democracy. You heard it outside today—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Simcoe North, I just caution members: I think we can express our feelings here in language that is toned down a bit. Just keep it in mind.

**Mr. Garfield Dunlop:** Thank you very much, Mr. Speaker.

You heard it outside this afternoon. There are a thousand students outside. They've caught on to these guys as

well. We've gone from a lower rate of student tuition to the highest in the country.

Everybody is catching on to you. Liberalism is dying in the province of Ontario. You saw it three weeks ago with the federal election, when they lost seats all over the place. You can look in their faces and see the disappointment. That's why they want Bill 119 shovelled under the carpet. They have said nothing on this. This is a disgrace.

**Mr. Mike Colle:** On a point of order, Mr. Speaker: I think the standing orders say we should speak to the motion before us. The motion is on time allocation. I don't know if discussing the election in Ottawa or the victory of Obama in the United States has anything to do with this time allocation motion.

**The Deputy Speaker (Mr. Bruce Crozier):** It is a point of order that members are to speak to the topic that's on the floor, and I will listen intently to see that we do this.

**Mr. Garfield Dunlop:** I know they don't want to hear the truth over there; that's the reality.

As we speak to time allocation, let's go back to some of the other things that happen around here: two afternoons for small construction owners right across our province to try to get down here in the next week or so, and we have to have amendments in a couple of days after. There's absolutely no time for this.

I want to emphasize, and I want to say to the people of Ontario who are watching, particularly to the people like the Canadian Federation of Independent Business, who have been strongly behind the opposition to this—they call this bill a shame. It's shameful what has happened here.

When we talk about two afternoons of debate on a bill this important, let's compare it to Bill 50, the roadside zoo bill. We had an opportunity to go to North Bay, two days in London, three days in Toronto, one day in Ottawa—all this for a bill, Bill 50, that affects a few roadside zoos. What do we have here? We have a bill that affects all the small construction industry in the province of Ontario, and they get two afternoons and one hour of third reading debate. You don't think that's disgraceful? This is a complete disgrace. I can't believe it. They want it quieted down.

The reality is—and make sure everyone understands this—that the government says it won't take effect until 2012, a full year after the next election. So what is the rush? Why can't we go out this winter and have committee hearings in these communities? It's pathetic.

I can see the look on their faces. The members from the Liberal Party, the government members, are embarrassed by this. It's shameful that we see this actually happening in a democracy.

Last night, so many people came together from all parties and politics to congratulate the United States. I come here today and see 2,000 students outside demonstrating against this government. I come in here and we're time-allocating a bill where we're going to end up with one hour of third reading debate, and remember, folks, tonight we're going to spend three hours tasting

wine downstairs, if you want to go down. Three hours to select a wine that the people of Ontario, or this House, can say is our wine: "This is the wine we're going to pick this year." So we get three hours to taste wine and one hour on a third reading debate that affects thousands and thousands of contractors in the province of Ontario. You should be ashamed of yourselves. Judith Andrew, vice-president of the Canadian Federation of Independent Business, had it right: "This is a shame." I feel sorry for the minister. He should resign his position as Minister of Labour. This is a disgrace.

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

**Mr. Peter Tabuns:** It's a privilege to be able to speak to this bill today. My colleague Mr. Miller, from Hamilton East-Stoney Creek, has spoken at length and in depth about the problem with time allocation. I want to talk briefly about the bill itself, which is the subject of this time allocation motion.

It's a bill that addresses mandatory workers' compensation benefit coverage for construction workers who aren't covered now. This legislation would mean more security for about 90,000 workers and their families. On behalf of my caucus, I want to thank the Provincial Building and Construction Trades Council of Ontario for their advocacy on this issue over the past 15 years.

I have to say it's a shame, given this period of time and the importance and gravity of the bill, that the government has decided to go with time allocation, because I think there are many people in the construction trades who want to be here, who want to speak to this bill, who support it and, in fact, who want to strengthen this bill.

In the last 15 years, the Ontario construction industry has been substantially restructured by the practice of hiring and subcontracting to independent operators. The use of independent operators has resulted in thousands of workers in the construction industry being potentially deprived of coverage, and has created a group of employees who are entitled to claim benefits for which no contributions have been paid.

In addition, the contractor who insists on subcontracting to firms that are portrayed as independent operators, rather than employing workers, has an unfair competitive advantage—a substantial problem. It means that operators are better off—better off in terms of their ability to secure contracts, better off in terms of their business plans—if they're able to evade being part of the WSIB system. This has shifted the whole cost of statutory WSIB benefits, funded through payroll, to his workers, if indeed these costs are paid at all.

When such a contractor bids against an employer who is acting like an employer, who treats his employees as workers, he has a tremendous competitive advantage. In other words, the present coverage scheme, which excludes independent operators from compulsory workplace coverage, has created an economic disparity between firms in the same industry. Speaker, as you would well know, when you have that kind of economic

disparity, you have tremendous pressure on the part of companies to evade their responsibilities, to move out of the system and ensure that their workers are not covered by the system.

It's the position of the NDP that the act should not be a source of economic advantage between otherwise similar firms in the same industry, and that's why we support the general thrust of the bill. The issue we're debating today, the bill that's under time allocation debate—and which my colleague has quite thoroughly and quite roundly called into question, the time allocation which is highly problematic for those who want to make sure that, not just in this debate but in future, bills are adequately debated and opportunity is given to the opposition and to the public to thoroughly address the issues and make sure that whatever bill finally is adopted reflects the greatest possible wisdom in this province.

Let me go into some of the background of the issue that this bill covers. Presently, determining who is a worker or an independent operator is a critical responsibility of the WSIB. Workers are automatically entitled to benefits when injured at work, and their employers are responsible to pay WSIB premiums on their workers' behalf to fund the benefit payout. In contrast, independent operators are not automatically entitled to benefits unless they have specifically purchased optional insurance coverage.

#### 1620

Over the years, the board has devised and used different methods of determining independent-operator status. From 1935 to December 31, 1991, the WSIB relied on an executive order entitled "Partnerships and Individuals Doing Work in the Building Trades," dated July 24, 1935. The relevant sections of the order are summarized as follows: From July 1, 1935, consider that all contractors in the building trades who take contracts for labour only or substantially for labour and perform the work themselves, either alone or in partnership with others, be deemed to be workmen of the principal who lets the contract and covered as such under the Workmen's Compensation Act.

The board adopted the order to deal with situations with a party who took the job, engaged assistance and agreed to split the proceeds of the job on a percentage basis.

Similar situations exist today where residential framing, siding and roofing is performed in teams, when you have a crew leader and crew members. These—and I will say so-called, because in fact that is largely the case—so-called partnerships, which were not covered on a compulsory basis, did construction work formerly performed by workers. The situation was considered contrary to the intent of the act. Since January 1, 1992, the WSIB has used industry-specific questionnaires to determine who is a worker or an independent operator in industries where contracting and subcontracting are common practices.

The board has adopted the organizational test for determining worker/independent-operator status. The Workplace Safety and Insurance Appeals Tribunal has

used "the organizational test" in determining business relationships between independent operators and principals. This test examines whether the person supplying labour is part of the principal's organizational structure or actually a separate enterprise.

It's the NDP's position that the present questionnaire and overall board practice of determining independent-operator status is not working. The major shortcomings of the construction questionnaire can be summarized as follows:

One, the subjective self-scoring nature of the questionnaire has made it subject to manipulation. A person completing the questionnaire can fill it out so that they arrive at a result showing that they're an independent operator. Or, if someone is seeking benefits for a workplace injury, they can answer the questions in way that may portray them as a worker entitled to benefits. A person seeking to opt out of insurance answers the questions to achieve an independent-operator result, and in many cases, persons are instructed by a prospective employer to obtain an independent-operator ruling from the WSIB as a condition of employment.

Now, that's quite astounding to me when you think about people who work on construction sites; people who deal with very powerful tools, with very heavy weights, with very sharp objects; people who are subjected, on a regular basis, to workplace injury, and in some cases death. In my riding alone, in the last year, there was a person who was killed on a construction site, a young apprentice electrician.

People risk life and limb on these work sites, and the simple reality is that if they have been denied insurance or if, as a condition of getting employment, they've complied with an employer's request, then they're out of luck. That is a substantial problem. It's a substantial problem for the individual workers, and I'd say it's a substantial problem for society as a whole.

Again, in line with the comments from my colleague from Hamilton East-Stoney Creek, to limit debate on that issue is an error, because in fact there are many areas where this bill has to be strengthened. When we say we support the thrust of it, it doesn't mean we agree with everything that's in the bill. We know that there's a lot that has to be done.

My colleague here from Nickel Belt wants to speak about this bill and speak about the injustices that people who deal with the WSIB encounter. That's not the substance of this bill. I wish it was the substance of this bill. I wish it was an additional part of this bill so that we could get at those issues, because we hear about them on a daily basis in our constituency offices.

Financial incentives drive the push for independent-operator status. For example, employers are relieved from paying WSIB premiums, experience-rating adjustments and other payroll taxes for persons portraying themselves as independent operators.

Another factor is that independent operators are able to make deductions for business expenses as self-

employed persons and pay income tax at a lower rate than that of an employee.

All of this means that not only is the WSIB experiencing a revenue loss, but so is government as a whole experiencing a loss for deductions that should have been made. Some employers are not reporting, or are under-reporting, payroll and premiums for persons being portrayed as independent operators but whom the WSIB considers to be workers. The effect of this behaviour is that the WSIB is not collecting the full amount of employer premiums it should be from the industry, since independent operators have the option of declining WSIB optional insurance.

Very few independent operators purchase WSIB optional insurance or are required to validate proof of WSIB coverage to the principal. In fact, it's estimated that the WSIB is losing \$350 million per year in unpaid premiums. When I talk to workers in my riding, people who have been trying to live on an allowance that is declining in real purchasing power every year because of inflation, when I talk to people who have, in one way or another, been victimized by a system that consistently cuts away at the support they should be receiving because they are not physically able to work, and then I look at a loss of an amount of money as great as \$350 million per year, there's no doubt in my mind that those loopholes have to be closed, that the money has to be collected and that the money has to be flowed through to those workers, those people who have been injured on the job, who rightly deserve to be properly supported, because it is their labour in dangerous situations that builds the houses, makes the products and gives us the support in this society that we need to live decently. Frankly, when people take those risks—and they are real risks—at the very least what we can do is provide them with an insurance system and an income support system that will allow them to live decently.

When you have a \$350-million hole in your system, it is very different, very difficult to make everything balance. When you have the loopholes we have now, accident prevention and workplace health and safety are being compromised. Under the present flawed system, the responsibility for workplace safety and prevention is being pushed down to the lowest level: the independent operator. This has the effect of constructors and contractors absolving themselves of the responsibility for workplace health and safety and experience rating adjustments for the persons they hire primarily to perform labour. In addition, under the existing system some workers are being pressured by contractors to register themselves as employers—employers. Like independent operators, these “employers” are not covered unless they purchase optional insurance from the WSIB.

In short, independent operators leave registered legitimate contractors to foot the bill. There's no countervailing reduction in injuries to offset the lost revenue. Just because you declare yourself an independent contractor doesn't mean that you're suddenly, magically taken away from all the risks that exist in reality on a

construction site, and the rest of the industry, where people are paying premiums, are stuck with serious compensation claims that can't be ignored or left unreported.

In the case of medical aid, the burden has shifted to the health care system without being handled by the WSIB as it should be.

I know my colleagues will want to address a number of issues related to this bill and I will leave the rest of my time for them. It's my hope that this bill will have a proper and thorough debate, that there will be adequate committee hearings and adequate third reading debate, that the bill will be strengthened and that the loopholes will be eliminated.

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

**Mrs. Carol Mitchell:** I want to speak about the time allocation today, as that is what we are debating in the House. I want to take a little history lesson here for a minute and just set the record straight because I think there have been a lot of comments made. I just want to bring this information forward so that all members of the House have the same information.

**1630**

The NDP government changed the standing orders in 1992, making it easier to time-allocate bills. So the government was able to put forward a debatable motion unilaterally imposing limits on the length of debates on government bills and motions. These reforms marked the first time that time allocation was codified in the standing orders. Previously, time allocation motions were presented of substantive government motions that required debate.

So I say to you, it began with the NDP government, and I just wanted to share that information with the member from Hamilton East-Stoney Creek. I do want to say that the NDP government time-allocated 25.61% of its bills.

Just so everyone knows, this is the research that was brought forward. So if one chooses to argue with the researchers, I welcome them to do that, or, I would also like to encourage them, as I can hear the member heckling me, to take the time to research and have a look at it themselves.

I do want to get on to the previous Tory government. I did say the NDP government was 25.61%, but I tell you, if we're going to hand out any prizes here today, there's one government that gets the great big birthday cake, and I'll tell you who that is: the previous Tory government. I must say, I did have a little chuckle when the member from Renfrew-Nipissing-Pembroke said, “If it walks like a duck and it quacks like a duck, then it must be a duck.” Well, I'm here to tell you today, then, we can hear the quack, quack, and they're heading south over there. What do you think the percentage was? I'm telling you, I was shocked when I saw what it was. I didn't have the privilege of being here, but time-allocated was—let's remind everyone, over on this side we have 25.61—but I tell you, quack, quack, 61% of its bills, under the last Conservative government. But there's more: Of the 66

bills that were time-allocated, 29 received not a minute of committee time.

I tell you, when I hear the member from Durham talking about the protesters and I hear them talking about the concerns, I've got to wonder, did they ever hear anything while they were in government? Do you know what? They didn't. And do you know why? Because they didn't have committee hearings on a lot of the bills that came forward—but 66 bills that were time-allocated received no committee and 30 received no third reading debate.

So I say to you, if it walks like a duck and it quacks like a duck, then it's probably heading south, and that's where you're going.

I do want to get it on the record—because I know that there will be members who are saying, "What she's saying over there? Where do the Liberals stand in all of this? Where does the government stand?"—that to time-allocate any piece of legislation, I believe, is a decision that has to be given due consideration, because it is a very important decision and should not be taken lightly. This government has not only committed to committee hearings, but we understand that talking to the people is such an important part of legislation, to make sure that we get it right.

I know that the members from across the way are saying, "What does that member from Huron-Bruce know? We're anxious to know. Don't hold back on what that information is." So here's the percentage of the previous and continuing government: 24.77%. So you can see from that, we do not use time allocation without giving it due consideration, and it's a very thoughtful process. We've also committed to the committee hearings, and we commit to move forward in a manner that is respectful of all communities.

So I just wanted to get the actual facts on the record. Certainly this is information that is available to all the members, as it is from the library.

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

**Mrs. Joyce Savoline:** I rise in the House today to oppose the imposition of time allocation on Bill 119.

At a time when our businesses, especially our small businesses, need to work side by side with our government to create a positive work environment to help the economy, the McGuinty government takes an entire sector of our economy and decimates it in one fell swoop. To add insult to injury, this bill is being rushed at a pace that would make your head spin.

The proposed WSIB changes may be directed specifically at the construction industry, but the ripple effect is significant.

Premier McGuinty plans to add an average of about \$11,000 a year to the WSIB fees for small to medium-sized construction businesses. That's an area of our economy that's suffering already. Minister, I defy you to find a small or medium-sized business that can afford that kind of increase at this point in time.

To the minister and to the Premier: If your government is so proud of this legislation, then why are you

cutting the debate time and limiting the opportunity to hear from stakeholders and all of the business community that's affected? What's the big rush? Nothing is going to happen until 2012 anyway.

This legislation is affecting real people who are trying to run a small business and raise a family and contribute to the Ontario economy and also our quality of life. But don't just take my word for it. One of my constituents writes:

"The WSIB is the most inefficient, unhelpful and least constructive of all the government bureaucracies. Hundreds of honestly injured people are eliminated from claiming benefits (the big excuse is pre-existing condition).

"I know two hard-working people over 45 years old, who did some additional damage to their back while working and they got absolutely nothing.

"Meanwhile, multitudes of frauds bilk the system. Any increase in the WSIB responsibility will simply increase the underground economy and inefficiency of this ridiculous circus.

"I am a small business owner living in Burlington and I would like to protest this legislation."

But this person probably won't even be given the time to protest the legislation, because we've limited the time for these businesses to be able to speak against the legislation. In fact, everybody has to come to the centre of the earth, to Toronto, on either the 17th or 18th of November, and if they can't do so, they're fairly limited. We've had more ability to speak to issues that are far less important than this.

We hear all the time that instead of fixing what's broken, the McGuinty government just throws more money at it and hopes that it goes away. If the problem with the WSIB is systemic, then let's fix it at the root of the problem.

Minister, I want you to listen carefully to the following statements made by one of the business owners you're about to penalize without the ability to properly express their objections:

"Let's consider the consequences of enacting such legislation. This isn't simply a matter of contradictory policy that will result in no real benefit; it will increase costs to businesses in the construction sector.

"In the case of small businesses, this additional cost could easily mean the difference between staying competitive and going out of business.

"This will make it virtually impossible for new companies to come into the market, which would create jobs and subsequent taxable income.

#### 1640

"When faced with the prospect of going out of business, no one is going to just lay down and die; they will do whatever they have to.

"This includes letting go of employees and hiring fewer workers. As for the employees who no longer have employment, this will increase the burden on the welfare system," and certainly increase our unemployment rate.

So I think my constituent makes some very good points that speak to that bigger picture and the ripple effect that I mentioned earlier.

The entrepreneur makes sense. The business owners who are actually carrying the economy on their backs are making sense. So why won't the McGuinty government listen? Why is this government in such a rush to move this forward? We need to understand the full impact of this legislation. We need to hear from those who will be directly affected in an appropriate way, not just from large organizations and lobby groups.

I received the following e-mail from another business-person in my riding:

"The WSIB mandatory coverage of directors and management legislation that has been tabled will not help curb the underground industry. Just think about it: If a contractor is working for a legitimate business, that legitimate business won't do an under the table deal. No receipt, no tax deduction.

"If a contractor is doing something for a homeowner who doesn't care about a receipt, this will only make a legitimate contractor even more expensive, hence, making the underground economy even more attractive.

"What honest business owner would go off on comp? It's the kiss of death for a business both in terms of future premiums and drive for the business.

"If the real initiative is to generate more premiums for the WSIB, then stand up and call it for what it is." He says, "My business is off 70% due to the battering and fear of this economy and the wild fluctuations of the Canadian dollar.

"I have no doubt that I will recover but I don't believe that adding a 'tax' to small business will in any way curb the under the table dealings and will only stifle what is going to be an already difficult recovery.

"Take a lesson from the US history. The 'Great Depression' was deeper and longer due to inappropriate government interventions such as increased taxes and excessive regulations to 'level the playing field.'

"Governments can't resolve macroeconomic issues by imposing microeconomic policies.

"Let the entrepreneur do what they do best: make jobs, make money and make the economy grow," and thereby create a quality of life that we all enjoy here in Ontario.

I can't agree more. It is our job to protect and enhance the economic climate, not to penalize those struggling to employ the very Ontarians we talk about.

The benefit of the doubt is that this legislation may be well intentioned, but it certainly is not well thought out. By shutting down debate, limiting the time that hearings can take place, and only holding committee meetings in Toronto, you are only shutting out the very people you are professing to try to help. This is democracy at its worst. I only hope these companies can hang on until 2011, when the PC Party can throw them the lifeline they desperately need.

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

**Mme France Gélinas:** Du côté des néo-démocrates, nous sommes en faveur du droit au débat et à la liberté d'expression. Nous avons nullement l'intention de faire dérailler l'adoption du projet de loi 119, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail, mais nous n'acceptons pas que les débats soient limités de façon arbitraire.

Ça fait plus de 15 ans que les ouvriers et ouvrières de la construction poussent afin d'obtenir ce changement, un changement qui va donner le droit à plus de 90 000 travailleurs et travailleuses de la construction d'être couverts par l'assurance contre les accidents du travail, ou la compensation, comme on l'appelle dans le milieu.

Depuis 1997, lorsque la Loi sur la sécurité professionnelle et l'assurance contre les accidents du travail a été proclamée et modifiée pour la dernière fois, les choses ont bien changé. Dans le domaine de la construction, il y a de plus en plus de sous-traitants. Il y a de plus en plus de travailleurs et travailleuses indépendants. La loi, en ce moment, comme elle est écrite, exclut ces travailleurs, ces hommes et ces femmes. Le nouveau projet de loi leur donne le droit à cette assurance et le droit d'être couverts par la compensation.

Ces hommes et ces femmes vont peut-être recevoir, en ce moment, les avantages s'ils ont un accident mais leur employeur n'a pas contribué, ce qui contribue à faire un grand déficit dans ce programme. À plusieurs autres occasions, les entrepreneurs généraux vont insister pour que les gens qu'ils embauchent se déclarent travailleurs indépendants. La raison, c'est pour avoir un avantage compétitif. Ils veulent que les gens se déclarent indépendants pour ne pas avoir à payer leur cotisation. Ils sont capables ainsi de diminuer leurs coûts, mais vraiment, il y a un coût : ils mettent la santé et la sécurité de leurs travailleurs et travailleuses à risque.

Ceux qui sont les plus à risque sont les jeunes, qui n'ont pas beaucoup d'expérience et qui n'ont pas beaucoup d'options. Ils commencent, ils ont des dettes, un paiement d'auto, une hypothèque à payer. Ils ont peut-être des petits enfants à la maison à nourrir. La santé et la sécurité de ces gens sont mises à risque à tous les jours à cause de la situation actuelle. Le projet de loi 119 nous permettrait de changer ça.

Je ne veux pas que vous preniez pour acquis que tout va bien avec la compensation. J'ai passé 25 ans dans le milieu de la santé, et non, tout ne va pas bien. C'est un programme qui est difficile et ardu. Dans mon bureau de comté j'ai une travailleuse à temps plein qui est là pour aider les gens au travers du processus d'appel, de demande, de prestation etc. Ce n'est pas facile. Dans ma famille, mon mari est en train de passer au travers de ce processus lui-même. Mais autant que l'on dit que le programme de la compensation pourrait être amélioré—et oui, il y a place à l'amélioration—autant que l'on dit que l'assurance privée, qu'elle soit d'or, de platine ou de n'importe quel métal—ça, c'est encore plus dangereux, et quand vous en avez besoin, c'est encore plus difficile d'en retirer les bénéfices.

Comme je disais, plusieurs employeurs vont demander que leurs employés se fassent identifier comme travail-

leurs indépendants. It is the position of the NDP that the act should not be a source of economic advantage between otherwise similar firms of the same industry. This is why we support the general thrust of this bill. You cannot put the health and safety of a worker at risk so that you have a competitive advantage when you're bidding on a construction job. This is wrong. This is a loophole that should be closed. This is why the NDP supports the general thrust of this bill.

Independent contractors are not automatically entitled to benefits unless they have specifically purchased optional insurance coverage. Over the years, the board has seen that this hasn't served the public well.

The WSIB relies on an executive order titled "Partnerships and Individuals Doing Work in the Building Trades," dating back to 1935. My colleague has talked about how this has been used in the past. The so-called partnerships, which were not compulsorily covered, did what other construction workers were doing while they were completely covered. This situation was contrary to the act.

#### **1650**

WSIB certainly is not without its faults. There are lots of people out there who have legitimate claims but have a hard time collecting benefits. When I was at the community health centre, we had dozens of cases that we had to help through, but it is still a worthwhile program that will improve the health and safety of construction workers and for this we support the thrust of this bill.

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

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate today. I think, as we consider if this bill is worthy of support, we might want to take a look at our society here in Ontario. There are very few places in the world, if any, where I would prefer to live, raise a family or do business other than in this province, right here where I live.

One of the hallmarks of that society is that we have a very pro-business environment here in Ontario. We like business to prosper. We assist business to prosper where it's applicable and where it's appropriate for the government to do that.

We're in favour of such things as a clean environment. We're also in favour of public education—I think all parties would agree on that—and public health care: We have a very distinct difference between ourselves and the rest of the world when we look at the way we provide health care.

So I think it doesn't go too far out of the realm of being reasonable to suggest that there's an expectation in this province that when a man or a woman goes to work in the morning, they return to their home safely at night. I think that's really the basis of what this issue is all about at the end of the day.

What we're asking here is that those businesses currently operating outside of the realm of a responsible public and health safety regime to move into that regime and pay their fair share of the cost. There's a choice to be

made as to whether you want to support this bill here today or not. Certainly that's a choice of every member of this House to make for themselves. But what I won't choose to do—and I've listened carefully to the opposition today—is to become an apologist for those who choose to operate outside the system to try to gain a competitive advantage over those businesses that have set up shop right here in Ontario, that employ Ontario workers, that pay Ontario taxes, that pay unemployment insurance, that pay all the benefits that we attribute to a healthy lifestyle within this province.

I will not vote against those people. They are the people I'm in favour of. Who I want to see brought into the fold are those people who up until now have been able to operate outside that sphere. Any time that I've sat down with business and any time I've sat down with labour, the constant message has been, "Leave the good guys alone. Go after the bad guys." There's somebody out there in the province of Ontario right now who is not paying their fair share, somebody who is putting the livelihoods and the health and safety of their employees at risk and is not paying into the system.

You talk about this being anti-business. On the contrary, I would say this is very pro business. This ensures that those companies that have chosen to pay their fair share when it comes to worker safety insurance benefit premiums are not put at a competitive disadvantage by those who choose not to pay their share. This is as pro-business a piece of legislation as I've seen in this House.

I owned a small business. I come from both sides of the fence, in that my father was a very staunch trade unionist. I knew what put bread and butter on the Flynn's table, and that was job security from a trade union position that my father held. My choice in life, however, was to run a small business. I know how hard it is to operate in an environment where there appear to be escalating costs and increasing taxes, but I know as a small business person that you have a responsibility to contribute to the betterment of your society. You have a responsibility to pay your fair share when it comes to the provision of public services in the society within which you operate. This certainly is an example of where that can be made to be the case in the province of Ontario.

What we're asking is that over the next four years, between now and 2012, a decision be made in the very near future that would allow by 2012 for that situation to evolve here in this province in a reasonable and economical way. I don't think that's a lot to ask. In fact, I think that's something that it's imperative that we ask, that we debate, that we move to the public on and we make a decision on. As I said, I respect the opinions of the other members across the floor, but it certainly is a choice. Are you going to make your decision in support of those Ontario companies?

Let me give you some spokespeople from business. Let's look at Doug Chalmers, director of Aluma Systems in Sarnia, Ontario, and past chair of the Sarnia Construction Association: "Congratulations. Absolutely bril-

liant. This will make Ontario a safer workplace and improve the quality of life for all of us.” Ian Cunningham, who lives in Oakville and is president of the Council of Ontario Construction Associations: “This is a timely issue as the construction industry is actively seeking to proactively improve workplace safety across the industry and address the often thorny issue of coverage for independent operators.”

The party across the floor purports to be in favour of business. They’re in favour of some, but they’re not necessarily the sort of businesses that we look to in this province as being examples of businesses that pay their share. It’s time that they pony up to the plate. It’s time that they come clean with the people in the province of Ontario and tell those honest businesses that are paying their fair share whether they support them or not. From what I’m hearing today, they do not support honest businesses in the province of Ontario, and that is a shame. That is something I think that party should be ashamed of.

Derek Smith, London and District Construction Association, said, “This legislation will provide for accountability from operators that may not currently be participating in WSIB. What’s more, an initiative such as this will result in levelling the market opportunities for our members as a whole.” Either you agree that that levelling is fair, or you don’t. This party agrees that it is fair and is prepared to move on it. All members in this House should be prepared to support it.

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

**Ms. Laurie Scott:** I’m pleased to rise and make comments on Bill 119, the Workplace Safety and Insurance Amendment Act, which would extend mandatory workplace safety insurance coverage to independent operators, sole proprietors, partners in a partnership and executive officers of a corporation carrying on business in construction.

This is a time allocation motion. I want to start off by quoting a member from the Liberal benches because I think it clearly sets the tone of what it’s really about. The Minister of Public Safety, Rick Bartolucci, back in 2002 said: “I think it is fundamentally wrong and fundamentally undemocratic to have so limited a debate on significant pieces of legislation. I think it is an insult to the people of Ontario.”

Let’s throw in another one for good measure; I’ve got lots of them. Minister Caplan in 2002 said, “For viewers at home or in our galleries here, time allocation is just a fancy form of closing debate.”

Those two statements—and there are many, many more—lead each of us to believe that with respect to Bill 119, the Minister of Labour has neither the courage nor the ability to allow proper debate on the damage this will do to small businesses in Ontario.

Let’s talk about the real issues here. The real hard-working and committed business owners and their employees of Ontario keep our economy going even through the difficult times, difficult times that now include, for the first time ever, Ontario—

*Interjection.*

**Ms. Laurie Scott:** Exactly—being in the position of have-not status and Dalton McGuinty needing bailouts from places like Newfoundland and Labrador. They must be embarrassed over there.

This is a job-killing, small-business-killing policy. I have heard from dozens of businesses in my riding that say the bill will fill the WSIB bankrolls but do nothing to shut down the underground economy. As a matter of fact, and to the contrary, it’s suggested it will cause growth in the underground economy. They’re saying it, and I agree.

When questioned on the damage to small business, the Minister of Labour does his best to keep appearing sincere. He talks about the need to go after underground workers. Only a Liberal minister would put hard-working small business people in the same class as underground construction. That’s regrettable, and it’s simply unfair. The introduction of Bill 119 won’t help construction businesses across the province that are already struggling in these difficult economic times in Dalton McGuinty’s have-not Ontario.

**1700**

As is stated often but deserves repeating, the Canadian Federation of Independent Business, which was here today, projects that mandatory WSIB coverage will cost each business owner \$11,000 per year. Is this the Dalton McGuinty government’s approach to alleviating red tape and regulation, and creating an environment that will stimulate economic activity? Is this a measure that helps hard-working people in a sector as large as construction, superimposing even greater costs of doing business? It’s going to jeopardize the future of thousands of small business owners and workers, many of whom will have no other choice but to close down the shop.

Yet the Minister of Labour feels so compelled to avoid scrutiny and increase the demands on small business that he has decided to put a closure motion on debate in this Legislature. He has decided it is more important to his political future to stifle the voices of the very people this legislation negatively affects. It’s beyond cowardly; it’s plain abusive.

As Minister Caplan said when he was talking about closure on legislation—I quote another one from him: “That leads me to conclude that the government is afraid to debate this bill and the government is afraid to debate amendments.” It’s not easy to say, but in this case I have to agree with him: The Liberal government is afraid to debate Bill 119 and afraid to debate amendments to Bill 119.

I suggest that even though Minister Fonseca has nine or 10 staff in his office who are so-called advisers, the direction he is following comes from the unions, such as the international brotherhood, and the Working Families coalition. I suppose this is a minister who feels compelled, or is being told, to bow to their wishes in order to keep the Liberal coffers filled, bowing to big union pressure and cash-waving on the backs of small business, would-be apprentices and skilled trades workers. We’ve

had lots of them, over the months, protesting this government, and now this piece of legislation.

This legislation will not level the playing field, as was claimed. On the contrary, it will favour large construction firms and unionized workers at the expense of independent operators who are struggling to find work as it is. Now is certainly not the time to raise the cost of working in this field. Businesses in Ontario already have the highest taxes in North America and are buried in red tape, and now the minister is dealing them a final blow.

My colleagues and I have received numerous e-mails, calls and letters from constituents expressing their outrage at the government's proposal, and I know that Liberal members have also received similar contacts. Maybe they're not reading them in the Legislature, but they've got the e-mails. They're aware that instituting mandatory WSIB coverage will not deter others from cheating the system.

A small business that is going to drastically suffer as a result of Bill 119 writes to me, saying: "This legislation does not recognize the contribution of legitimate small business to our economy; in fact, it only punishes us. We compete with a shop which provides the same service we do, under the table. What is our motivation to continue to operate legally?"

I hope the Liberal government is going to listen to the fears of these people and finally join the PCs in fighting for those who are struggling. Bill 119 clearly offers no incentive for independent operators. It will only harm their operations and weaken the economy of the province.

In my riding, Deborah and Del Sharp, from Haliburton county, have owned and operated Sharp Electric in Algonquin Highlands for 31 years. They look after the safety and security of their staff. They have insurance that provides coverage beyond the hours at work; it's 24 hours for their workers. They already have insurance for their workers that includes a drug plan and long-term disability. How dare the minister, for one instant, refer to these people as a class of underground construction.

They have said: "We obviously need to get this legislation stopped. We pay so much already in WSIB coverage that only protects the workers during the time on the job.

"We have a health plan which we pay for our employees which helps with drug costs and hospital times as well as a bit of life insurance and LTD.

"When we use this coverage there are no repercussions, as in higher fees, and this coverage follows our employees wherever they are, 24/7.

"WSIB penalizes us every time we submit a claim. It takes seven years of penalty fees to get rid of them. We pay a few times over for each and every claim we make. As owners of the company, we will never claim WSIB."

I know that the Minister of Labour wishes to reform the construction industry's insurance system. He should take the advice of Sharp Electric, which insists that the legislation "not be rushed, that committee hearings be

held around the province, and that other options to mandatory coverage be fairly considered."

I want to read one e-mail that the Minister of Small Business and the Minister of Labour have gotten—it appears that they only go to the sheets they want to read on the e-mails. It says: "This is to express my outrage that despite voting Liberal in the last election, I find the government I supported is rushing forward with a plan that will not only cost me money, but will give me no benefits and open the system to even more widespread abuse than it already has.

"This increase in the breadth of WSIB requirements is very poorly thought out, obviously by someone who has no experience in dealing with WSIB at the ground level.

"My faith in your position in the portfolio is trashed."

You have got that e-mail. Maybe you'd like to read that in the Legislature sometime.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The member for Hamilton East.

**Ms. Andrea Horwath:** Centre, Mr. Speaker, the centre of Hamilton, the centre of our universe in the Hamilton community. Speaker, thank you so much for giving me the opportunity to say a few words, I guess technically on the time allocation motion that the government brought forward. I really am a little bit disappointed, because I was scheduled to speak on this bill I believe yesterday morning, when in fact for the first time the government used their opportunity to shut down debate after six and a half hours. I had a whole 20-minute speech, and now I have to squeeze it into five minutes. But I'm going to try because there's a lot of work that has been done here to start moving the yardsticks in terms of workers' compensation in the province of Ontario, so in fact I laud the government moving the yardsticks in terms of the workers being covered.

People in this chamber who have been here for some time may know that there was a study done—it was commissioned by the Conservative government. A report was issued called the Brock Smith report, and that report very clearly indicates in its recommendations—again, this report was not commissioned by the current government; it was commissioned by the previous government. It wasn't commissioned by the Ontario Building and Construction Trades Council; it was commissioned by the government. It was a report that was issued by a fellow named Brock Smith, who was in fact a Conservative. In his recommendations, he was very clear that the government of Ontario should move to cover all workers in the province of Ontario in the workers' compensation system, the Workplace Safety and Insurance Act.

The people who are watching today might be interested to know that about 30% of workers in Ontario are currently not covered by the Workplace Safety and Insurance Act. This bill that the Liberals are bringing forward, I believe it's Bill 119, is one that will begin to move those yardsticks. It will bring some more workers under the protection of the workers' compensation system in case they're injured at work.

I wanted to make sure that I brought to the table kudos not only to the Ontario Building and Construction Trades Council through the leadership of Pat Dillon but also, of course, to my own local building trades. From the staff perspective, Mr. Joe Beattie works very hard with the building trades in Hamilton, and I've met with them many, many times. They are very pleased, but there are concerns that they have, and they're concerns that are shared by New Democrats.

There are concerns around the implementation time frame for this legislation. If we believe, if we agree here in Ontario that workers who are injured on the job should be covered in the construction trades by workers' compensation, then they should be covered immediately. They should be covered right away. There should be no waiting period until 2012. You figure it takes a while for a bill to go through the process, to get royal assent, to set up the structures to bring these workers into the fold, but holy smokes, 2012. Where is the real commitment to these workers if we're going to delay their right to be able to claim compensation for injuries on the job, if we're not going to allow them to be covered until 2012? That's one of our concerns.

Another concern, of course, is the exemptions in this legislation, particularly around construction in the home-building sector. The home-renovation sector is something that's exempted. We're looking forward to this bill getting into committee so that we can talk to the government about possibly making some amendments, particularly around exemptions, but also around the time frame for implementation, which is extremely slow and, from my perspective, an injustice to workers.

#### 1710

Speaking about justice for workers, there is a group of workers who have been fighting workers' compensation issues in this province for a very long time. It's called the Ontario Network of Injured Workers Groups, and there are individual injured workers' groups in many communities. The Ontario network is led by a fellow named Peter Page, who in fact is the president of the injured workers' group in my own city of Hamilton. As well, in that organization, from the provincial perspective, is someone named Steve Mantis, who comes out of Thunder Bay. Steve has been very active in his own community as well on injured workers' issues. And Karl Crevar, of course, is another fellow from Hamilton who has done great work on injured workers' issues.

Let's not pretend that the workers' compensation system is the be-all and end-all; it has some serious problems. But in this particular situation, we're not talking about the problems with the system, we're talking about bringing more workers under the coverage of the no-fault—more or less—insurance system that workers' compensation is.

The 30% of workers that are still not covered, we need to address them. Those are workers who are often in the financial districts and the banks. I met a woman who is a teacher at a private school—you might not know this—and they're not covered by workers' compensation. Her

name is Mary, and she's fighting to get more workers covered by WSIB.

So I would ask the minister if he could please look at expanding this to all workers. But certainly New Democrats support this move, as it does move to bring more workers into the coverage of the WSIB.

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

**Mr. Jeff Leal:** I do want to get a few words on the record this afternoon speaking on the time allocation motion, Bill 119. It's interesting, I listened very carefully to the words from across the aisle, and I just wanted to make a couple of comments about time allocation.

We know for a fact, as a former municipal councillor, we had Al Leach, who was the Minister of Municipal Affairs. Some referred to him as a bit of a bus jockey. But when he was the minister, he brought in that famous omnibus bill that changed legislation for a whole variety of ministries in this place, started the downloading to municipalities in the province—and there were no public hearings on that one. Some have said that that was the start of the who-got-done-in committee and, frankly, last Friday, of course, we made the announcement for the upload. So I want to get that one on the record.

Also, I remember the social contract legislation from the Rae days. There was a piece of legislation that had no public hearings. I remember as a councillor in Peterborough talking to the leadership of CUPE Local 524, who were the outside workers of the city of Peterborough, and Local 526, who were the inside workers of Peterborough. They were just devastated when the social contract was brought in and they didn't even have a chance to provide any input. As a matter of fact, every public union contract in Ontario—just like that, thrown right out the door.

*Interjection.*

**Mr. Jeff Leal:** And no public hearings.

I also want to correct the historical record. The member from Haliburton-Kawartha Lakes-Brock was talking about equalization. I want to refer to an editorial that appeared in today's Peterborough Examiner that talked about equalization. It said, "Ontario will get \$347 million in equalization pay, but next year, because its economy has faltered at the same time record oil"—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Peterborough, you are well aware that the standing orders require that you speak to the motion that's on the floor. Please do.

**Mr. Jeff Leal:** Thanks so much, Mr. Speaker. I was somewhat provoked by the official opposition, but I will get back to the bill.

One of the key issues of this bill is something that I faced as a city councillor. I remember when we had roofing tenders in the city of Peterborough. We would have tenders submitted by a wide variety of contractors. Inevitably, what would happen is that there would be a contractor that didn't pay WSIB premiums who would lowball their tender to get the contract. After the contract was awarded, I would have people come and see me as a

city councillor, pointing out to me, in very clear terms, that the reason they lost the contract was because they were low-balled by people not paying WSIB. So one positive aspect of this bill will be to correct that situation.

In fact, I know a company—my good friend, Currie Plumpton, the roofer, does outstanding work. In fact, about four years ago, between Christmas and New Year's, Currie was up on the roof because we had a leak. We had to replace our whole roof. Currie had the crew up there and did a tremendous job in putting a new roof on our home. In fact, Currie has Plumpton Roofing Second Generation in Peterborough. He has a great reputation for providing high-quality work, lots of jobs for his roofers. In fact—

*Interjections.*

**Mr. Jeff Leal:** That's right, the sky's the limit. In fact, he has a wonderful reputation, providing a lot of quality roofs in the city of Peterborough, not only for residents but for businesses getting rid of those flat roofs that inevitably leak. He has been very successful. We want to give those kind of reputable contractors a real opportunity to secure a lot of government work replacing those roofs for the citizens of Peterborough.

I hope there will be an opportunity, as this bill moves forward, perhaps for some committee hearings, an opportunity to look at some areas that perhaps need to be adjusted somewhat. I know the Minister of Labour extremely well—a very sensitive, hard-working minister. He will have his ear to the ground over the next little while listening to what people have to say about this bill. Indeed, an opportunity to perhaps bring in some amendments will be very helpful.

*Interjections.*

**Mr. Jeff Leal:** I hear the chattering from across the aisle. I don't want to have to do that social contract rip-up again that they were so famous for. In fact, Mr. Speaker, as you know very well, in 1995, between January and June, the NDP government didn't even meet in the House. Talk about hijacking Parliament. They didn't even bother to come in and meet. In fact, we know that the member for Kenora–Rainy River was rubber-stamping everything that the Rae government was doing. So we know their record when it comes to accountability in this Parliament.

We do look forward to having some hearings on this bill and an opportunity—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Gentlemen and ladies, I can't even hear the speaker. So please pay attention to the person who has the floor.

**Mr. Jeff Leal:** I just have a few seconds to wind up. Obviously, we've got under the skin of the third party over there by providing the historical record of the Rae government; some of those associates are still sitting over there. We look forward to this bill moving forward in committee—an opportunity to hear from contractors across Ontario.

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

**Mr. John O'Toole:** It's a pleasure to participate in the time allocation motion. It's quite striking that this motion—if you look at it, it's kind of pre-empting democracy.

What is the game plan here? That's the real story. From our research, we have found that aside from the minister and his parliamentary assistant, Mr. Dhillon, only Khalil Ramal has debated this bill.

**Mr. Tim Hudak:** What? Only one Liberal?

**Mr. John O'Toole:** Only one Liberal took the time to debate. Obviously, they have been silenced. Furthermore, the sophisticated comment by the PA amounted to 460 words, all carefully scripted for him by the minister.

Let's look at the history here. The Canadian Federation of Independent Business did a survey prior to the 2007 election to get an honest response from the leaders about what they would do in certain circumstances. There were four or five categories where they questioned small business, and then they did a survey review with the leaders of the Liberal Party, the NDP and the Conservative Party. One of the categories of that survey dealt with this very issue, "What do you expect to find?" and the response by the Liberal leader, Mr. McGuinty.

**Mr. Tim Hudak:** He must have said he was going to do it.

**Mr. John O'Toole:** Wait a minute here. With your indulgence, a bit of history is always good. We learn from history.

**1720**

Question number 13, the question to Premier McGuinty: "Will you refrain from expanding mandatory WSIB coverage in sectors that are currently covered to include executive officers and directors?" What does this bill do? Exactly that. But what did they say? "We will work with the stakeholders in the small business community." And then they'll whack them.

**Mr. Tim Hudak:** Did they say that?

**Mr. John O'Toole:** No, this is what they're doing. Actions speak louder than words.

Question number 14: "Will you, Mr. McGuinty"—it would have been Mr. McGuinty at the time, because it was an election, so he wasn't really the Premier—"refrain from expanding mandatory WSIB coverage in sectors that are currently covered to include independent operators?" What does this bill do? Exactly that, and it's specific.

The general theme here for some time, we will all admit, was to work honestly as partners with CFIB, and most ministers of all stripes have done just that.

Just recently, in response to Bill 160, I received many letters from my constituents, small business people, but more importantly a letter from Judith Andrew, who's the vice-president of the CFIB—and I commend Ms. Andrew as well as Satinder Chera for the work they do representing small business—to the minister, after they had met face to face. This is a really exposing letter. I will send it to anyone who requests it.

"Dear Mr. Fonseca,

"In our long experience, we have dealt with legislators who put forward seriously misguided policies. The WSIB mandatory coverage legislation you tabled today falls squarely in that category. It will not level the playing field; on the contrary, it will tilt it in favour of large organizations. "It will fail to get at the underground economy; present lawbreakers will no doubt evade the new law, and dive deeper underground.... "

"What is unprecedented about your actions today is the level of betrayal of small and medium-size business. Your government's commitment to review a 'named-insured'"—in the survey I mentioned earlier—"approach to catching cheaters was not fulfilled"—broken promise—"even though it was engineered to falter, it wasn't concluded. Your failure to consult with CFIB, to even await your first meeting with us, before announcing your intentions can only be described as incredibly poor form. Your pleasant phone message indicating that as a brand new minister you wanted to work with CFIB, belied your involvement in making a secret deal on mandatory coverage with construction unionists"—Pat Dillon—"as if removing democratic votes for union certification wasn't enough). Springing this terrible announcement on hard-working small business people"—especially and most insulting—"during Small Business Month, at a time when the economic outlook is shaky, is incredibly insensitive. Your seemingly cocky, uncaring attitude to the 25,000 action alerts we delivered from our members was distressing. And, we see it as, frankly, dishonest, that you equivocated, as recently as last Thursday, concerning your schedule for introduction and passage of the legislation."

This is a testimony of working with small business. It's nothing but a sham, and it's a shame. This is going to cost small business across Ontario, in your riding, Mr. Ramal, as well as the ridings of all the members, \$11,000 for each small business—and the participation level has not been there.

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

**Mr. Vic Dhillon:** I just want to start by stating what the spirit of this bill is about. This bill is about taking steps to promote health and safety in the Ontario construction industry by proposing to extend Workplace Safety and Insurance Act coverage to categories of individuals working in construction currently not covered. This bill is about the health and safety of Ontario workers, which is our number one priority. It's about extending WSIA coverage to more individuals in the construction industry, which will help fight the underground economy. The underground economic practices threaten health and safety, undermine labour standards and erode construction quality. It also puts employers who play by the rules at a competitive disadvantage. It is the right time to act to help protect legitimate construction employers from unfair competition from the underground economy.

I just want to read some testimonials that we've received from many leaders across Ontario. There's one

here from Derek Smith of the London and District Construction Association. He says, "This legislation will provide for accountability from operators that may not currently be participating in WSIB. What's more, an initiative such as this will result in levelling the market opportunities for our members as a whole."

Another one from Andrew Sefton, executive director of the Ontario Painting Contractors Association: "Not only has the recent announcement shown that the Ministry of Labour supports the most economical insurance option available for the construction industry, the Ministry of Labour has embraced the notion that the construction industry should aspire to be the highest common denominator from which all society shall benefit."

I also want to mention that there were concerns raised about workers having private insurance. Well, WSIB is more than that, because it provides individuals working in construction with access to health and safety education and training resources and helps them with other health and safety issues. I want to mention that private insurance does not offer the comprehensive package of benefits and safeguards that the WSIB coverage does.

The WSIB coverage includes a sophisticated prevention component, return-to-work training and other services which are provided by the Workplace Safety and Insurance Board. Private insurance companies do not provide that.

The WSIB coverage will mean compensation for loss of earnings at 85% of pre-injury net earnings, payment of all health care costs, including services not covered by OHIP, non-economic loss awards for permanent injuries, compensation for loss of retirement income at age 65 and many, many other benefits that private insurance does not provide.

Also, I mentioned that this will help to combat the underground economy in our construction industry. The underground economy is a serious problem in Ontario's construction industry. The underground economy in construction can be stemmed in part by creating arrangements that result in underground operators registering within a system. This proposal requires those who engage individuals to perform construction work to ensure that these individuals are registered with the WSIB before work begins.

Establishing a mandatory coverage system would help level the playing field for law-abiding construction companies that comply with the WSIB and other legislative requirements.

The WSIB insurance is paid through premiums levied by the WSIB in accordance with the Workplace Health and Safety Act. There are many benefits that would be provided through this proposal. More individuals working in construction will have access to health and safety education and the training resources of organizations funded by the WSIB, and compliance with health and safety standards on those work sites can be improved.

The proposal would help level the playing field in construction so that companies registered with the WSIB

and complying with other legislation will be able to compete more effectively. The proposal would help reduce revenue leakage for the WSIB where WSIB benefits and services are provided to individuals for whom no premiums have been paid by the principal or the employer.

It's about safety. It's about better, more ethical work practices by the sole operators who haven't paid their fair share into the system. I think it's the right time to have them pay their fair share so that the whole economy benefits, so that construction workers who leave their families to go to work in the morning can come back home safely. So it's about safety, it's about fairness, it's about levelling the playing field.

I thank you very much for this opportunity.

**1730**

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

**Mr. Mike Colle:** I'm going to wrap this up.

Just about the time allocation motion, I sat on that side of the House, and I remember when previous governments undertook quite a systemic approach to the time allocation, so I find it a bit difficult to hear the members of the Conservative Party going on at length. I think there's room for criticism every time there's a time allocation motion; that's fair game. I don't deny anybody's right to question time allocation motions. I think they're legitimate comments, but I don't think they're that legitimate when they come from the Conservatives, because if you sat through those eight years, you know that what they did to this House was quite extraordinary.

Anyway, I just want to say that the essence of this bill that we're talking about time allocating is about the protection of workers. It's not often enough that we remember the men and women in this province who gave their best years working in construction and basically have suffered because of it. There are many people in my riding who walk with canes, who are wheelchair-bound, who are unable to pick up their grandkids, because they worked on construction and were injured on that job. It's quite a common sight to see.

When we're talking in esoteric terms about legislation, to me we're talking about real people who need protection from a system in Ontario, that gives everybody a level of protection they need. Because sooner or later there is going to be an accident, considering the volatility of that kind of work. So the laissez-faire attitude that the Conservatives have about this bill is not enough to protect those 90,000 families who are not protected right now; if the breadwinner gets hurt on the job, there is no assurance that they will be protected. Either their wages or their medical remedies will not be adequate to get them back to work. That impacts on those families; it impacts on, obviously, the career future of those workers. So, by having proper coverage under the WSIB, we are taking care of people who are in vulnerable situations.

This bill just deals with the construction sector. It even exempts the mom-and-poppers who do work in resi-

dential repairs. It's just dealing with the construction industry. It's not involved with home renovations, etc.

So, it is a step in the right direction.

Many members here know that this has been talked about—I can remember this being talked about when Tony Grande, in my own riding, was working on this file back in the 1970s. The late Tony Grande, who was a member of the New Democratic Party—and I had a lot of respect for him—dealt with this for many, many years, and I know that member Tony Lupusella worked on this file going back to the 1970s. So it's not as if this is anything new.

All it does is it asks the Legislature to offer some protection to this greater-risk pool, and that's what we're doing. It's not anything more than security for the workers who are in vulnerable situations working on construction.

Construction is a significant part of the Ontario economy. We talk about the auto manufacturing industry, we talk about tourism, but one of the areas that really provides a lot of food on the table in Ontario is construction. So, by protecting the workers, we're protecting an industry, and that's why this bill is needed.

I know sometimes members of the opposition sort of relish the fact—almost with glee they're saying, "Ontario is last," as if they're happy about it. They're bashing the Ontario economy; they're bashing Ontario. What they're doing is, they're basically also bashing the men and women who need these jobs. If you talk down Ontario, if you talk down Ontario workers, you're not going to help them get a job. If a guy has to sell a car and you're talking down the Ontario economy, you're not going to help that salesman sell something. If we can't talk up Ontario, the people in Newfoundland aren't going to talk up Ontario. So this constant revelling and saying, "Well, Ontario is last; Ontario is now a have-not province," that helps nothing.

Sure, there are incredible challenges and criticisms that are relevant that should be made, but day after day, when people are attacking Ontario—when we're attacking Ontario, we're attacking the hard-working people in Huron-Bruce, in Goderich, in Welland, in Guelph, in Oakville, in Scarborough. So when you're dumbing down Ontario and bashing Ontario and saying, "You're last," it's like saying that the workers in Cambridge or the workers in Leamington are not up to it. That's absolutely false.

We have incredible challenges, but name me a country in the world that doesn't have the challenges that we have. We're all going through this. This bill relates to the fact that we value our workers; we're trying to protect them. It's not going to solve all the problems in construction. But to say here that this is the end of small business and to say that this is another nail in the coffin, that's absolutely false. This is about saying, "We value Ontario workers, we want to make sure they're safe, and if they get hurt, we'll protect them."

**The Deputy Speaker (Mr. Bruce Crozier):** The time for debate has expired. Ms. Smith has moved government notice of motion number 89. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1737 to 1747.*

**The Deputy Speaker (Mr. Bruce Crozier):** All those in favour, rise one at a time and be recognized by the Clerk.

**Ayes**

Albanese, Laura  
Balkissoon, Bas  
Brotin, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Caplan, David  
Colle, Mike  
Dhillon, Vic  
Dombrowsky, Leona  
Duguid, Brad  
Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John

Gravelle, Michael  
Hoy, Pat  
Jaczek, Helena  
Jeffrey, Linda  
Kular, Kuldeep  
Leal, Jeff  
Mangat, Amrit  
Mauro, Bill  
McNeely, Phil  
Milloy, John  
Mitchell, Carol  
Naqvi, Yasir  
Orazietti, David

Pendergast, Leeanna  
Pupatello, Sandra  
Qaadri, Shafiq  
Rimal, Khalil  
Rinaldi, Lou  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Sousa, Charles  
Van Bommel, Maria  
Wilkinson, John  
Wynne, Kathleen O.

**Nays**

Arnott, Ted  
Bisson, Gilles  
Gélinas, France  
Hudak, Tim  
Jones, Sylvia  
Kormos, Peter

Martiniuk, Gerry  
Miller, Norm  
Miller, Paul  
Munro, Julia  
O’Toole, John  
Prue, Michael

Savoline, Joyce  
Scott, Laurie  
Tabuns, Peter  
Yakabuski, John

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 38; the nays are 16.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion carried.

*Motion agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Orders of the day.

**Hon. Monique M. Smith:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

*The House adjourned at 1750.*

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

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South-Weston / York-Sud-Weston	
<b>Arnott, Ted (PC)</b>	Wellington-Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Arthurs, Wayne (LIB)	Pickering-Scarborough East / Pickering-Scarborough-Est	
Bailey, Robert (PC)	Sarnia-Lambton	
Balkissoon, Bas (LIB)	Scarborough-Rouge River	
Barrett, Toby (PC)	Haldimand-Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough-Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins-James Bay / Timmins-Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke-Lakeshore	
Brown, Michael A. (LIB)	Algoma-Manitoulin	
Brownell, Jim (LIB)	Stormont-Dundas-South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (LIB)</b>	St. Paul's	Minister of Economic Development / Ministre du Développement économique
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Government House Leader / Leader parlementaire du gouvernement
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham-Unionville	Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Chudleigh, Ted (PC)	Halton	Minister of Culture / Ministre de la Culture
Colle, Mike (LIB)	Eglinton-Lawrence	Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées
Craitor, Kim (LIB)	Niagara Falls	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
Delaney, Bob (LIB)	Mississauga-Streetsville	Deputy Speaker / Vice-président
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax-Pickering	
DiNovo, Cheri (NDP)	Parkdale-High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward-Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor-Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
		Minister of Revenue / Ministre du Revenu

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	
Flynn, Kevin Daniel (LIB)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hampton, Howard (NDP)	Kenora–Rainy River	Leader, Recognized Party / Chef de parti reconnu
Hardeman, Ernie (PC)	Oxford	Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
<b>Horwath, Andrea (NDP)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre délégué à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Premier / Premier ministre
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough–Westdale	Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McNeely, Phil (LIB)	Ottawa–Orléans	Minister of Government Services / Ministre des Services gouvernementaux
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre délégué aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (IND)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener-Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
Prue, Michael (NDP)	Beaches–East York	Minister Without Portfolio / Ministre sans portefeuille
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Government House Leader / Leader parlementaire adjointe du gouvernement
Sorbara, Greg (LIB)	Vaughan	Deputy Premier / Vice-premier ministre
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Nepean	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Perth–Wellington	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Kitchener–Waterloo	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Yakabuski, John (PC)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Zimmer, David (LIB)	Renfrew–Nipissing–Pembroke	
	Willowdale	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

Chair / Président: Tim Hudak  
Vice-Chair / Vice-président: Garfield Dunlop  
Gilles Bisson, Kim Craitor  
Bob Delaney, Garfield Dunlop  
Tim Hudak, Amrit Mangat  
Phil McNeely, John O'Toole  
Lou Rinaldi  
Committee Clerk / Greffière: Sylwia Przedziecki

**Standing Committee on Finance and Economic Affairs / Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-président: Jean-Marc Lalonde  
Sophia Aggelonitis, Ted Arnott  
Wayne Arthurs, Toby Barrett  
Pat Hoy, Jean-Marc Lalonde  
Leeanna Pendergast, Michael Prue  
Charles Sousa  
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité permanent des affaires gouvernementales**

Chair / Présidente: Linda Jeffrey  
Vice-Chair / Vice-président: David Orazietti  
Robert Bailey, Jim Brownell  
Linda Jeffrey, Kuldip Kular  
Rosario Marchese, Bill Mauro  
Carol Mitchell, David Orazietti  
Joyce Savoline  
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux**

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Vice-Chair / Vice-présidente: Lisa MacLeod  
Michael A. Brown, Kevin Daniel Flynn  
France Gélinas, Randy Hillier  
Lisa MacLeod, Julia Munro  
David Ramsay, Liz Sandals  
Maria Van Bommel  
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de la justice**

Chair / Président: Lorenzo Berardinetti  
Vice-Chair / Vice-président: Jeff Leal  
Lorenzo Berardinetti, Christine Elliott  
Peter Kormos, Jeff Leal  
Reza Moridi, Yasir Naqvi  
Lou Rinaldi, John Yakabuski  
David Zimmer  
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon  
Vice-Chair / Vice-président: Kevin Daniel Flynn  
Laura Albanese, Bas Balkissoon  
Bob Delaney, Joe Dickson  
Kevin Daniel Flynn, Sylvia Jones  
Norm Miller, Mario Sergio  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent des comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-président: Jerry J. Ouellette  
Laura Albanese, Ernie Hardeman  
Andrea Horwath, Phil McNeely  
Jerry J. Ouellette, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue  
Vice-Chair / Vice-président: Paul Miller  
Bas Balkissoon, Mike Colle  
Kim Craitor, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Michael Prue, Tony Ruprecht  
Mario Sergio  
Committee Clerk / Greffière: Sylwia Przedziecki

**Standing Committee on Social Policy / Comité permanent de la politique sociale**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-président: Vic Dhillon  
Laurel C. Broten, Vic Dhillon  
Cheri DiNovo, Helena Jaczek  
Dave Levac, Shafiq Qadri  
Khalil Ramal, Laurie Scott  
Peter Shurman  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Elections / Comité spécial des élections**

Chair / Président: Greg Sorbara  
Howard Hampton, Greg Sorbara  
Norman W. Sterling, David Zimmer  
Committee Clerk / Greffier: Katch Koch





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