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**Thursday 23 April 2009**

**Jeudi 23 avril 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 23 avril 2009

*The House met at 0900.*

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

*Prayers.*

ORDERS OF THE DAY

EMPLOYMENT STANDARDS  
AMENDMENT ACT  
(TEMPORARY HELP AGENCIES), 2009

LOI DE 2009 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(AGENCES DE PLACEMENT  
TEMPORAIRE)

Mr. Fonseca moved third reading of the following bill:  
Bill 139, An Act to amend the Employment Standards Act, 2000 in relation to temporary help agencies and certain other matters / Projet de loi 139, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les agences de placement temporaire et certaines autres questions.

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

**Hon. Peter Fonseca:** Mr. Speaker, I will be sharing some of my time with my parliamentary assistant, the member from Brampton West.

I'm very proud to be able to participate here and to discuss some of the measures that we're bringing forward with Bill 139. This bill would amend the Employment Standards Act to enhance protections for employees working through temporary help agencies. Our intention is to strengthen the Employment Standards Act and to ensure that assignment employees working through temporary help agencies are treated fairly.

I want to commend the standing committee for the work that they did in completing public hearings and clause-by-clause review of the bill. The committee heard from 62 presenters, who provided insightful comments on our legislation. As well, last May we consulted with 19 stakeholder organizations representing employees and employers, and we received another 120 written submissions.

Our consultation dealt with issues that had been brought to our attention by individuals and groups, as well as through employment standards inspections and investigations. We covered five main topics: (1) the elect-to-work exemption in the Employment Standards Act; (2)

barriers to permanent employment faced by temporary help agency employees; (3) fees charged to workers by temporary help agencies; (4) the liability for Employment Standards Act violations; and (5) information given to temporary agency employees about their assignments.

I know that all of us here in this chamber have a long work history, and I look to retrace my work history, and I date it back about 25 years ago. As a teenager, I was looking for a job in the summer. As you know, teenagers want jobs so they can purchase some of the things that they would like to have in their lives. It could have been—I think at the end of the day it was a Sony Walkman; today it may be an iPod. Well, I saw an ad for jobs where you could make as much as \$20 an hour. I called up this organization, and they said, "Come on in." I went down for a meeting at their office, and when I came into the office they said, "Oh, sure, we're going to be putting you with a company where you're going to be able to make up to \$20 an hour." I thought, "Wow!" Back in the 1980s, this was big dollars, \$20 an hour. I thought, "Okay, this is great." So the next day I was off to this company. They gave me a little slip of paper: "Here's where you have to go." They didn't tell me much about what I'd be doing. They said, "You'll be making some calls."

I showed up at this company and I guess that was my first experience working through a temp help agency. I didn't even think of it as a temp help agency, but that's how it worked: I saw the ad, made the call and went to that organization, which would be considered a temp help agency. They sent me to what is called a client-employer, where I was going to do that work. I arrived at that job and went down a number of stairs into a basement where they had set up a call centre. It was a telemarketing job. I got in there and there was little orientation, little training, little supervision. They put me down at a desk and linked me up with a buddy. This young woman sat with me for about 30 minutes: "Here's how you've got to make the calls." I'm not going to tell you what I was selling out there, because I don't want to hurt the reputation of a large company that had employed this call centre to make calls for them to sell their product, but what I can tell you is that it was a horrific experience.

Nobody in that room made more than minimum wage—nobody. I am sure of this. When they talk about making \$20 or \$30 or \$50 an hour and you see some of these ads, they are—well, I'm not going to use the word, but I can tell you that those ads are somewhat misleading to potential employees.

So I got in there and started making these calls, and I'm being hollered at by this individual who was, I guess, if you want to call him that, a manager of this call centre: "You got to make more calls; you never can take no for an answer. You've got to sell, sell, sell." Anyway, I put up with this. And about that individual, I felt that there was a case to be made there around violence and harassment. I'm delighted also that in this chamber, just the other day, we proposed legislation to deal with violence and harassment in the workplace. That is very important, because I'm sure that this individual—today there would be a lot of calls coming in to my office at the Ministry of Labour about the types of practices that he was using to, as he would call it, motivate employees to do this work.

I lasted almost three days. Every day I said, "You know what? I can't do this. This is crazy, the type of environment that people are working under in this call centre." But as a young worker—I wouldn't call myself a vulnerable worker but a young worker—who was looking to make some money to be able to buy some of those things like the Sony Walkman or a pair of sneakers, or whatever it might be, I put up with it. By the third day, I said, "This is just unacceptable," and I walked away. I called up the office that had sent me to this client business and said, "Will I get paid?" They said, "That's your problem, and you shouldn't have walked away. You should have finished the job. And no, you're probably not going to get paid."

I didn't do anything about it. I didn't know what my employment standards rights were. I just chalked it up to an experience that I did not want to go through again. And I am delighted that I am in this position today and have the privilege to be able to stamp out these types of practices and help those vulnerable workers, those employees who are out there looking to find a job—sometimes their first job. Many of these employees are new Canadians just arrived here in Canada who don't know their rights, don't know that these types of practices are completely unacceptable and don't know where or who to call—where to get help. Bill 139, if passed, will change that for the better; it will bring accountability and transparency to the sector.

**0910**

I also want to say that I have met with many, many great temporary help agencies that are doing all the right things. They are addressing employees' rights. They are ensuring that the workplaces that they are sent to are healthy, safe, clean, are holding to high standards. For all of them, this legislation would help in terms of levelling the playing field and weeding out those unscrupulous organizations out there that are deceiving employees, that are not treating Ontarian workers the way that we would like them to be treated.

As I said, the five main points that this legislation, if passed, would address—let's go back into what happened with my work experience through a temporary help agency 25 years ago. It will be completely different if Bill 139 is passed, because here's what would have happened. Let's rewind again.

I would have called this organization and would have gone in. They would have told me about the type of employment that I would be going to and the type of job that I would be going to. With this legislation, they would be mandated now to provide me information. I would have to know everything about the organization that I called—the temp help agency. They would have to provide me with the information of the client employer, where I was going to be going to work. When I say "the information," that's the address, the corporate name, the phone number, the person who is in charge there, all the information that any employee should have.

They would also provide me with hours of work, description of work and, if possible, the length of my employment, the length of the contract—would I be working there for a week or would I be working there for three months? In some instances, it's not always possible, because it depends really on that business, and, depending on how busy they are, they may need you for a few days or they may need you for a few months. Sometimes they are unsure. But all that other information would have been provided.

Along with that information that would be provided to the worker that's working through a temporary help agency would be their rights in this province of Ontario, their employment standards rights. So I would have had that card. I would have gone to this employer. I would have seen right away that maybe the health and safety standards were not really up to scratch here. I would also have been able to address what was in my contract. If my contract said I'd be making so much per hour, I'd want to make sure that I was making that amount per hour.

There are things like the training that I would be receiving around health and safety, and information—when I left that job and walked away from three days of work, probably the hardest work I've ever had to do because of the circumstances—that company got my services for three days for free—for free.

Today, on that information card, I would have the number of the employment standards claims office. I would have picked up the phone and made a call, and I would have said, "I've done this job. Here's who sent me over there. I've not been paid for those three days of work." That claim would go in, and officers from employment standards would start to investigate and be able to try to recoup those funds.

I can tell you that millions and millions of hard-earned dollars by Ontario workers have been left behind this way, because employees don't know their rights and feel they don't have any other recourse. They don't want to stay in that employment, they walk and they leave that money to that employer, and that is absolutely wrong.

I want to thank my predecessor, Brad Duguid, from the riding of Scarborough Centre. When he was Minister of Labour, he helped modernize our employment standards in this province. One of the reasons that people were also walking away was that they had to fill out all these applications and forms to be able to make a claim, and sometimes people thought, "Well, for \$50 or \$100 or

even a few hundred dollars, I'm not going to do it," or "I don't know how to do it," or "English is not my first language; it's too difficult, too cumbersome." Through my predecessor's work, there has been a modernization of the employment standards claim office and the way we address those claims in the province of Ontario.

Today, you can go onto a website, 24/7, and make that claim very easily in the comfort of your home or at a library or wherever you have access to a computer. That will help, and we know it has helped, because the number of claims we got, once that online service was available, just jumped by thousands. It's actually something we are addressing, because we didn't know how popular or how much the service would be accessed. But I can tell you that it has been a tremendous success. Because of that, we have hired more employment standards officers to deal with those claims.

What we, in this chamber, can all be proud of is that those employees who would have walked away—because we know we weren't getting those many thousands of claims—are now able to recoup those hard-earned dollars. I think that's very important. It will make a big difference in their lives. So these are some of the changes.

Another one that, in my experience, was not really impacted—I wasn't looking for permanent employment; I was looking for a summer job—is around barriers to permanent employment. One thing, in the extensive consultations we had, speaking with employees and advocacy groups that are working on behalf of employees who work through temporary help agencies—is that they were feeling, and rightfully so, that they could never, ever secure permanent employment because they were being bound by contracts between the temporary help agency and the client's employer.

How these contracts work is that the temporary help agency makes a contract with ABC corporation, and within that contract they say, "Whatever employees we're sending you, if you one day decide to hire that employee, you're going to have to pay us so many hundreds or thousands of dollars to retain that employee as one of your permanent employees." Many organizations saw this as a barrier, and they weren't employing these terrific employees, even if they wanted to; they thought it was somewhat cost-prohibitive. And the employees also saw that as a barrier for them to make that jump to where there may be a perfect fit between that individual and that company.

Once an employee who is working through a temporary help agency starts with a company, from day one they may do a couple of days of work or they may do many, many months or years of work with that organization. They are now able, after six months, to become a permanent employee, and that corporation, that company—small, medium or large—has no contractual obligation to pay the temporary help agency any more dollars. That is one of the barriers that will be taken away if this legislation passes here in this chamber—getting rid of that barrier. We want to see people in meaningful employment. We want to see workers across Ontario in per-

manent employment. We know it's good for helping strengthen and build our communities. It's good for family. When it's a permanent job, it's the type of job that gives people that security to be able to invest in the community, buy a residence, a house, and have some roots. We saw that as very important.

**0920**

There was another issue that I found very, very alarming that came up, and I'm so delighted that this did not happen to me. Looking back 25 years ago, I could have been vulnerable to this. It is where a temporary help agency puts up an ad, calls you in—lures you in—saying, "You're going to be able to make \$20 an hour," or "You're going to make \$1,000 a week." Well, for somebody who's a vulnerable employee or someone who's a vulnerable citizen, someone who is looking for any kind of work, or a student or a young worker who is thinking, "Wow, that much money, and I really need the job"—but then they bring you in and say, "Yeah, we are going to get you that job, but what you're going to have to do is, there is an upfront fee" of \$500 or \$100, or whatever the fee is, for that temporary help agency to go find you a job, to get you that job. You have to pay to work. I think this is unacceptable. That practice would also be prohibited if Bill 139 were to pass in this chamber—another good thing that would help those workers that are working through temporary help agencies.

We've really brought a balanced approach to this, because we have worked closely with employees that have shared their stories and advocacy groups but we've also worked closely with ACSESS, which is an organization that represents many of the temporary help agencies. I think I've said in the chamber that I've spent more time with ACSESS than with pretty much all of the stakeholders that I have in labour. We spent many hours at the boardroom table at the Ministry of Labour discussing many of these issues so that we could bring forward that right, balanced approach, so we could get this right. As I said, there are many, many temporary help agencies that are doing the right thing. They are upholding high standards. They are providing information today to their employees. When they're working with a company, they go in and check that company out and make sure that their standards—where that employee is being sent—are also of a high level. With them we can level this playing field in Ontario. We can weed out the types of companies that are now using these poor practices that are preying on vulnerable workers. We heard much of this through our committee hearings.

There were a number of amendments made. One was purely technical in nature, and was to clarify our intent that temporary help agency employees are afforded the same rights as other, regular employees. We put forward an amendment that would allow a temp agency to provide information on assignment orally.

I talked about what information they would get and I held my hands out like it would be a card or a paper information. Well, it will be. But what happens is, if you're working through one of these agencies, I under-

stand the temporary help agency would make a call to your home and say, "You're going to a particular company." They may not be able to get you all that information on a card in a timely fashion because you may be off right the next morning. They can provide that information orally first over the phone or through an e-mail or whatever, and then they can get you the information in short order so that you do have that card and you have all of the information that you need about that employer, the description of your work, the hours of work, etc., as I'd mentioned.

Another amendment came up, and this one deals with termination and severance. When we first introduced Bill 139, it contained a section which stated that if a temp agency employee did not receive an assignment in a 35-week period, that the employee would be considered terminated. Well, during public hearings we heard that the 35-week period would have a negative effect on temporary help agency employees, and our intent has always been to treat temporary help agency employees exactly the same way that all other employees are treated in the province of Ontario. So as a result, we've amended Bill 139 to reflect the deemed termination periods in the Employment Standards Act. If Bill 139 should pass, temp agency employees who have not had an assignment in 13 weeks out of 20 would be considered to be terminated. They would then be entitled to either notice of termination or termination pay and severance pay, if it is applicable. This is the same rule as for all other employees. These are the main amendments that were put forward during committee, and those amendments really touch on the value and the principle of fairness.

When we look at legislation at the Ministry of Labour, we always look at it through a number of lenses. One is fairness, and the others are health and safety for our workers, so this is the right approach. It is a fair approach and it treats those workers who are working through temporary help agencies the same as all other workers in Ontario.

One thing I failed to mention also is, in a regulation that we changed back on January 2 of this year—and prior to changing this regulation, there was something called "elect to work." What happens with "elect to work"—and we heard from many, many employees who worked with the temp help agencies and we asked, "How long have you been working with them?" "Well, you know, I have been working with them for five years. I have been with them for one year. I've been with them in all my employment here in this country. For the last seven years I've been working through temporary help agencies." Well, for those seven years, or five or one or a number of months, that individual was not entitled to public holiday pay because of something called "elect to work."

We asked, "Do you really have the right to say, 'No, I don't want to take that assignment. I don't want to take that job' when your temporary help agency calls?" And I guess they do have the right to say no. But guess what? If you say no—I don't know if it's once or twice, but if you

say no, because maybe you're sick, or because they call you at the last minute and you can't find child care, or you can't work things out with the family and other commitments that you have, you try to keep saying no, and what they say is, "That's it. You're not getting any more calls," and that job is pretty much terminated. That's happening quite a bit out there. So you keep saying yes. Really, you're working consistently for these temporary help agencies. You're working for many—they've told us, "I've been working with them for one year, five years, seven years, and never received holiday pay—ever," whereas their co-workers and others in society are receiving holiday pay. Well, that changed on January 2, 2009. These workers now will receive their due holiday pay, and that is something we should also be proud of, if this legislation passes.

#### 0930

We don't want second-class citizens in Ontario. They work hard. They work consistently. They were being deemed "elect to work." We know, that in the vast majority of cases, that was not what was really happening because they felt compelled to go to work or not get any future work. That has been changed in terms of the elect-to-work provision.

Let's look at this piece of legislation not in isolation but as part of our poverty reduction strategy. I want to thank my colleagues, and in particular the Minister of Children and Youth Services for her support, her advocacy, her hard work and for the messages she has brought to me with her consultations on poverty reduction in the province of Ontario. She heard from many of those who are in poverty and working through temporary help agencies how Bill 139 would help them and their families a great deal in addressing their situation.

As part of the poverty reduction strategy, these changes through Bill 139 would provide enhanced opportunities for these workers. They would be able to give many of these workers hope. That is the type of Ontario I think all of us want to see, one where we work together, where there is a level playing field, where there is fairness. We're helping employees who have low incomes find security.

Can you imagine how stressful it must be for somebody who has worked for seven years jumping from job to job through a temporary help agency, never being able to find that permanent employment? When I say "difficult," not just difficult physically and financially, but difficult emotionally; the stress on an individual who doesn't know where they may be after three weeks of employment, who doesn't know if they will have a job after that. Even if they've had such a wonderful work experience with an employer, that employer, having a contract with an agency that maybe prohibits them, because of the financial constraints, hiring that person permanently—these changes will make a world of difference to an individual like that, a vulnerable worker. That individual will also make a difference to our communities and the type of communities that we're trying to build in this province.

I want to say that since 2003 at the Ministry of Labour, I, with my predecessors, under the leadership of the Premier, our government and our caucus all working hand in hand—we've done a lot to modernize labour standards in the province of Ontario. We have done that always looking out for the welfare of our workers because they build this province. They are the ones we work for. They are the ones who pay taxes. They are the ones we have the honour and privilege of being here for, to be able to provide those health care services, educational opportunities and quality of life in all parts of this magnificent province that we live in.

That modernization has been one where we have, today, the best labour relations that we've had in 30 years, where we have made numerous amendments to the Occupational Health and Safety Act to address health and safety in the workplace—there is legislation that is going through the House right now that, as I mentioned, was just introduced this week to address violence and harassment in the workplace, another initiative that will help in terms of creating the environment, the climate that we want to see in our workplaces.

The employment standards I mentioned in terms of the modernization of the employment standards: We always try first to work through awareness, education, information, working in partnership with employers, employees, trade unions and labour, all working together because we understand that we are all in this together in what we're trying to build here in Ontario, which is a place where people can have opportunity, be able to hope and dream and see a better life for themselves and their children, and strengthen their community. That's why, with that work, because we've worked in partnership—we've worked together; we've worked as a team—we have those types of labour relations here in this province that we haven't seen in 30 long years. Because of that hard work, we've been able to modernize labour standards when it comes to occupational health and safety, when it comes to employment standards to safeguard our employees, and ensure that they understand what their rights are as employees—and employers also, so that they know what their responsibilities are.

But we do that always through consultation, through listening to all stakeholders, making sure that we have the right approach and that we get it right, because what we are safeguarding is our most precious resource in this province, and that's our people. We want to ensure that when millions of Ontarians leave their homes every day, shut their doors and go to work, whatever work that may be—it may be in health care, manufacturing, education or construction—they come home safe and sound. That is something that sits with me every minute of every hour of every day. The privilege that we have to be able to protect millions of people is second to none, and they deserve that. They deserve that because they work very hard, they pay their taxes, and we want to have them continue to work and be productive. But the best way that we can be productive in this province is to stay healthy and to be safe.

I can tell you, the hardest thing about being in this job as Minister of Labour—the hardest thing that I've had to experience has been with my BlackBerry. Predecessors of mine would know this and others may know this, but as Minister of Labour, whenever there is a fatality in this province, when a worker is killed, automatically I get a BlackBerry message. Those are the most difficult messages to read. They are messages of tragedy, messages that you know will impact the family and friends of the individual and the community forever. They will be impacted forever. Last year, there were 100 of those messages that came in to Ministry of Labour BlackBerries. This past year, that number has dropped. It has come down to 78, which is good. That's a positive trend. But in my opinion—and, I'm sure, in the opinion of everybody in this House—not one message should come in. Not one is acceptable. What is the number? Is it 50, is it 30, is it 20, is it 100? It shouldn't be one; it should be zero. The number should be zero.

**0940**

That's why we take this very seriously. We want to make sure that our young workers, inexperienced workers and veterans are safe and healthy in their workplaces—and there are some very dangerous workplaces out there. We understand that. We have people who work in construction, mining, health care or education. It really doesn't matter where you work. Every place has risks, and what we say is that those risks have to be assessed and best practices put into place so that we don't continually hear about individuals who have been killed or injured in the workplace.

We have much more work to do, and we will continue to do that work. We'll roll up our sleeves. There are some out there that do not want to implement those best practices, and that's why we've increased the number of inspectors at the Ministry of Labour. Those inspectors go out, first, always to work with employers, with education, with best practices, working through our health and safety associations that have a sectoral approach and can help that employer in whatever sector it may be. That's what we're there to do—to help. But when that work is not done and we find that there is equipment that is unsafe, when we find that there are business practices that are putting workers at risk, that's when our inspectors have to do a job of issuing orders, making sure that change is going to take place in that workplace, so that individuals are safeguarded. That is the right thing to do if we want to build a province that is one of fairness, one that has the values of compassion, one that understands that our people are the number one reason we are here in this chamber and why we work as hard as we can to ensure their health and safety.

I want to commend the 430 inspectors who are out there working on behalf of the Ministry of Labour across this province for the work they do with employers and on behalf of all Ontario workers to make sure that there are safeguards in place so that the millions of hard-working Ontarians go home to their families safe and sound each and every day.

By having all the members in this chamber support Bill 139, we will be helping the many thousands—actually, millions—of workers who do temporary employment; I understand it's 11% of our workforce. We will be helping those millions of employees in order to give them hope, to safeguard them, to ensure that they are not treated as second-class workers, to make sure that barriers that are before them today are taken away, to let them know that they are part of a province that believes in fairness and that they are being treated with dignity and respect.

On that note, I want to thank all the members in this chamber, those who were at committee and all those who may be watching today—the advocacy groups, the employers we met with and the associations—for their hard work on this piece of legislation. If it passes, we can all be very proud that we're building the type of province that we want. Thank you.

**The Acting Speaker (Mr. Jim Wilson):** Before I go on to the next speaker, I will stop the clock and take a moment to welcome to Queen's Park Mr. Larry O'Connor, who served as the MPP from Durham–York in the 35th Parliament and is now the mayor of Brock.

**Mr. Vic Dhillon:** I'm proud to speak on Bill 139, a bill that would enhance Employment Standards Act protections for temporary help agencies. I hope our government can count on all members' support, as it affects some of the most vulnerable in our society: women, new immigrants and visible minorities.

The standing committee has now completed its public hearings and clause-by-clause review of the bill. I had the privilege of participating in this committee. We heard from a number of delegations. I'm now satisfied that our bill provides a balanced and fair approach to the needs of employees in the temporary help agency sector.

Two years ago, I introduced a private member's bill on this issue. I am very proud to have led the consultations on this issue as the parliamentary assistant to the Minister of Labour, and I'm proud that our government has taken up the cause of these vulnerable workers. They are excessively represented in the lowest-paying and most insecure forms of work. I believe that Bill 139 would help provide much-needed oversight in this industry.

Bill 139 would remove some barriers to permanent employment that are impossible for employees of temporary agencies to overcome. Agencies would not be able to prevent a temporary employee from taking a permanent job with a client. Agencies would not be able to charge temporary-to-permanent fees to a client after six months or more have passed since the employee was first assigned to the client. They would never be able to charge the employee a temporary-to-permanent fee.

Bill 139 would also put an end to the unscrupulous practice of charging people a fee just to be considered for an assignment. It would prohibit charging fees for such items as resumé preparation and job interview preparation. People being charged these fees are frequently at

the end of their tether and desperate for work. They should not be forced to decide between feeding their kids and getting a job—not in Ontario.

The bill would also strengthen employment standards protections for temp agency employees. Sometimes, vulnerable workers won't make complaints because they're afraid of repercussions if they do so. Bill 139 would prohibit client agencies from engaging in reprisals against assignment employees for asserting their rights. The agency, as the employer, would continue to be prohibited from reprisals against employees.

I have heard many stories of people not being able to get wages owed to them after they have worked for a temp agency. Under Bill 139, the Ministry of Labour could require the client of an agency to give monies it owes the agency to the ministry if an employee has not been paid. The ministry would, in turn, give the employee the wages he or she is owed. This may make it easier for them to get the money owed if the agency fails to pay.

I have been involved with this issue for a number of years. I have received many complaints of fraudulent, fly-by-night employment agencies and I've heard endless horror stories as a result of the questionable practices of fly-by-night, fraudulent employment agencies.

#### 0950

This bill would level the playing field for agencies that obey the law and have practices that are fair to employees. We have to protect people who face tremendous barriers to exercising their rights. Bill 139 would go a long way to help ensure that temp agency workers enjoy the same protections as other regular workers. These are important changes to the Employment Standards Act. These changes are one of the first steps our government is taking in its poverty reduction strategy. These are changes that would help some of the most vulnerable workers in our province, workers with little employment security and low incomes. They, like everyone else in our province, deserve dignity and respect. I fully support Bill 139 and I urge all members to support this legislation so that it can become law and those who have turned to us for help will receive it.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Peter Shurman:** It's interesting listening. I want to pick out one line from what the minister had to say, and that is something that we can all agree on, which is that the most important asset that we have in Ontario is our people. That's absolutely true; I don't think anybody from any side of this House would have any disagreement with that. So I don't understand why it is that we keep debating legislation that, given the framework of the times, stands to hurt so many people.

I have spoken to stakeholders, particularly in my own riding of Thornhill, who are involved in the temporary agency business, and what I'm hearing is that temporary agencies, at this point, are doing land office business for one primary reason and that is that the disappearance of

so many permanent jobs in Ontario has put people in a position where they have no alternative but to go to temporary agencies to find ways to feed their families. The concern that I have about Bill 139 and that I'm hearing from the temporary agency community is that in implementing the kinds of standards that are being discussed, forcing accounting and accrual mechanisms to be put into the temporary agency framework that are not there now, will result in temporary agency work—three-month contracts, that kind of thing—out of the province. These contracts will go to other provinces or they will go to the United States. Given the time, I could provide individual examples, and probably will in debate, the point being that in trying to address that issue of the most important asset in our province being its people, you have to take into account what you're trying to do and when you're trying to do it. I think that Bill 139 needs a very good look at the committee level and a real review before it's enacted, because it may actually hurt the people it sets out to help.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**M<sup>me</sup> France Gélinas:** I too listened with interest to what the Minister of Labour had to say, as well as the member from Brampton West. Bill 139 talks about temporary agencies. Some of the comments made by the minister really apply to temporary workers. Only some temporary workers are really placed by an agency. A lot of organizations, agencies and employers out there have and continue to have temporary workers. This bill will do nothing to prevent them from being treated, using the words of the minister, as “second-class citizens.”

The bill has made some steps forward to prevent all sorts of exploitation of people by temporary agencies—we talked about the fees, the back pay, the severance—but it also leaves huge gaps that would allow temporary agencies who place full-time workers to basically shift what they're doing to avoid being covered by this law. At the core of it is that when we talk about the millions of people in precarious employment, the people placed by temporary agencies are only a small part of the millions of people in Ontario who work in precarious employment and for which this bill will do nothing. So we will continue to have what the minister is trying to avoid: millions of people who will be treated as second-class citizens because they will continue to be temporary workers.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Rick Johnson:** I would like to thank the Minister of Labour, the member from Brampton West, the member from Thornhill and the member from Nickel Belt for their comments on the bill, in particular the Minister of Labour for his compassionate comments and the history that he provided of his own experiences going through this.

I was fortunate to be able to sit in on one of the public hearing sessions two weeks ago. We heard from many people involved in the temporary employment side of things and some of the issues that they have had to deal with.

I think we all have to agree that the temporary agencies provide a valuable service, especially in these times of economic challenge when so many people are searching for employment. Many of our young people rely on temporary agencies right now to get their foot in the door, and it provides them with job experiences.

But we have to protect our most vulnerable workers to make sure they've got the protection in place so that they can get the experience and not be mistreated in the workplace. With this bill we are making sure that they are not unfairly prevented from accessing permanent jobs, by removing a lot of the barriers that they face at this point in time: prohibiting temporary agencies from charging fees to workers for such things as resumé writing and interview preparation. My own daughter has experienced this herself, and it's not right that you should have to pay for any kind of service like this when you're getting a job. If temporary workers have done a good job in their temporary placement and they've now come to the end of the term, if there are fees charged that would prevent them from gaining permanent work at this point, it's unfair.

I believe that this act, although any piece of legislation may not be perfect, definitely makes steps in the right direction, and I support this bill.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. John O'Toole:** I'd first like to recognize the Minister of Labour's remarks on this temporary employment agency bill. More importantly, because the Minister of Labour is here, I'd like to recognize all of the retirees from General Motors who are here to watch the Minister of Labour really also explain to them how come there are no jobs.

We are talking about temporary jobs; we're lucky to have a job in this province today, and this bill does not do exactly what it says. If you look at section 74.2, if I read it, I think the member from Nickel Belt had it right. This part of the bill “does not apply in relation to an individual who is an assignment employee assigned to provide professional services, personal support services or home-making services as defined in the Long-Term Care Act, 1994 if the assignment is made under a contract.” So there are exemptions in the bill. Let's be honest with the people of Ontario: The exemptions are government employees, basically. You are the one that actually is the employer in long-term care and CCACs. Yes, you are. If you don't know, you should know, and if you don't know, you shouldn't be the Minister of Labour.

That being said, I am for fairness with employees including, on this side, fairness in contract relationships with employees. Those contracts were made in good faith. Some do want temporary work and some are facilitated by a contract agency—often, indeed, nurses who don't want to work certain periods of the year or certain times of the day, or they want certain types of work. Maybe these agencies can do a decent job. But I think people should be covered by the Employment Standards Act. I don't think there should be any exemption for that.

This afternoon we are going to be having questions directed at the Premier or the Minister of Finance to treat the conditions of employees fairly. That's really what's required in Ontario, to treat people fairly, and this bill does part of that but it doesn't complete the job.

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**The Acting Speaker (Mr. Jim Wilson):** Minister of Labour, you have up to two minutes for your response.

**Hon. Peter Fonseca:** I want to thank the member for Thornhill, the member for Nickel Belt, the member for Haliburton–Kawartha Lakes–Brock and the member for Durham for their comments. I'll just speak to how the member for Thornhill and the member for Durham from the Conservative Party here feel that there should be two classes of citizens in this province. Those who work through temporary help agencies—this is what they were saying here: They feel that they should not be treated fairly and they should not have dignity and respect within the workplace. We feel that that's not right, and we want to level the playing field for those workers working through temporary help agencies.

I'm speaking to the gallery that is here today, and I welcome you. Thank you very much.

I want to thank the member for Nickel Belt for her comments, but she may not understand the legislation as well. The legislation has put in place the elimination of barriers to those workers; has taken away the elect-to-work that was before them also so they would not get holiday pay; has ensured that they can now move from temporary employment to permanent employment without barriers or restrictions; and has made sure that termination and severance pay are the same as for all other workers in Ontario. They will be treated exactly the same now as all workers in Ontario, and we feel that is fair and the right thing to do.

I want to thank the member for Haliburton–Kawartha Lakes–Brock for his hard work on committee, for understanding the issues very well and for understanding that we're working with both employers and employees to make it right for all workers in Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. I just remind honourable members to speak through the Chair, not directly to the gallery, especially today, as the galleries are likely to be full.

Further debate?

**Mr. John O'Toole:** Mr. Speaker, I would seek unanimous consent to stand down our lead speaker.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed? Do we have consent to stand down the PCs' lead speaker? Agreed.

Further debate?

**Mr. Ted Chudleigh:** I'm pleased to stand and give some comments on this piece of legislation. It was interesting listening to the Minister of Labour speak to this bill and speak about the experiences that he had as a student working for a temp agency. There was a certain amount of—he wasn't treated very well in that experience, and I can well understand that. I would agree with the minister that temp agencies—in fact, every agency, every employer in Ontario—should live up to the Em-

ployment Standards Act in this province. Unfortunately, this bill that is being brought in isn't necessarily going to do that, first of all, and secondly, he's using a sledgehammer to kill a fly. The effect of this bill is going to be that it is going to drive employment out of this province at a time when we desperately need employment of all sorts.

We would love to have employment at the higher salaried levels, at the higher payment levels. There's an interesting statistic that I would hope isn't lost on the government. We were living in a different world then, but in 2007 there was a statistic that the average wage in Ontario was \$6,500 less than it was in the United States. How that \$6,500 related to the revenue stream that the government has was that if Ontario's average salary was \$6,500 more, the government would reap \$29 billion in tax revenue—\$29 billion more. So higher wages are a good thing; they're a good thing for government. Imagine what we could do with an additional \$29 billion that is there with very little effort and no expenses, other than the creation of higher-paying jobs. This bill is not going to accomplish that.

If you can imagine a company that imports products from the Far East: They come in and they need repackaging. They come in on a sporadic basis. If it's a clothing item, for instance, it might come in at this time of year. It might be, let's say, golf shirts. They come in and they need to be repackaged, put in different sizes. That's something that takes perhaps two or three weeks, to handle a number of containers. Temporary workers might be hired to do that kind of work.

If we put barriers in front of those people to hire those temporary workers, if we make those temporary workers more expensive to hire, it is easy for those companies to move their location, to move their place of operations to the port of arrival of that container. That container may arrive in Port Elizabeth, New Jersey; it may arrive in Halifax; it may arrive in St. John's; it may arrive in Vancouver; it may arrive in various places across this country. Once it's in a container, it can move to various places across this country. It's very easy for that to happen.

The distribution from those major cities where containers arrive to the rest of Canada can also be done very, very easily. The truck communications and the rail transportation that we have across this country are highly sophisticated and can handle a lot of those situations, so it's very easy for those companies to move. Capital has wings and it travels easily. It travels no more easily than in industries that hire at the lower end of the wage spectrum because in the lower end of the wage spectrum, there is a dearth of capital involved. The capital that is involved is tied up in the goods that are coming into the country. Those situations will be leaving Ontario under this bill.

Couple that with this government's action on the Workplace Safety and Insurance Board regulations that were brought in last year, where the cost to an independent builder or construction company is probably \$11,000 a year, minimum, and that's an additional cost to those

companies. That's something that is going to make their life more difficult to exist in Ontario in a very, very difficult economic time.

Add to that the continuing increase in minimum wage. Let me be clear. I would love everyone to make \$50 an hour. It's just not possible in a real world for those kinds of things to happen. You have to be competitive with other jurisdictions. I've prefaced my opening remarks to say what a great thing it would be for this province and for this country to have our average wage much higher than it is. But in order to do that we have to increase our productivity, we have to increase our competitiveness, and we have to maintain that competitiveness with other jurisdictions that right now, quite frankly, are eating our lunch because we are so uncompetitive in so many areas, which is why Ontario has the slowest rate of job growth or the highest rate of job losses in the country as we speak. That's a sad thing for Ontario, which has always led the way as far as job growth, economic investment and growth. It is a difficult thing when those situations face the once-great Ontario.

#### 1010

Of course, Ontario also became a have-not province on the first of April. The federal government gave Ontario \$14 million in subsidies as a have-not province for the first time in Ontario's history. On April 1, they gave us \$14 million. It's the only time that the provincial government has ever received that kind of money, and this government didn't take advantage of it with a photo op. There was no photo op for the \$14 million that was handed over by Ottawa to Ontario on April 1. It's amazing that that photo op was missed by this government. Apparently they were hoping that no one would notice. But the \$14 million is the first time in Canada's history, in Ontario's history, that that kind of money has flowed from Ottawa to Ontario. That indeed is a very sad, sad thing for Ontario to be experiencing.

The industry is extremely concerned about the temp agencies. Yes, the minister had an experience with a temp agency that perhaps wasn't the best experience in the world. I wouldn't hesitate for a moment to recognize that there are some agencies out there that take advantage of the regulations and the rules, and they run as close up to the line as they possibly can. But the vast majority of temp agencies are good, solid companies which treat their employees fairly. After all, their future depends on people who come and supply their labour and services. They treat that raw resource, if you will, fairly and equitably in every way. That, of course, represents the vast majority of those agencies. I don't think anyone here would argue with the fact that there are companies on the other side of that equation as well.

However, they are concerned about the direction that this is going in, and one of the key issues is the timing of this legislation. We find ourselves in Ontario, and in fact in Canada and the world, in an economic slump, in a recession that is said to be the worst that we're going to experience in our lifetime. It's the worst recession that we've seen since the 1930s.

Earlier this week, the Bank of Canada announced that its overnight rate will be reduced to a quarter of 1%, a record low. It said it will maintain that record low interest rate until the middle of 2010. That is a year and a bit out; it's a year and a quarter away. We're going to be looking at that one quarter of 1% interest rate—I think that's probably the longest period of time that the Bank of Canada has guaranteed interest rates in Ontario's and Canada's history. It bespeaks the significance of the economic situation that we find ourselves in at this point in time—and this government is bringing in legislation to make it more difficult for people at the lower end of the economic scale to find work and to remain employed. So I have a great deal of difficulty with the timing of this particular legislation.

There are, I think, three major concerns that the employers and businesses have relating to this legislation. One is the continuance of employment while not working. This is a situation where a student is employed during the summer, finishes his employment and goes back to school but is deemed to continue to be employed, and there is some flow of money at some level to that employee even though he is no longer working. That's a cost to the companies which has never been part of the temporary workers' service, and that is of very real concern to their continued profitability.

The termination and severance situation is another one that gives them real pause. If you go back to the example of the breaking up of containers that I used earlier, and the distribution of golf shirts or any other widget that might come into this country, a worker who works there for two weeks in that distribution would be subject to termination and severance allowances. Even though he came to work knowing that it was a two-week job and the salary would be less than this, knowing everything about the situation that he faced, this bill would insist that he get more than he had agreed to. That is a real concern, because that would make that industry just that much less competitive. So, off those jobs go to New Brunswick and Nova Scotia, and perhaps some of them would even end up in British Columbia.

The third real concern that the businesses have in this area is the regulating of business terms and client fees within the service agreements. This is where the government is involving itself in the agreements that people have in a contract and does nothing but add to the costs. The government is adding 100 inspectors in this area. Again, I have no concern with the adding of 100 inspectors to ensure that people are treated fairly and—I think I'm being cut off. I have no problems with people being treated fairly. I do have a problem when that fairness adds to the cost of doing business in this province at a time when we should be encouraging employment, and encouraging employers, not discouraging them.

*Third reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** Thank you. It being 10:15 of the clock, this House stands in recess until 10:30, at which time we will have question period.

*The House recessed from 1016 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Jerry J. Ouellette:** I'd like to ask all to join me in welcoming a good friend of mine whom I rode the buses with here to Queen's Park, a retired General Motors skilled trades worker, Mr. Roland Weigel.

**Mr. Peter Kormos:** I want the chamber to welcome a few thousand-plus auto workers, auto worker retirees, their friends and families, other trade union supporters and people advocating for pension protection who are in the chamber and gathered on the front lawn of Queen's Park today.

**Hon. Leona Dombrowsky:** I am delighted today to introduce 46 people from the riding of Prince Edward-Hastings who have travelled—I think they started their journey at 6 o'clock this morning—to join us in the Legislative Assembly to see how our democratic system works.

**Mrs. Carol Mitchell:** It's certainly my pleasure to welcome my daughter, Jasmine Mitchell, to the House today.

**Hon. Monique M. Smith:** I believe we have unanimous consent to wear the green ribbons today in support of the Gift of Life campaign. The green ribbons will be provided to all the members. I believe we have unanimous consent.

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

**Hon. John Milloy:** I'd like to welcome Bob Cassidy, superintendent with the Waterloo District School Board, who is joining us here at Queen's Park today.

**The Speaker (Hon. Steve Peters):** We have with us today in the Speaker's gallery a delegation from the Parliament of Australia, led by the Australian Senate president, Senator the Honourable John Hogg. Please join me in warmly welcoming our guests to the Legislature today. Welcome to Queen's Park.

**Mr. Ted Arnott:** I would like to introduce Mark Douglas with us today.

## ORAL QUESTIONS

### PENSION PLANS

**Mr. Robert W. Runciman:** My question is to the Premier. One of the items of your budget bill that's causing concern, and rightly so, is the fact that you're providing yourself and your Minister of Finance unfettered access to the pension benefits guarantee fund, giving you the unilateral entitlement to top up the fund with taxpayer-funded grants that don't need to be repaid, the fact that you're changing it—I would suggest, under the shadow of darkness—from a loan to a grant for the purpose of apparently paying claims. In the same breath, you've stated emphatically that you have no intention of bailing out pensions with taxpayer money.

Premier, if that's the case, why are you ramming this budget bill through, giving yourself the entitlement to do just that? Why is it even in the budget in the first place?

**Hon. Dalton McGuinty:** I appreciate the opportunity; I had a chance to speak about this yesterday, and I'll speak to it again today.

There is a pension benefit guarantee fund in the province of Ontario. It was started in 1981. The upshot is that it's grossly underfunded at present and grossly inadequate when it comes to meeting pressing needs. There was some debate as to whether or not government had a responsibility to use taxpayer dollars to provide additional funds to this particular pension benefit guarantee fund. We believe that is not the case. What we're doing, through our budget, is making it clear that we don't have that responsibility, but we are reserving the right, that maybe at some point in time it may be—

*Interjections.*

**Hon. Dalton McGuinty:** Perhaps my friends opposite are all-seeing and all-knowing with respect to all future circumstances. I'm not.

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

**Mr. Robert W. Runciman:** "We won't do it but we want to have the right to do it": That sounds like a true Liberal. The Progressive Conservative caucus stands with, I think, all Ontarians on being concerned with this Premier and, some would suggest, a bankrupt conscience, saying one thing and doing exactly the opposite, which he's suggesting is quite appropriate right now. That's the case with the McGuinty sales tax, where you're talking to your caucus, saying one thing, and your minister was in Ottawa signing a deal.

Yesterday you said you reserve the right to make a contribution to the pension benefits guarantee fund—you just said that again—if it serves the public interest. We think the public interest would best be served if you provided an open and transparent mechanism to know why you're doing that.

Premier, if you're telling us today that you're not saying one thing and doing another, will you amend your budget bill to include a transparent reporting mechanism to the Legislative Assembly before the Minister of Finance can grant one taxpayer—

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

**Hon. Dalton McGuinty:** That sounds sensible to me, and I'm not sure why we can't do that, and when the Minister of Finance gets back from his trip, I will take it up directly with him. I'm just not prepared to say here today that there is no circumstance of any kind at any time that might arise—whenever—where it would not serve the greater public interest for us to put money into the pension benefit guarantee fund. Perhaps my honourable colleague can say he knows that with absolute certainty, but I can't. What I have said is that, given the circumstances as I understand them today, our government is not prepared to do that. But there may arise a time in the future. I think my honourable colleague makes an

interesting and, I would also argue, sensible suggestion, and we will seriously consider that.

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

**Mr. Robert W. Runciman:** If it's a sensible suggestion, which we believe it is, why don't you make a commitment rather than suggesting you'll look at it? Given your sorry track record of saying one thing and doing exactly the opposite, I believe that Ontarians have a right to be suspicious. What are your real motives in shoving through this unilateral right for you to grant taxpayers' money to a fund that you said yesterday you won't top up? If you're not hiding any motives here, will you commit with an amendment to your budget bill that you'll give full disclosure to the Ontario Legislature and to the Ontario public before you grant a single dime to the fund? This is taxpayers' money, not yours. Will you make that commitment?

**Hon. Dalton McGuinty:** Again, I'm not sure I can add much to what I've already said. I think it is a sensible suggestion. We will seriously consider it. I'm leaning toward it myself, but again, this is the first time I've heard it. What I can say is that there is a broader pension concern here, and I would invite my colleague to give some thought to that as well as what we might do together—together with the federal government—when it comes to addressing the fact that there is a growing sense of income insecurity among all Ontario and Canadian retirees, not just those who have the benefit of pensions, either defined contribution or defined benefit pensions, but for the 65% or so of Ontarians and Canadians who don't have any pension. We need to figure out a better way to ensure that, as all of us get on in age, we're going to be able to enjoy a decent standard of living in retirement.

#### ONTARIO BUDGET

**Mr. Robert W. Runciman:** To the Premier: Not too many years ago the Premier said, and I'm quoting from Hansard: "Public hearings"; those two words go together nicely if you believe in true democracy." As you know, Premier, the Progressive Conservative caucus requested public hearings on your budget bill. We proposed public hearings—that's your definition of true democracy—in hard-hit communities like Goderich, Guelph, Peterborough and North Bay, communities that have lost thousands of jobs, and what was your answer, Premier? You slammed the door in our face and in the faces of all those hard-hit communities. You and your sheep-like backbenchers voted it down. Premier, do you know the meaning of the word "hypocrisy"?

**The Speaker (Hon. Steve Peters):** I ask the honourable member to withdraw his last comment, please.

**Mr. Robert W. Runciman:** I withdraw.

**Hon. Dalton McGuinty:** We've had an opportunity to have some extensive debate on our budget bill. We're looking forward to holding committee hearings as well. I'm not sure there was ever any more extensive consul-

tation conducted by any previous Minister of Finance at any time. Obviously, given the state of our economic challenges—this being the biggest economic crisis in some 80 years—it was very important that there be a thorough level of consultation, including inviting—for the first time ever, to my knowledge—direct contact with the leaders of the opposition parties in meetings with the Minister of Finance. We think it's very important for us to move forward as quickly as we can, allowing, of course, for these committee hearings to take place, and we look forward to engaging in that.

1040

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

**Mr. Robert W. Runciman:** Many areas in this province are suffering under your watch. In Huron—Bruce, 500 jobs disappeared when Volvo closed; 200 jobs with CanGro closures; 170 jobs when Wescast Industries and Dunline Rubber closed; in Guelph and Wellington, W.C. Wood, 200 jobs lost; Better Beef, 360 jobs lost; Imperial Tobacco, 550; ABB Manufacturing, 280 jobs lost.

That's just the tip of the iceberg, Premier, with respect to job losses, yet the members representing those areas followed your orders, Mr. True Democracy, and voted against public hearings in their ridings.

Premier, perhaps the Speaker will allow this: What's your definition of true democracy?

**Hon. Dalton McGuinty:** I think one of the things that Ontarians want us to do is to bring what assistance and what solutions forward that we might in response to this economic challenge. That's what our budget represents. It's an effort to build both a more caring and a more competitive Ontario.

The business concerns that my colleague raises are real, and nobody can deny that. That's why we plan to reduce business taxes in the province of Ontario. That's why we intend to reduce taxes not only for our corporations, but for our small businesses as well. That's why we want to get on with our budget. That's why we want to move forthwith in an effort to bring that assistance. We want to continue to make massive investments in infrastructure as well, so that we can create those jobs on the ground right now, in keeping with the intent of our budget.

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

**Mr. Robert W. Runciman:** The Premier gives very limited acknowledgment of the dire straits facing many communities and Ontarians today. Many individuals, families, communities, are facing unprecedented challenges. These are Ontarians who deserve to be heard, but your backbenchers have made it clear that obeying you and turning their backs on their constituents is their priority. Even your acolytes in the editorial offices of the Toronto Star can't believe how far you've drifted from your lofty rhetoric of just a few years ago.

Premier, will you reconsider? Accept our proposal for extensive public hearings on your budget bill. Do the right thing.

**Hon. Dalton McGuinty:** For months, my honourable colleague has accused us of failing to take action in the

face of a serious economic crisis. So we tabled a budget in this Legislative Assembly. It takes aggressive action in response to this economic crisis. It invests over \$32 billion in infrastructure. It proceeds in a sensible way to reduce business taxes. It proceeds in a sensible way to provide tax relief to our families, especially our lower-income families. We now decide that we want to get on with this and bring that relief to the people of Ontario, and he says, “Slow down. You’re moving too quickly.”

I know where Ontarians stand: They want us to get on with this. They’re out there on the front lines. They’re experiencing the full consequence of this recession. They’ve charged us with bringing relief to them and bringing forward some kind of a solution. Our budget represents that relief and that solution, so we’re looking forward to moving forward with it.

#### PENSION PLANS

**Ms. Andrea Horwath:** My question is to the Premier. In the gallery today, there are dozens of auto workers and pensioners, and there are thousands more outside. I ask this question to the Premier on their behalf and on behalf of all Ontario workers: How is it possible for this government to say to these workers, who have paid into pension funds their entire working lives, that it refuses to take action to ensure that they are going to get every last pension penny owed to them?

**Hon. Dalton McGuinty:** I think one of the great Ontario and Canadian values that ought to inform this debate, of course, is fairness.

The first thing I’d like to draw to my honourable colleague’s attention is the fact that, so far, Ontario taxpayers have come to the table with \$1.3 billion—that’s just of late—in order to provide assistance to the auto sector working here in the province of Ontario. We think the single most important thing we can do to help those retirees in the auto sector is to put their companies on a sustainable footing to make sure that they can continue to carry on business. That’s why we brought \$1.3 billion to the table. We’ve already put out \$750 million that has flowed to the Chrysler corporation, and we look forward to continuing to work both with Chrysler and GM.

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

**Ms. Andrea Horwath:** The Premier knows that people are working hard all of their lives, and at the very least they should be able to expect, when it comes time to end those working lives, that they are going to be able to count on the retirement income that they have put away themselves over decades of time in the workplace. So I’m going to ask the Premier one more time: How does this Premier have the nerve to say to these hard-working Ontarians that their provincial government refuses to do whatever needs to be done to guarantee that their pensions are there when they need them?

**Hon. Dalton McGuinty:** I want to remind my colleague again that I think \$1.3 billion is fairly significant, and I’m not sure that’s the end of it; we’ll have to wait

and see how things unfold. But I can say to my honourable colleague that while it might be argued—and, in fact, I think it legitimately can be argued—that what has happened to the workers is unfair, I think we need to find a way to be fair in terms of the solution that we bring forward. It’s not just the CAW retirees that ought to concern all of us, but the fact that many pensioners, and the overwhelming majority of Ontarians who don’t have the benefit of a pension, are staring into some considerable economic uncertainty in their later years. That’s why I’ve asked Prime Minister Harper if he might not convene a national summit where we can come to grips with this together—all the provinces, all the territories, with our resources—to see what we might do to ensure that there’s income security for our retirees.

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

**Ms. Andrea Horwath:** This government just tabled a budget bill that contains \$4 billion in tax breaks for corporations that need it the least. It’s going to take another \$3 billion by adding 8% to things like home heating bills, gas for the car and even the morning coffee and doughnut, but there’s no money in this Premier’s budget to protect the pensions of the people in these galleries and millions of Ontarians like them. Whose side is this government on? Because it is certainly isn’t on the side of hard-working women and men across the province.

**Hon. Dalton McGuinty:** There are, I guess, a few solutions that might be considered, and I just think we should be fair in terms of considering the consequences of the solution put forward yesterday by my honourable colleague. She says that we should create a CPP equivalent here in the province of Ontario. Were we to do that, it would require that we take 5% off every paycheque and business—that every paycheque for every employed person would be reduced by 5%, and businesses would have to pay another 5% on top of that. If you’re self-employed, the NDP want to take another 10% off your paycheque. So that’s one solution.

*Interjection.*

**Hon. Dalton McGuinty:** No, she should understand the consequences of whatever she proposes. If we’re talking about creating a CPP equivalent in the province of Ontario, sometimes it’s important to think before you speak. It requires an additional 5% cost to employees and an additional 5% cost to employers. Those are the consequences of what she is proposing.

#### PENSION PLANS

**Ms. Andrea Horwath:** Back to the Premier: This is a sorry and shameful spectacle that we’re seeing from this Premier this morning. There is a fund whose sole purpose is the guaranteeing of Ontario’s pensions. For five years now, New Democrats told this Premier that the fund is full of holes, that its funding is inadequate. We told him clearly that if bad times hit, the whole thing was going to come tumbling down like a house of cards. Why didn’t he listen then and why isn’t he listening now?

**Hon. Dalton McGuinty:** When it comes to the auto sector in particular—

*Interjections.*

**Hon. Dalton McGuinty:** I think one of the things of which we can be proud in Ontario is that we are the only subnational government anywhere in the world which is stepping up and taking some responsibility and making some considerable effort for our auto sector. There is considerable support for the auto sector being offered in Japan, in Germany, in many parts of Europe, in the Scandinavian countries, of course in US and in some parts of South America. But there's only one subnational jurisdiction in the world which is also saying, "We want to be there and we want to do our part," and that's us. As I say, we've made a commitment of \$1.3 billion. We've dispersed \$750 million already. I think that is considerable.

1050

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

**Ms. Andrea Horwath:** The Premier is acting like he hasn't been in government for the past five years—and he has. He's had all that time to fix this problem. He knows that the monthly guarantee of \$1,000 is wholly inadequate and should be raised to \$2,500. He knows that the formula for financing the fund is totally broken. He should have fixed it when we had good economic times. How can he possibly stand here in this House and continue to claim otherwise?

**Hon. Dalton McGuinty:** I'm not sure if during the previous five years there was ever a single reference by any member by the NDP to the pension benefit guarantee fund and now it's become a very important issue.

I want to remind my honourable colleague that we are anticipating that the economy in Ontario will contract by—

**Mr. Peter Kormos:** Bob Rae, that SOB.

**The Speaker (Hon. Steve Peters):** The member from Welland will withdraw the comment that he just made.

**Mr. Peter Kormos:** I withdraw. I sob for Bob Rae.

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

**Hon. Dalton McGuinty:** We are warned by the official opposition that we ought not to put a single penny more into the pension benefit guarantee fund. We hear from the NDP that we should throw caution to the wind and throw as much as it takes into the pension benefit guarantee fund. On this side of the House we have a responsibility to be balanced and to try to be fair. I think the single most important thing that we can do for those CAW workers is to put those companies on a sound financial footing—

**The Speaker (Hon. Steve Peters):** Thank you, Premier. Final supplementary.

**Ms. Andrea Horwath:** What we are talking about here is the retirement income of hundreds of thousands of retirees in this province, and it is owed to those workers—to Ontario workers, some of whom have given their lifetimes to their employer. This government's response? Shut down the debate on its flawed budget bill—a budget bill that contains harmful changes to the very fund that's supposed to be guaranteeing those pensions for those

workers. With so many workers and pensioners worried about their economic security, how can this Premier continue to defend his government's approach?

**Hon. Dalton McGuinty:** My colleague is mistaken in terms of the response that we're putting forward. Our response is to do everything we can to keep these companies alive. Every time we have worked with the auto sector in the past, made shared investments in the past, the NDP voted against that kind of support and those kinds of partnerships. I have yet to hear them say that they are in favour of the \$1.3 billion that we are tendering, that we are putting forward, to support the auto sector in the province of Ontario.

If you were to ask the retirees, they would agree that the single most important thing we can do to provide them with the security, the confidence and the reassurance that they're looking for is to put those companies on a sound financial footing. That remains our single most important objective, and we will not stop until we succeed.

## TAXATION

**Mr. Ted Arnott:** My question is for the Premier. You've heard of Joe the plumber? I want to introduce you to Mark the painter. Mark, stand up. Mark Douglas lives with his family in Georgetown. He owns his own business, goes to work every day, pays his taxes and hopes for a better future for his family, his community and his province. Last year, the Minister of Finance wrote to Mr. Douglas promising him that Ontario "would not agree to harmonizing the GST if that would increase the tax burden on Ontario taxpayers, particularly with respect to basic essentials such as home heating."

Premier, why did you force your Minister of Finance to break his promise to Mr. Douglas and the people of Ontario?

**Hon. Dalton McGuinty:** To the Minister of Economic Development.

**Hon. Michael Bryant:** Let me say at the outset that I'm happy to work with the member with respect to the gentleman who is in the gallery and—

*Interruption.*

**The Speaker (Hon. Steve Peters):** Stop the clock, please.

We welcome all of our guests to the Legislature to observe the proceedings, but we just ask that you not participate in the proceedings as well.

Minister?

**Hon. Michael Bryant:** It is remarkable that we have a situation here where, in fact, everybody from Conservative Finance Minister Jim Flaherty on the one hand to the vast majority of jurisdictions on the other hand support this particular tax approach. Why? Because we are an export-oriented jurisdiction and, as an export-oriented jurisdiction, particularly with respect to Quebec, we don't want companies having to pay twice. This will make our province even more competitive. It will strengthen our

economy. It will allow for more growth. I say to the member it is absolutely, without question—

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

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member for Renfrew will withdraw his comment, please.

**Mr. John Yakabuski:** I withdraw.

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

**Mr. Ted Arnott:** The only thing that this tax will do with regard to economic development is destroy economic development in the province of Ontario. I'd like page Cameron to deliver this letter over to the Premier so he can see it for himself.

I'm privileged to represent Mr. Douglas and the rest of my constituents in this Legislature. Premier, you should listen to Mr. Douglas, if you won't listen to your own backbenchers. He says your new 13% tax is yet another broken promise. He says it will ruin businesses like his; it will dramatically increase the price of fuel; it will drive legitimate businesses into the underground economy.

Again, Premier, why are you ignoring legitimate concerns like these? Why did your government break a written promise to Mr. Douglas?

**Hon. Michael Bryant:** What has happened to the Conservative Party of Ontario? The Conservative Party used to care about the economy. The Conservative Party used to support the kind of tax changes that would grow business. This is the Conservative Party that up until the tabling of the budget supported harmonization of taxes. This is the party that used to support tax cuts. Now we have a situation where the government of Ontario brings in tax changes called for by the Ontario Chamber of Commerce, by the Canadian Chamber of Commerce, by everybody, from Roger Martin of the Martin prosperity institute to every leading economist in Ontario, yet this party is against those tax cuts.

We're in favour of growing the economy. We will do so with these tax changes. I honestly don't understand what has happened to the Ontario Conservative Party.

#### PENSION PLANS

**Mr. Paul Miller:** My question is to the Premier. Not only is the existing pension system in crisis, but there is also the ongoing crisis of those who don't have any coverage at all. On the Liberals' watch, those with any sort of workplace pension have declined to less than 35%. An increasing percentage of those with pension coverage don't have defined pension plans anymore.

What does this government intend to do about the 65% of Ontarians who have no pension plan whatsoever and face a retirement without dignity and security?

**Hon. Dalton McGuinty:** My honourable colleague makes a good point, but I would ask him to grab some time with his leader. We need to reconcile their competing demands. The fact is, they're not easy to reconcile, but I will also say there is some legitimacy to both those concerns. We do have a concern about the CAW retirees, for example, and we do have some concerns about all

those retirees who don't benefit from any kind of pension.

I think we've always proven, as Ontarians and as Canadians, that we are at our best when we approach these massive challenges together. This doesn't just affect retirees in Ontario, it affects retirees right across the country, and that's why I'm asking Prime Minister Harper to convene a national summit where we can come together and begin to come to grips with this challenge.

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

**Mr. Paul Miller:** What I take from that answer is that the government has absolutely no idea how to expand coverage in this province. New Democrats believe that every worker in this province should be covered by a workplace pension plan. New Democrats believe that after a lifetime of hard work, the least we owe Ontario workers is a retirement with dignity and security. New Democrats believe that there are very concrete things that can be done to expand coverage and that the 65% of Ontarians who have no coverage, can't afford to wait any longer.

How can it be that after more than five years in office, this government has no plan to make sure that the 65% of Ontarians who have no pension plan can retire with dignity and security?

**1100**

**Hon. Dalton McGuinty:** Again, my colleague offers no suggestions with respect to where the money would come from to help folks who find themselves in difficult times in their retirement. I want to remind my honourable colleague that the economy, we project, will shrink by two and a half per cent this year. I'll remind him that we're running some considerable deficits, that we're investing thirty-two and a half billion dollars into infrastructure, and that we've found a way to increase funding levels for education, for health care, for post-secondary education and for things like the Ontario child benefit and affordable housing. I would ask him, where would he find the funds necessary to invest in making our retirees more secure at this point in time? I think it's a big challenge; I think we need to come together nationally to solve it.

#### VIOLENT CRIME

**Mrs. Laura Albanese:** My question is for the Minister of Community Safety and Correctional Services. Two shootings in the span of the last 48 hours have deeply affected the community of York South-Weston. The first incident on Tuesday evening has claimed the life of a 19-year-old man, and from media reports I understand that the victim was shot several times in the back. Yesterday evening, another young man was shot several times in the head and in the leg near a bus shelter, and he is fighting for his life.

Minister, my riding has had a very high incidence of violent crimes in the past year. Gun crime on our streets affects not just those who are involved, but also people who are just going about their everyday life. The com-

munity has been working very hard to find solutions. What measures is our government taking to tackle these appalling acts—

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

**Hon. Rick Bartolucci:** I want to thank Mrs. Albanese, the member for York South–Weston, for the question and for being such a very, very strong advocate for safety in her community. I would also like to offer our collective condolences to the victims and to the entire community of York South–Weston.

Our government is committed to keeping communities safe, which is why we've made substantial investments into specially targeted initiatives. Our unprecedented \$74-million guns and gangs program includes the Toronto anti-violence intervention strategy. That's known as TAVIS, and TAVIS incorporates officers from the Toronto Police Services drug squad, guns and gangs task force and intelligence services, who work directly with communities so that a multi-pronged approach to tackling violent crime can be developed. Our government has also added—

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

**Mrs. Laura Albanese:** I thank the minister for the answer, but I'm still deeply concerned about the residents of York South–Weston. My question is again directed to the Minister of Community Safety.

Statistics indicate that my riding is one of the most affected by crime and violence. As you can imagine, I too often hear serious concerns about safety, security and violence in my community. I know that my constituents welcome the new 250 police officers in the city of Toronto. I'm also very glad to have learned from the Toronto Police Services that officers from the TAVIS community response unit will be assigned to our neighbourhood during the summer. While I'm happy about the work that is being done in my riding, I am still deeply concerned about the rate of violent crime in York South–Weston.

Can the Minister please tell this House what further action my community can expect to ensure their safety and their security?

**Hon. Rick Bartolucci:** I appreciate the member's concern for her community and I would like to assure her that our government remains committed to doing all we can to keep Ontarians safe. We will continue to develop strategies with our policing partners and other ministries to provide a multifaceted approach to tackling violence in our communities.

Ontarians concerned with gun violence expect their political leaders at all levels of government to proceed in a manner reflective of their concerns. Again, we call on the federal government for a handgun ban, for the continuation of the long gun registry, and we support the Canadian Police Association in their call for the federal government to live up to their commitment made in 2006 for an additional 2,500 new police officers on the streets of Canada. In the end, it's all about safety of Ontarians, and the McGuinty government is willing to work with everyone to ensure we achieve—

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

#### GREEN POWER GENERATION

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Yesterday, Dr. Robert McMurtry, a former dean of medicine at the University of Western Ontario, appeared before the standing committee on Bill 150. He asked that the province conduct a formal study into the health effects of wind turbines, since he has done a survey of people living near these turbines and found that the majority suffered from headaches, sleep disturbances and depression.

I ask you, Minister: Will you urge your Premier to do this in-depth analysis of the potential health risks of wind turbines?

**Hon. David Caplan:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** I have had the chance to meet with Dr. McMurtry, and the Premier has spoken with him as well. We know him to be an esteemed medical practitioner, one who has been extraordinarily dedicated to the health of people in the province of Ontario. That's why we think it's really very important as we move forward that the Ministry of the Environment, which will have responsibility for establishing things like minimum setbacks, has the advantage of all necessary health information on that basis. Accordingly, we think that there is merit in making sure that we continue to arm ourselves with the best possible information to make those decisions. We will be working closely with the Ministry of the Environment to establish that in a fashion which offers strong protections both for the natural environment and certainly human health.

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

**Mrs. Elizabeth Witmer:** It's regrettable that this government is not prepared to respond to the concerns of individuals like Dr. McMurtry. Certainly we read in the paper today and we hear on CBC that people share his concerns about the health effects of wind turbines. In fact, Minister of Health, your parliamentary assistant acknowledged on April 15 in London, in response to a very tearful presentation from the Ripley Group, that she was, "Sorry that the wind farm ... caused these health issues and caused grief for your families." Members of this group spoke of experiencing symptoms such as itching sore eyes, heart pounding, high blood pressure and irritability.

Minister, will you conduct a formal study into the health effects of wind turbines, as requested by Dr. McMurtry?

**Hon. George Smitherman:** We do want to thank all the members of the Legislature and especially the many people of the province of Ontario who came to offer views with respect to the implementation of renewable energy. We do think that there's a lot of merit in the various positions that were brought forward, and we do agree most certainly that it's our obligation to make sure that, as we move forward with more renewable energy in the

province of Ontario, we do so in a fashion which is complementary to health concerns—keeping in mind that, unlike that party, we're committed to eliminating coal, which is a very, very substantial health concern for people, causing at least 2,800 premature deaths in the province of Ontario. We've noted the reversal of policy on the part of that party in the debate so far.

But yes, we most certainly do think that it's important to inform ourselves with studies related to health matters. We think that Ontario is a big enough place that it's possible to both move forward with more renewable energy and certainly do so in a fashion which is consistent with protecting human health.

## PENSION PLANS

### RÉGIMES DE RETRAITE

**M<sup>me</sup> France Gélinas:** Ma question est pour le premier ministre. M. le premier ministre sait que la garantie mensuelle de 1 000 \$ est complètement insuffisante et devrait être augmentée à 2 500 \$. J'aimerais lui lire ce qu'on a dans le Hansard.

A quote from Hansard from October 13, 2004, Ms. Andrea Horwath: "I call on the government today to act by immediately increasing the monthly amount guaranteed by the pension benefit guarantee fund from \$1,000 to \$2,500." I could quote again from May 15, 2005, and many more times.

Mais ce que je voudrais savoir—le premier ministre agit comme si ce n'est pas lui qui était le chef du gouvernement pendant les cinq dernières années, les années de prospérité. Il sait que la formule de financement du fonds est inadéquate. Ma question est la suivante : est-ce que le premier ministre va augmenter la garantie mensuelle à 2 500 \$?

1110

**L'hon. Dalton McGuinty:** Je vous remercie, mon amie, pour cette question. J'apprécie beaucoup l'opportunité de parler en français ici à l'Assemblée législative de l'Ontario. En premier, je dirais d'une manière très directe que non, nous ne sommes pas prêts à investir l'argent qui serait nécessaire, qui serait un montant d'argent très considérable.

What I'm saying is, the NDP are asking that we increase the maximum benefit payable out of the pension benefits guarantee fund from \$1,000 to \$2,500 per month. We don't have the money to do that. That's the honest answer, with respect to that. I think that we can find a way collectively, as 32 million Canadians, in the face of this great challenge that is going to force some considerable difficulties on retirees right across the country. But we don't have the resources at this point in time to take this pension benefits guarantee fund and change it so that the maximum benefit goes from \$1,000 to \$2,500—

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

**M<sup>me</sup> France Gélinas:** J'apprécie un peu la réponse directe du premier ministre, qui n'est pas prêt—

**M. Rosario Marchese:** Pas beaucoup.

**M<sup>me</sup> France Gélinas:** Mais pas beaucoup, non. Les travailleurs du nord de l'Ontario sont inquiets face à leurs pensions, surtout ceux de l'industrie forestière, quand on voit plusieurs organismes qui font faillite. Puis, on voit également la décision du gouvernement d'arrêter les débats sur le budget qui, selon nous, a des défaillances, surtout parce qu'il contient des changements plutôt doux face aux pensions.

Donc, ma question est : quelles sont les actions du premier ministre pour adresser les craintes des travailleurs—des travailleurs à la pension, des travailleurs à la retraite—dans le nord de l'Ontario ?

**L'hon. Dalton McGuinty:** Les inquiétudes qu'ont les travailleurs qui se trouvent dans le nord de l'Ontario sont presque les mêmes que celles de tous les travailleurs, regardless of where they happen to find themselves in the province of Ontario. I've had the opportunity just recently to visit northern Ontario once again. I visited a sawmill in Chapleau that is 51% owned by the First Nations community. We are pleased and proud to partner with them to strengthen that particular industry.

We've made investments in the forestry sector in general. We put a plan in place to provide about \$1 billion in supports to the forestry sector. We'll continue to look for ways to support workers in northern Ontario.

When it comes to retirees in the north, they face the same kinds of challenges as retirees in the south, who face the same kinds of challenges as retirees right across this country. I think a national challenge demands—

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

## AGRI-FOOD INDUSTRY

**Mrs. Maria Van Bommel:** My question is for the Minister of Agriculture, Food and Rural Affairs. My constituents are becoming increasingly aware of the benefits that they derive from buying Ontario food products. It's well known that food produced by Ontario's farmers is among the freshest, safest and best-quality in the world.

Our government took a major leap forward in supporting this movement when it launched the multi-year Pick Ontario Freshness strategy in 2008. Buying Ontario meat, eggs and dairy products supports local economies in rural Ontario and helps farmers get a fair price for their hard work. Buying Ontario food also helps to protect the environment, as the food has to travel fewer kilometres, therefore reducing greenhouse gas emissions.

Could the minister please share with this House what our government is doing this year to promote local foods and how our government is leading by example?

**Hon. Leona Dombrowsky:** I appreciate the question from the honourable member, who does a great job promoting Ontario foods. Her family is responsible for producing some of it.

Our government has worked very hard with our industry partners, and they've told us that when we promote their products, that's good for their business. That is

why our government has invested \$8 million in our Pick Ontario Freshness branding and marketing campaign.

We have also invested \$3 million in the Ontario market investment fund. This is a program that helps our agri-food industry groups and local food networks to develop ways that they can even better promote food from their region. We have also invested \$1 million in our farmers' market strategy. And just this year, we have committed \$8 million annually in new funding so that we can promote the purchase of quality Ontario foods by our public sector institutions.

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

**Mrs. Maria Van Bommel:** I know that the minister continues to work hard at fostering and cultivating partnerships in the agri-food sector. These partnerships between local producers, processors and grocers along the food chain are crucial to ensuring that Ontario's increasing demand for Ontario food products is met.

The Premier recently hosted our government's fifth Premier's Summit on Agrifood. This annual summit is an excellent opportunity for industry partners to network with one another and to generate new and exciting business opportunities. Farmers I've spoken with in my riding of Lambton-Kent-Middlesex appreciate the direction that our government is taking in partnering and working closely with them to meet the challenges that face their sector, while at the same time helping to advance new economic opportunities for farmers through our Buy Local strategy.

Could the minister please provide this House with more information about the strategy and the results that we've been seeing across the province?

**Hon. Leona Dombrowsky:** I think a very important piece of this is, yes, we have made and will continue to make significant investments in promoting Ontario food products. What I'm also very happy to announce today in the House or to relay to members of the public is that it is having an impact. We know that 96% of Ontarians recognize that Foodland Ontario is local, and that is up from 94% last year; 87% of principal grocery shoppers express a propensity to purchase Ontario foods; and 69% are aware of the broader range of Ontario food products beyond just fruit and vegetables and that it now includes dairy products, meats, deli and bakery, and that's an increase of 40%.

What's really significant as well is the Savour Ontario program, which is designed to promote Ontario foods in eating establishments in the province. The number of establishments has increased from 40 to 100. That's a 150% increase—

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

## NURSES

**Mrs. Elizabeth Witmer:** I'm going to try the Minister of Health one more time. Ontario's registered nurses are gathering this week at their AGM, and in their press

release they reiterate that you must live up to your commitment to fund 3,000 nurses immediately this year.

Minister, there is a nursing shortage. Will you listen to the RNAO, alleviate the strain being placed on nurses in their workplace as they attempt to provide the care patients need, and will you commit to fund what they're asking for—the 3,000 desperately needed nurses—immediately?

**Hon. David Caplan:** I want to reiterate the commitment that this Premier, this finance minister, this health minister and this government have made to our nurses. We have hired 10,000 to date. We are committed to hiring an additional 9,000 nurses. It will, regrettably, take us longer than we had originally anticipated.

But I want to speak very directly to the member's point because she regretfully omits a very important fact. If you were to go to Workopolis and look at nursing positions in the province of Ontario, currently, in April 2009, you would find 500 positions that are being sought for nurses to go to work in hospitals, in long-term care and in community care across the province of Ontario. I refuse to accept any lecture from this member, who was a part of a party that cut nurses, that compared them to hula-hoop workers—6,000 positions lost. Our record—

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

**Mrs. Elizabeth Witmer:** This minister needs to stop playing politics. Personally, I am reading from the RNAO press release. It is you they are asking to live up to your commitment to fund the 3,000 nurses immediately. That's their press release; it's not mine. I would say to you, Minister, that we're also seeing layoffs of nurses in the province of Ontario. I ask you again: Will you listen to RNAO? They're going to ask you tomorrow when you and the Premier appear. It's their number one priority. Will you immediately live up to your promise to fund the urgently needed 3,000 more nurses?

**Hon. David Caplan:** I think it was very clear that the member had written her supplementary without, of course, listening to the answer, and I understand that the member is embarrassed by her sorry record when it comes to supporting the nurses of the province of Ontario. I accept no lectures from this member. I have been very upfront with our nursing partners that we are supporting them in a way they have not seen under a Conservative or New Democratic Party government. Ontario nurses know that we have put more resources behind them. They know that we have hired 10,000 nurses to date and we do have a plan to hire an additional 9,000 nurses.

Our budget very much spoke to the fact that in the face of the greatest global economic challenge in any of our lifetimes, we are continuing to support health care to the tune of a 4.7% increase this year over next. That includes hiring additional nurses, hiring nurses in hospitals, in long-term care and in the community.

I reiterate to the member: Please go to Workopolis. You will—

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

1120

## WATER QUALITY

## PENSION PLANS

**Mr. Michael Prue:** My question is to the Premier. According to the National Council of Welfare, a whopping 38% of elderly single women live in poverty in Ontario. This number means that more than a third of these women are struggling to put food on their tables and pay their bills in what should really have been their golden years. It is no surprise that elderly women have higher poverty rates. They also have much lower rates of pension support.

Does the Premier agree that elderly women should not have to live a life of poverty and that they deserve the dignity of a pension after a lifetime of work?

**Hon. Dalton McGuinty:** To the Minister of Community and Social Services.

**Hon. Madeleine Meilleur:** I want to thank the member for his question. This government is very determined to fight poverty, and we have shown it in the six years that we have been in power, especially with the poverty reduction strategy.

We exclude no one. Older women are also included in the fight against poverty, and we are determined that we are going to help them. For those who need assistance, Ontario Works or ODSP is also available to them.

Every case is being looked at, and if they qualify; according to their criteria they will receive support from this government. We exclude no one in our fight against poverty.

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

**Mr. Michael Prue:** Perhaps the minister didn't understand the question. This question is about them being in poverty because they don't have access to a pension, so I'll ask it a little bit differently.

The fact of the matter is that women are over-represented in part-time employment, service and retail sectors. Even if they work their whole lives, that's where they work. Women represent two thirds of minimum wage earners and earn 29% less than men. The majority of women workers do not have access to a pension even after a lifetime of work.

My question is a tough one. It's not about welfare rates; it's about pensions. Will this government commit today to ensuring adequate pension coverage for all of Ontario's seniors, both women and men, so that they no longer have to live a life of poverty?

**Hon. Madeleine Meilleur:** Again, it's a very good question. As a woman, I'm very concerned about the financial security of women. I know that when I visit seniors' homes, there are a lot of women who live on their old age pension and often live in poverty.

Your question goes above what this government can do. We need to look at pensions on the national scene, and that's what the Premier has suggested today. We should call a summit on pensions to ensure that people who are paying into pensions can receive them and those who are not can have security in their old age.

**Mrs. Carol Mitchell:** My question is for the Minister of the Environment. Source protection committees have been actively working across the province on plans to protect the sources of their drinking water. There are two committees active in my area: Saugeen, Grey-Sauble and Northern Bruce Peninsula, and Ausable, Bayfield and Maitland Valley.

Huron-Bruce is an agricultural region. Both of these committees have a strong and committed agricultural membership. Farmers are very good stewards of our environment, but they are concerned about how they will be affected by the Clean Water Act.

Minister, from the work done across the province so far, can you tell me how source protection will affect our farmers?

**Hon. John Gerretsen:** As the member knows, there are 19 committees working on these source protection plans for about 40 different source protection areas in the province. Most of these committees are finding, after they've been studying this for the last couple of years, that there are very few threats, in actual fact, even within the 100-metre zone around municipal wells across Ontario.

The policies that these source water protection committees are planning will be locally developed and will address significant drinking water threats. It's a science-based framework; it will concentrate their effort on high-risk activities. It's all about reducing risks to our ground-water and surface water. These committees are doing great work, and we want them to continue with the work so that they can plan for the areas around these municipal water wells.

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

**Mrs. Carol Mitchell:** Thank you, Minister. I know that farmers will be pleased and reassured to hear that the work done so far indicates that the requirements resulting from source water protection planning will be reasonable and that the potential requirements would be based around what are already best practices. I know we all recognize the fact that manure and fuels that are improperly managed can be a threat to our water, and I am confident that the committees can find existing activities that are acceptable best practices and allow them to continue.

Minister, I know that we are only part of the way through the science-based assessments of threats to water quality and quantity. By 2012, committees will have completed source protection plans that must include policies and actions that need to be put in place to manage. As we move towards the full implementation of source water protection, what can farmers do to—

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

**Hon. John Gerretsen:** As the member knows, we've made funding available for the landowners to take such risk reduction actions in advance of the final source plans that are currently being done. As a matter of fact, \$28

million was made available over a four-year period of time. This money has been made available since 2007, particularly for landowners who may eventually be impacted by the source water protection plans.

If a farm, for example, is located near a municipal drinking water well or a surface water intake, that farmer is eligible now for funding available through the Ontario Federation of Agriculture to better protect the drinking water source. The ministry has funded about 400 of these local projects so far, and the program is being delivered by most of Ontario's conservation authorities.

As we're completing our consultations across the province, we are aiming to update this program so that we can make the funding available, particularly in those—

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

#### SCHOOL TRANSPORTATION FUNDING

**Mr. John Yakabuski:** My question is for the Minister of Education. Minister, you've been promising a new transportation funding formula for schools since 2003, yet you have delivered nothing while lurching from crisis to crisis. Under your watch, the needs of rural schools continue to be ignored. Our school transportation reality is something you just don't acknowledge.

Minister, how are you able to come up with millions of dollars for Toronto swimming pools but when it comes to getting our children in Renfrew county to and from school safely, you tell our boards to cut costs? Toronto gets pools while Renfrew county gets empty promises and ultimatums. Why?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I choose never to lurch.

We have an absolutely concrete plan. We've been putting more money into transportation since we came into office. In fact, this year alone we've increased transportation funding by almost \$183 million; that's a 29% increase since we came into office.

What we have been doing across the province is working with boards and asking them to work together so that we've got kids on buses in a rational way, on routes that make sense to all of the community. We've got boards working in consortia. And in fact we're introducing a fuel escalator/de-escalator into the budget this year, which is something that bus operators and boards have been asking for so that they can have some predictability on what their fuel costs are going to be.

So, quite to the contrary of what the member opposite is saying, we've been working very closely with the boards and with the transportation industry to bring some rationality to school bus transportation.

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

**Mr. John Yakabuski:** Minister, Renfrew county pioneered the transportation consortia. They need no lessons from you.

You are mandating school boards in Renfrew county to cut transportation costs or face penalties. They are faced with making changes that could see some children

waiting for the bus out on a dark rural road well before 7 in the morning. Some working parents, who have children who will be picked up at different times on two different routes, could be faced with making the choice between leaving young children home alone or leaving their jobs.

Minister, it's time for you to show some respect for families who live in rural Ontario. Will you get your priorities straight and stop putting Toronto pools ahead of rural schools?

**Hon. Kathleen O. Wynne:** I met this week with the Ontario School Bus Association. We have a very strong working relationship. We are asking boards to work together, there is absolutely no doubt about that, and that makes perfect sense for everyone across the province—not just rural kids, but kids in northern communities and kids in urban communities. What we've said to boards is that they look at the efficiency reviews and look at the work that has been done, and all we're asking in this budget is that they move to those levels of efficiency. That means that the boards do need to work together and they need to come up with routing plans that make sense across a jurisdiction, because the fact is that buses going down a road can take kids that go to Catholic schools; they can take kids that go to public schools; they can take kids that go to French schools. We've been working with the boards, and we'll continue to work with those consortia. Those—

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

#### PROTECTION FOR WORKERS

**Mr. Paul Miller:** My question is to the Premier. I've asked the government repeatedly to bring Bill 6, which ensures that all laid-off workers get every cent of their severance, vacation and back pay they earned, onto the committee agenda for public consultation. The responses that I get have nothing to do with Bill 6, with wage security, with pensions or with my question. Auto workers I visited at Aradco in Windsor had to weld themselves shut inside the plant to get the company's and the government's attention.

I'll try again. I'll speak slowly for them. When will this Premier actually respond to my question and bring Bill 6 onto the committee agenda for public consultation?

**Hon. Dalton McGuinty:** To the Minister of Labour.

**Hon. Peter Fonseca:** The member must be aware that he would be burdening this province with what he is proposing with billions of dollars in extra taxes for our employers. That is not the right thing to do when we're trying to create jobs. What we have asked for is, with the bankruptcy and insolvency—

*Interjections.*

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

**Hon. Peter Fonseca:** The answer to the member is to change the Bankruptcy and Insolvency Act. It is under federal jurisdiction. We agree that the employees should be moved to super-creditor status. That is something that

would go a long way to helping employees across this province.

**Mr. Mike Colle:** On a point of order, Mr. Speaker: I'd like to congratulate the member from Bruce-Grey-Owen Sound for convincing the Conservatives to allow him back into the caucus—

**The Speaker (Hon. Steve Peters):** Thank you. That's not a point of order.

There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1134 to 1300.*

## INTRODUCTION OF VISITORS

**Mr. John O'Toole:** I'm introducing—Speaker, they're not actually here yet; they're tied up with security, but I will get it on the record here: Mr. Brian Rutherford, Lynn McCullough, Jan O'Neil, Joe O'Neil and John Vanderhorst—just a few of the many who are here today to express displeasure with the government on the pension issue.

## MEMBERS' STATEMENTS

### ONTARIO BUDGET

**Mr. John O'Toole:** It's a pleasure today to rise to say that recently the Premier of Ontario has been giving Ontario citizens mixed signals on the future of Ontario. Today, there are many hundreds, if not thousands, of demonstrators on the front lawn here representing union employees and other citizens of the province. They are very angry and upset at the uncertainty surrounding some of the important decisions in Ontario.

We all know that our economy is in rough shape. There are over 300,000 families with no paycheques. We also know that in Ontario, Premier Dalton McGuinty just cut, ended and closed debate on the budget, with the remaining question of why. What is he hiding? We know that the budget has the slick plan to introduce the new Dalton tax of 13%. Why? And why at this time, given the economy and the jobless state?

I also raise the question about the pensioners. You, Premier, should have intervened five or six years ago, to be sure. Employers should be required to pay up. Why did you continue to ignore expert advice and not deal with the issue? You had the opportunity to require this to be addressed.

Who's in charge over there? What's the plan? Are you just going to let people sit in their own stew?

### MARKHAM STOUFFVILLE HOSPITAL FUNDRAISER

**Ms. Helena Jaczek:** I recently attended the Pakistan National Day gala in my riding of Oak Ridges-Markham.

The purpose of this event, which consisted of a wonderful evening of dinner and entertainment, was to raise public awareness and funds for the Markham Stouffville Hospital expansion. The Herculean efforts of the Pakistan National Day gala celebration committee raised the extraordinary sum of \$500,000 for the hospital. This was the organizing committee's seventh fundraising dinner for the Markham Stouffville Hospital, and, as always, it attracted a wide range of business, professional and community leaders.

Markham Stouffville Hospital was built to provide care to a community of 110,000 people in 1989 and currently serves a population of 300,000. It has long had a profound impact on my community and urgently needs to expand. Over the years, it has received funding from a number of sources, including individuals, community organizations, businesses and, of course, the government of Ontario. The decision of the organizers of the Pakistan National Day gala to assist the Markham Stouffville Hospital reflects the sense of community felt by our Canadian-Pakistani neighbours.

I commend the tremendous humanitarian efforts of the Pakistan National Day gala celebration committee and its chair, Mr. Khalid Usman, a former Markham councillor, who demonstrated the importance of building bridges within our community.

### ONTARIO BUDGET

**Mrs. Elizabeth Witmer:** I want to take a look at what Mr. McGuinty has been saying in the past about democracy and how he seems to say one thing and do something totally different, as we saw this week when he rammed through the budget bill without giving the public in the province of Ontario the opportunity for public hearings and input.

It was quite different back in 1997, on March 4, when he proclaimed: "Democracy imposes responsibility on those who govern. Democracy gives the people a voice, but it also compels those who govern to listen to that voice. Democracy isn't just something that takes place once every four years. Democracy is what is supposed to happen in a free society each and every day."

It's regrettable that Mr. McGuinty did not heed his own words this week as he instead decided to time-allocate the budget bill and not allow for the public to speak. He didn't take the opportunity, as he thought in 1997 should happen, to listen to the voices of those people.

He also said: "'Public hearings'; those two words go together nicely if you believe in true democracy." He said this on December 6, 1999. How different, his words from his actions.

### PENSION PLANS

**Mr. Paul Miller:** At the Protect Our Pensions rally today on the front lawn, I was standing with my brothers and sisters in the labour movement, who are deeply concerned about the state of their pensions. I now stand

in this Legislature to make sure that the calls for pension protection from workers all across Ontario are heard.

Those at the rally today worked hard all their adult lives, believing that when they retired, they would have a pension to live on. They are forced to live in uncertainty now. Pensions have been underfunded, and this government has done nothing to protect these workers.

Workers have had to rally many times to have their voices heard. It's time for the government to listen to their needs.

I spent Monday and Tuesday in Windsor at CAW rallies, and again today on the front lawn, raising the important issue of pension protection for thousands of Ontarians.

Bill 17, which I brought to the House earlier in this year, would raise the pension benefits guarantee fund to \$2,700, which will solve many of these workers' problems. I hope that it will not suffer the same fate as Bill 6.

Ontarians have earned and deserve their pensions, and they are waiting to hear how you will protect them. They are listening. What do you have to say to them?

#### PEEL MEMORIAL HOSPITAL

**Mrs. Linda Jeffrey:** Last month, the William Osler Health Centre announced the selection of Zeidler Partnership Architects as the firm that will lead the team of professionals charged with the responsibility of redesigning and developing the Peel Memorial Hospital site. The formation of the project team is a major step forward, setting the stage for the preliminary decommissioning work to commence at the site this spring.

Zeidler is an international architectural firm headquartered in Toronto, with other offices in Canada, the US, Europe and Asia. Zeidler is known internationally and nationally for developing healing spaces that inspire a sense of community as well as create an environment of wellness.

A redeveloped Peel Memorial Hospital will play an important role in Osler's family of hospitals by providing Brampton, Etobicoke and surrounding communities with urgent care, ambulatory care, outpatient surgical procedures and specialty services. The focus of the new site will be on primary care as well as chronic disease prevention and management.

The redevelopment of Peel Memorial Hospital site is a priority for my community. This announcement will bring health care service providers and partners together to consider how best to deliver a new campus of health services that will serve the growing needs of Brampton.

I look forward to working with the project team to create a leading-edge facility in the downtown core which will meet the future health care needs of residents in Peel.

#### BEYOND THE BLUE BOX

**Mr. Lou Rinaldi:** Yesterday, I attended an event in Cobourg, in my riding of Northumberland-Quinte West,

to celebrate Earth Day at Beyond the Blue Box. This retail business is a not-for-profit that began in 1992. Their vision was to provide work, social and training opportunities for developmentally challenged individuals while promoting reduction, reuse and recycling of waste. Sales have grown from \$2,000 in 1992 to over \$324,000 last year. These revenues support people with intellectual disabilities.

Beyond the Blue Box employs eight full-time staff along with 15 developmentally challenged individuals. Working closely with West Northumberland Community Living, they have helped more than 45 people participate in the work environment.

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Yesterday, we celebrated an Ontario Trillium Foundation grant of \$125,000 to expand their facility to open Beyond the Blue Box Boutique. This funding was used to convert and restore an historic building into an accessible retail sales area to provide an affordable retail outlet for reusable items. The boutique will be used for the sale of books, designer clothing and antiques, all of which have been donated and diverted from landfills. Earth Day was the perfect opportunity to announce that last year alone, they diverted 1.5 million pounds of reusable items from our landfills. That's equivalent to the waste of 6,000 households.

I'd like to congratulate all the people who helped this facility become a success.

#### ORDRE DE LA PLÉIADE

**M. Phil McNeely:** Je prends la parole aujourd'hui pour reconnaître les six récipiendaires de l'Ordre de la Pléiade qui ont reçu hier leur médaille des mains du lieutenant-gouverneur de l'Ontario, l'honorable David C. Onley. Il s'agit de M<sup>me</sup> Lillian Anne Gagné, de Penetanguishene; M<sup>me</sup> Tonia Mori, de Toronto; M. Paul-André Gauthier, de Sudbury; M. André Marcil, de Kapuskasing; M. Gilles G. Patry, d'Ottawa; et M. Jacques Janson, d'Ottawa.

L'Ordre de la Pléiade est l'ordre de l'Assemblée parlementaire de la Francophonie, destiné à reconnaître les mérites éminents des personnalités qui se sont distinguées en servant les idéaux de l'Assemblée parlementaire de la Francophonie, l'APF. Créée à Luxembourg en 1967, cette assemblée regroupe des parlementaires de 77 parlements ou organisations interparlementaires répartis sur les cinq continents. L'APF est reconnue comme l'assemblée consultative de la francophonie par le sommet des chefs d'État et de gouvernements des pays ayant le français en partage. C'est dire le mérite de nos six récipiendaires.

Je tiens donc à les féliciter et à souligner combien leur leadership et leurs réalisations pour la francophonie sont appréciés par cette chambre et par la province.

#### TORONTO WEST COURTHOUSE

**Ms. Laurel C. Broten:** The old site of the Westwood Theatre near Six Points has a long history in my

community. Today, this valuable land sits close to both Kipling subway and Kipling GO station but has been underutilized for years. That is why I am so pleased that a new Toronto West courthouse is set to be built on this site.

My community understands the important role that redevelopment plays for businesses and families. This project will serve to revitalize an area of my riding that is in need of investment. This 7.7-hectare site is just blocks from one of Etobicoke–Lakeshore’s economic centres, yet it has remained all but vacant since the theatre closed in 1998. This new courthouse will be the beginning of revitalizing an area that may one day be a new hub of activity in our community.

A new courthouse represents a major opportunity for investment in Etobicoke–Lakeshore. It will relieve the pressure on the Toronto courts by providing increased accessibility to meet judicial needs for years to come. As well, it will be a green building designed to meet LEED silver standards in efficiency.

I want to thank the Attorney General, whom I joined, with our local councillor, Peter Milczyn, on April 7 to announce plans for the future Toronto courthouse.

## INTRODUCTION OF BILLS

### PROPERTY TAX DEFERRAL ACT, 2009 LOI DE 2009 SUR LE REPORT DES IMPÔTS FONCIERS

Mr. Shurman moved first reading of the following bill:

Bill 171, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities / Projet de loi 171, Loi visant à accorder des reports d’impôts fonciers aux personnes âgées à faible revenu et aux personnes à faible revenu atteintes d’une invalidité.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Does the member wish to make a short statement?

**Mr. Peter Shurman:** Yes. This is a reincarnation of a bill that was debated last year and failed on second reading. I took copious notes at that time and have addressed what members felt were the deficiencies. I’ve also taken advantage of the new rules that allow for co-sponsorship, and I’m happy to say that I have a co-sponsor in the member from York West and another in the member from Welland.

This is a timely bill; it was last year but even more so now as seniors seek to take advantage of anything that would allow them to maintain their homes in times when financial pressures are at their greatest.

I hope all members will pay attention to this bill and get involved in the debate in a couple of weeks.

## MOTIONS

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

#### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Hon. David Caplan:** I believe we have unanimous consent to put forward a motion without notice regarding the Standing Committee on Public Accounts and the Standing Committee on the Legislative Assembly.

**The Deputy Speaker (Mr. Bruce Crozier):** Do we have consent? Agreed.

**Hon. David Caplan:** I move that the Standing Committee on Public Accounts be authorized to attend the 30th annual conference of the Canadian Council of Public Accounts Committees and that the Standing Committee on the Legislative Assembly be authorized to attend the 2009 annual meeting of the National Conference of State Legislatures.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Caplan has moved that the Standing Committee on Public Accounts be authorized to attend the 30th annual conference of the Canadian Council of Public Accounts Committees and that the Standing Committee on the Legislative Assembly be authorized to attend the 2009 annual meeting of the National Conference of State Legislatures. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

### APPOINTMENT OF CHIEF MEDICAL OFFICER OF HEALTH

**Hon. David Caplan:** I believe we also have unanimous consent to put forward a motion without notice regarding the appointment of the chief medical officer of health and that up to two minutes be allotted to a member of each party to introduce and congratulate the new chief medical officer of health.

**The Deputy Speaker (Mr. Bruce Crozier):** Do we have consent? Agreed.

**Hon. David Caplan:** To the Lieutenant Governor in Council:

We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Dr. Arlene King as the chief medical officer of health for the province of Ontario as provided in section 81 of the Health Protection and Promotion Act, RSO 1990, chapter H.7, to hold office under the terms and conditions of the said act commencing on June 15, 2009;

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Caplan has moved that Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Dr. Arlene King as the chief medical officer of health for the province of Ontario as provided in section 81 of the Health Protection and Promotion Act, RSO 1990, chapter H.7, to hold office under the terms and conditions of the said act commencing on June 15, 2009;

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

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

*Motion agreed to.*

**Hon. David Caplan:** I'd like to thank all members, first of all, for consenting and also for agreeing to the appointment of the new chief medical officer of health. I would like to take this opportunity to introduce Dr. King—please stand, Dr. King—who is in the Speaker's gallery. Seated beside Dr. King is Dr. David Williams. I will speak about Dr. Williams, but Dr. Williams, I would like to acknowledge you and the incredible job that you've done. Please stand as well and be recognized by the Legislature.

I would like to address the House on the appointment of Dr. Arlene King as Ontario's new chief medical officer of health effective June 15, 2009. As members know, Dr. King was selected by a special committee of this Legislature made up of representatives from all three political parties. I'm delighted to have Dr. King join the Ministry of Health and Long-Term Care, and I truly look forward to working in close collaboration with her. She brings an enormous wealth of knowledge, experience and expertise to this position. The list of her numerous accomplishments, publications and honours runs literally to many pages. Dr. King is an internationally recognized expert in immunization, infectious diseases and pandemic preparedness. Her particular area of expertise will be especially relevant to the challenges faced by Ontario, the largest public health system in our country. Ontario is indeed fortunate to have a public health leader of Dr. King's calibre serving the people of our province.

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At this time, I'd also like to acknowledge Dr. David Williams, who has acted as chief medical officer of health since November 2007. I've had the pleasure of working quite closely with Dr. Williams since my appointment some 10 months ago, and I can tell all members of this assembly that Dr. Williams has made a significant and tremendous contribution to the province's public health system, especially during last summer's listeriosis outbreak. I want to thank him on behalf of the people of Ontario, and I want to thank you personally, Dr. Williams, for your dedication and commitment to the public's health. I am pleased that Dr. Williams will continue to serve as associate chief medical officer of health.

**Mrs. Elizabeth Witmer:** I certainly want to join with the Minister of Health in welcoming Dr. Arlene King here today, and also in expressing my appreciation to Dr. David Williams. Welcome, and thank you very much.

I had the privilege to sit on the committee that made the decision to hire Dr. King, and I can tell you that there was unanimous support for the credentials and experience she brings to the position. I have no doubt that she will be a strong public health leader not only in the province of Ontario, but I am very confident, based on the wealth and breadth of experience she has, that she will be a leader of leaders throughout Canada. So welcome, and we're pleased you're coming to Ontario. I can tell you that it's a great province.

I have had the privilege of working with Dr. David Williams since I was Minister of Health, beginning back in 1997. At that time, David, I think you were up in Thunder Bay. That was our first opportunity to get acquainted. I was impressed with Dr. Williams at that time, and I continue to be impressed with the contribution he has made to improving public health for people in the province of Ontario. He has always put the interests of the people of this province above his own interests, and he has certainly gone far above the call that was required of him to do everything he could to protect and promote the health of our citizens.

The minister made reference to the outbreak last year, and he is certainly to be commended for his very, very capable leadership. I know that he's not going away, and for that we are really grateful. I just want you to know we appreciate the fact that, at a time when the Ministry of Health was desperately looking for someone to assume this leadership role—and I would say that the protection of the public is certainly one of the most important leadership roles in our province—Dr. Williams was there, stepped in and filled that position. I can tell you that it is a difficult position to assume; there's a tremendous amount of responsibility. So I want to thank you very much, Dr. Williams, for the very strong, effective leadership you have provided, and for what I know has been your genuine commitment to the people of the province of Ontario. Thank you so much.

**M<sup>me</sup> France Gélinas:** I'm pleased to be able to speak about the new chief medical officer of health, Dr. Arlene King. Welcome. But before I do, I want to thank the outgoing chief medical officer of health, Dr. David Williams, for his dedicated service to public health in our province. Dr. Williams faced some daunting challenges during his term, and certainly rose to meet them, working above and beyond the call of duty. For this, everybody in Ontario is grateful to you, Dr. Williams.

I had the honour to sit on the interview committee for the position of chief medical officer of health, and I was impressed. Dr. Arlene King is well prepared to deal with pandemic outbreaks, communicable disease outbreaks, and the social determinants of health. You name it, she has worked with it. She is a good communicator. I liked both her skills and her style of communication, and she has good French-language speaking skills, which is

something near and dear to me. She understands the challenges of people living in the north, having lived and worked in northern Alberta, and she has an abundance of leadership experience. I was truly impressed with her understanding of the social determinants of health, the fact that people living in poverty have more health problems, and the threats to public health with the obesity epidemic.

Dr. King will have some challenges to face, but I'm sure she will be up to the task. Some of the challenge remains that a third of our public health units don't have a permanent medical officer of health, but I have confidence that she will set the stage to fix this.

In closing, welcome, bienvenue, Dr. King. Merci, thank you, Dr. Williams.

## PETITIONS

### CEMETERIES

**Mr. Jeff Leal:** I'm pleased to have a petition today from Colleen Allen, who lives on Park Hill Road West in Peterborough, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas protecting and preserving the remains of our ancestors undisturbed in their final resting places is a sacred trust and a foundation stone of civilized society; and

"Whereas failure to safeguard one of our last remaining authentic original heritage resources, Ontario's inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

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

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

I agree with this petition and will affix my signature to it and give it to page Alexis.

### PENSION PLANS

**Mr. O'Toole:** I'm pleased to present a petition on behalf of—I guess they're in the gallery; Jan and Joe O'Neil, John Vanderhorst and Lynn McCullough—GenMo salaried pension organization. The petition reads as follows:

"Petition to the Legislative Assembly of Ontario:

"Whereas the provincial government has stated that they are not going to honour their previous commitment to fund the pension benefit guarantee fund (PBGF); and

"Whereas GM contributed significantly to the Ontario and local economies and was a significant contributor to the PBGF; and

"Whereas the General Motors of Canada salaried pension plan fund (plan 0340950) is severely underfunded due to the government's lack of responsibility (regulation 5.1, 'too big to fail' legislation), which permitted GM to underfund" said pension "fund; and

"Whereas regulation 5.1, as amended, allowed GM an extended period to fully fund the pension fund;

"Therefore, GM employees, retirees and surviving spouses have been exposed to considerable risk, and since General Motors is the only company still affected by regulation 5.1, its employees, retirees and surviving spouses are treated differently than any other employee, retiree or surviving spouse in Ontario; and

"Whereas GM is experiencing severe financial problems and there is a potential for bankruptcy; and

"Whereas, if GM goes bankrupt, stakeholders such as vendors and suppliers know the risk to business; retirees and surviving spouses were not aware of potential risks; and the market decline and their age, health and ability for re-employment restricts their opportunity to offset their income or recover their losses; and

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"Whereas GM's salaried employees contributed a percentage of their annual income to pension plan 0340950 and were permitted only limited contributions to RRSPs due to the federal government's CRA discretionary RRSP restriction for defined benefit plan members; and

"Whereas the provincial government budgeted \$10.6 billion of taxpayers' money to replenish their own government employees' pension plan;

"Now therefore GenMo has petitioned the Legislative Assembly to recognize GenMo's salaried pension organization as the legal representative of all pensioners who are members of registered plan 0340950, being the salaried employees, retirees and survivors' spouses of General Motors of Canada; and

"GenMo hereby petitions the Legislative Assembly to honour its commitment to totally fund the PBGF; and

"That in any approved restructuring plan of General Motors of Canada, provision be made that General Motors fully fund pension plan 0340950, and that General Motors continue to provide lifetime benefits to retirees and surviving spouses in accordance with employment entitlements and the retirement agreement; and

"That the Legislative Assembly do due diligence and amend regulation 5.1, 'too big to fail,' to protect all employees and retirees of General Motors of Canada; and

"That the provincial government support amending the federal legislation, being the Companies' Creditors Arrangement Act (CCAA) to permit pensioners superclaimancy status."

This is prepared by Jan and Joe O'Neil and members of the GenMo organization. I'm pleased to sign it, submit it and support it on their behalf.

### ROAD SAFETY

**Mr. Michael Prue:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the recently passed Bill 41 with regard to speed limiters on heavy trucks was passed without considering the effect on traffic flow, safety concerns and interstate trucking; and

"Whereas the speed of 105 kilometres per hour creates a dangerous situation on our 400-series highways with consideration to the average speed of traffic flow being 120 kilometres per hour;

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

"That the Legislature suspend enforcement of the speed limiter law until the Legislature can review all studies conducted pertaining to the effect of this law and road safety concerns; and

"That the Ontario speed limiter law be amended from 105 kilometres per hour to 120 kilometres per hour to remove the increased risk of collisions on our highways and to prevent infringement on interstate trucking out of province and country."

I would affix my signature and send it with the page.

#### CHILD CUSTODY

**Mr. Kim Craitor:** I'm pleased to have the opportunity to introduce this petition into the House, which I've done on a number of occasions.

"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.

"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 their 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'm proud to sign this petition in support.

#### PENSION PLANS

**Mr. John O'Toole:** I have an excellent petition here. It reads as follows:

"Whereas General Motors has contributed significantly to the Ontario and local economies and was a significant contributor to the pension benefits guarantee fund (PBGF); and

"Whereas the General Motors of Canada salary pension plan fund (plan 0340950) is severely underfunded due to the government's lack of responsibility in allowing policies (regulation 5.1, 'too big to fail' legislation) which permitted GM to underfund the pension benefits guarantee fund; and

"Whereas GM is experiencing severe financial problems and there is a potential for bankruptcy;

"Therefore we, the undersigned, support the GenMo salaried pension organization in petitioning the Legislative Assembly of Ontario to honour its commitment to totally fund the pension benefits guarantee fund; and

"That, in any approved restructuring plan of General Motors of Canada, provision be made that General Motors fully fund pension plan 0340950 and" that General Motors "continues to provide lifetime benefits to retirees and surviving spouses in accordance with its retirement commitments; and

"That the Legislative Assembly of Ontario take immediate action to protect" GM pensioners.

I'm pleased to sign and support this and present it to one of the pages, Robyn.

#### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Kevin Daniel Flynn:** Based on the news coming out of Vaughan today, I'm introducing a petition. It says:

"Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

"Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

"Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

"Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing approximately \$2.4 billion to the local economy over 10 years; and

"Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

"Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

"Whereas, despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

"Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;

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

"To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second NHL hockey team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto NHL franchise."

I agree with this completely and will sign it.

#### PROTECTION FOR WORKERS

**Mr. Mike Colle:** I've got a petition here on behalf of vulnerable foreign workers, and this is a petition of hundreds of names from Laval, from across the province of Quebec, in support of protecting our foreign caregivers.

"To the Legislative Assembly of Ontario:

"Whereas a number of foreign ... caregiver recruitment agencies have exploited vulnerable foreign workers; and

"Whereas foreign" caregivers "are subject to illegal fees and abuse at the hands of some of these unscrupulous recruiters; and

"Whereas the federal government in Ottawa has failed to protect foreign workers from these abuses; and

"Whereas, in Ontario, the former Conservative government deregulated and eliminated protection for" caregivers; "and

"Whereas a great number of foreign workers and caregivers perform outstanding and difficult tasks on a daily basis in their work, with limited protection;

"We, the undersigned, support ... the Caregiver and Foreign Worker Recruitment and Protection Act, 2009, and urge its speedy passage into law."

I support my good friends from la belle province, I support the caregivers and I affix my name to this petition.

#### CEMETERIES

**Mr. Jeff Leal:** I have a petition today that's been submitted to me by Sister Eileen McManus, who is a member of the Order of the Sisters of St. Joseph of Peterborough.

"To the Legislative Assembly of Ontario:

"Whereas protecting and preserving the remains of our ancestors undisturbed in their final resting places is a sacred trust and a foundation stone of civilized society; and

"Whereas failure to safeguard one of our last remaining authentic original heritage resources, Ontario's inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

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

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

I agree with this petition and will affix my signature to it and give it to page Lindsay.

1340

#### AIR QUALITY

**Mr. Charles Sousa:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and....

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and....

"Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and....

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

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

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area."

I will sign and provide it to Alexis.

#### TOM LONGBOAT

**Mr. Mike Colle:** I have more petitions from people who support recognition of Tom Longboat.

"To the Legislative Assembly of Ontario:

"Whereas Tom Longboat is one of Canada's greatest long-distance runners; and....

"Whereas Tom Longboat served his country in World War I with distinction and was wounded twice; and

"Whereas Tom Longboat is a great role model for all Canadians; and

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tom Longboat Day Act into law so that we can honour this remarkable athlete and

courageous Canadian, who is a great role model for all Canadians.”

I support the Tom Longboat Day Act, and I affix my name to this petition.

**The Deputy Speaker (Mr. Bruce Crozier):** The time allowed for petitions has expired.

I do remind members, at least those who are here, that when it comes to petitions, you can always summarize long petitions and get to the real meat of it, and the full text will still be filed with the Clerk. In consideration of your fellow members, I know you will keep that in mind.

## PRIVATE MEMBERS' PUBLIC BUSINESS

### EMPLOYMENT STANDARDS AMENDMENT ACT (PROTECTION FOR ARTISTS), 2009 LOI DE 2009 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (PROTECTION DES ARTISTES)

Mr. Tabuns moved second reading of the following bill:

Bill 165, An Act to amend the Employment Standards Act, 2000 with respect to artists / Projet de loi 165, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui a trait aux artistes.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Tabuns moves second reading of Bill 165, An Act to amend the Employment Standards Act, 2000 with respect to artists.

Pursuant to standing order 98, Mr. Tabuns, you have up to 12 minutes.

**Mr. Peter Tabuns:** It's my pleasure to rise today to address my private member's bill, Bill 165, for the protection of artists. The bill, as people can see, is extraordinarily simple. It aims to accomplish what should be obvious and what is much needed as a step forward for Ontario's artists. The bill is about ensuring that Ontarians who make their living in the arts and culture sector are entitled to the same basic employment standards as workers in every other sector across this province.

Currently, artists are excluded from the protection offered by the Employment Standards Act simply because the definition of “employee” used in this act is far too narrow and excludes them. I'd ask anyone in this House how they could argue that artists shouldn't be entitled to the same protections—a minimum rate of pay, vacation with pay, overtime etc.—that other Ontario workers enjoy.

I want to note that in 2006, the report of the Minister's Advisory Council for Arts and Culture pointed out that in other jurisdictions, including France and Belgium, “many artists are deemed to be employees for purposes of labour standards and social benefits.” This is not a concept that

is out of keeping with other practices in the world and, in particular, jurisdictions that are very concerned about preserving, promoting and maintaining their culture.

The bill is about ensuring basic protection in the workplace and in the work that artists do while also protecting the status of an artist as an independent contractor, something that's fundamental to an artist's employment status. The reality is that artists need both of those things: protection as an employee and, because of the economic realities we face in this society, the maintenance of their independent contractor position so that the taxes they pay reflect far more nearly the episodic nature of the work that they're engaged in—the uncertain nature of the work that they are engaged in.

Passage of this bill will start to fulfill the McGuinty government's long-standing promise to artists. That is implementing status-of-the-artist provisions, even if it's done on a piece-by-piece basis. This isn't a comprehensive act. There are many other elements that have to be put in place, but at least in getting things rolling and bringing in one part of the necessary legislative changes, this act will be very useful. The bill will strengthen the arts and culture sector and ensure that its workers are treated fairly.

It is simply the right thing to do. Ontario has a very rich arts sector, and we want to keep it that way. I say to everyone in the House: If you want to preserve a critical mass of performers and creators in this province, then they have to be treated fairly. They have to have an income that reflects what they contribute to our society. If we want to maintain them here rather than losing them to the United States, something that happens very commonly, we have to make sure that they are treated and recompensed fairly. If we have that critical mass retained here in Ontario, we have the ability to draw other people into that creative process and make Ontario a richer and more vibrant place.

Across Canada, there are 140,000 people who list art as their major occupation; 40% of these people are Ontarians. Ontario has double the number of artists living in our province compared to any other province across the country. The overall contribution of the arts to the Canadian economy was over \$84 billion in 2007, \$46 billion of that in direct contributions. To give you a sense of scale, the mining sector in Ontario generates somewhere around \$11 billion to \$12 billion worth of revenue. The arts are a very large part of our economy and our society. Because of Ontario's dominant arts sector, most of this income went into our provincial economy. These are big numbers. They represent significant impact.

But in spite of that hefty contribution, the statistics on this contribution, there's another story when it comes to the livelihood of those making up the industry. When we look at the statistics of whether this huge economic contribution actually benefits the very people making up the industry, a very disturbing answer appears. Artists in Ontario earn, on average, 38% less than other workers. As acknowledged by the Minister of Culture's own advisory council in 2006, the average annual earnings of

Ontario artists is about \$26,000, almost one quarter less than the overall labour force in Ontario. Artists in many Ontario cities earn less than \$20,000 per year despite the fact that the percentage of artists with post-secondary qualifications is nearly double that of the overall workforce. The nature of work in the arts and culture sector results in 44% of Ontario artists being self-employed, compared to 7% of the overall labour force.

All of these factors and statistics mean that without strong government supports, our arts cannot thrive; they cannot prosper. These statistics mean that without changes like those offered in Bill 165, these workers, these creators, these people who contribute profoundly to our economy will continue to face poor working conditions, and we will face destabilization of this essential sector.

Perhaps most disturbing, the economic situation for artists overall is only getting worse. Although the earnings of the average worker have steadily increased over the last 15 years, the average earnings of artists have been steadily decreasing. It's clear that we need action in order to close this gap.

### 1350

We need to ask ourselves what the value of arts is to our community. Without doubt, there's direct economic application, but the arts inspire us; they shape our lives; they shape our outlook. In fact, the arts shape the look, the language and the thought of whole sectors, of whole eras. When you think of the style of architecture in a particular time and you think of the language and the way we think about things, profoundly, all of that has been shaped by the arts community and by the individual artists out there working in performance, in painting, in sculpture, literature, writing. You've got a whole range of people who shape the very way that we conceive of the world, the very way that we see it.

We need those people here in Canada, here in Ontario, to define our personality, to help define what we think is important in the world and allow us to express what we think is important in the world.

Without a strong arts community, our tourism sector would suffer. Think of places like Stratford, like Blyth, Ontario—a fairly small place with a summer theatre festival that's well attended. Toronto, with its theatres and art galleries, needs a strong arts community.

There's a reality that there is a continuum of the arts, an ecology of the arts, with individual artists creating, shaping, performing, using their own voices, their own bodies, to create and extend messages to us, and their work is the foundation for other sectors, for mass entertainment that in and of itself generates huge amounts of revenue, but the artists don't get that: artists who work in small independent films like *DNA*; not an independent film, *Niagara*, that was made here in Ontario a number of years ago; or the very successful series *Flashpoint* on CTV. There's a whole continuum of the arts and a whole continuum of artists out there doing the work that has to be done.

I want to note right now that we're joined by a number of members of ACTRA, people who have been speaking

out for the arts: Art Hindle, Wendy Crewson, Austin Schatz, John Nelles, David Gale and—my goodness, Norm MacAskill is not here. Janesse? Anyway, the people here in the members' gallery are here, and they were here earlier in this week, speaking about the need to protect arts and the artists, not just for themselves but for the economy and the social fabric of this province.

We understand, not just in the NDP but in other parties, that the arts are an inherent part of what we are as human beings; they express our cultures, express our personalities. We're concerned that even though the government may understand that, they are not making the steps, not taking the actions necessary, to provide the comprehensive support that Ontario's artists and Ontario's arts community need.

There was a promise made by the McGuinty government to introduce status-of-the-artist legislation, and the reality was a bill introduced in 2007 that was a huge disappointment. It created a weekend in June to celebrate artists. I have to say, you have to wonder why you would even do that. Why didn't you just say, "No, we're not going to introduce it"? That was an insignificant response.

The minister has spoken before and said, "Ontario's talented artists and arts organizations are vital to the growth of the province's creative economy. Investment in the arts helps strengthen the sector, stimulates the economy and creates jobs." That was April 21, Aileen Carroll.

Having said that, you need to follow through. You need to provide the financial support, the legal support, the support showing that clearly arts are of consequence to this government and this province.

When I met with members of ACTRA earlier this week, there were three main issues they were concerned with: implementation of a collective bargaining process for the arts sector, the subject of another debate; amending the Employment Standards Act to include artists, the issue before us today; and institution of legally binding regulations that can protect child actors. All members of the House should know that it is these changes that are needed to determine the quality of life for artists, their working conditions and the likelihood of a career in the arts. Ontario's artists need these changes. They should not be forced to make sacrifices to ensure that we have a viable arts sector in Ontario. They should not be in a situation where their working conditions discourage others.

I call on all members of this House to vote in favour of my private member's bill today.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Vic Dhillon:** I'm happy to have the opportunity to stand today in the Legislature and join the debate on the member for Toronto–Danforth's private member's bill, Bill 165, An Act to amend the Employment Standards Act, 2000 with respect to artists.

Our government values the contributions of the close to 57,000 professional artists in Ontario. Artists play an important role in building a strong, prosperous economy.

They make an invaluable contribution to the quality of life in their communities across Ontario, as well as nationally and internationally.

The Ministry of Culture champions a number of initiatives that support artists in Ontario. Since 2003, the McGuinty government has increased funding to the Ontario Arts Council by \$20 million, bringing the OAC's annual budget to almost \$60 million. This represents a 140% increase to the OAC since 2003. In 2007-08, the OAC funded 1,300 individual artists and 875 organizations in 252 communities across Ontario. Our government's 2009 budget proposes an additional investment of \$30 million in the Ontario Media Development Corp. to support Ontario's film and television industry as it competes domestically and internationally.

The member from Toronto–Danforth has proposed, under Bill 165, to amend the Employment Standards Act. We must be clear on what he is proposing.

Currently, the Employment Standards Act provides minimum standards for an employment relationship between employees and employers. For example, an artist who is an employee is covered by the Employment Standards Act and its minimum standards for wage, public holidays, termination pay and vacation pay. Bill 165 is asking for the Employment Standards Act to reach beyond an employment relationship and govern commercial contracts. Bill 165 is proposing that the Employment Standards Act govern independent contractors; in other words, individuals who are not employees. We're not talking about artists who are employees, because, as I just mentioned, they are already covered under the Employment Standards Act. Instead, we are talking about artists who are independent contractors, independent contractors who have special status over employees when it comes to copyright and taxation rights.

Unlike employees, artists who are independent contractors are able to access different tax rules and write off expenses not available to an employee. The Employment Standards Act is clear in its definition of who is an employee and who is an employer. These are tests used to determine whether an individual is an employee and therefore comes under the Employment Standards Act.

Since 2003, the McGuinty government has a proven track record of amending and revising the Employment Standards Act to address emerging trends in the workplace that impact employees. Here are some examples: We have increased the minimum wage annually since 2004, extended family medical leave to include more relatives, created Family Day, and created job protection leave for military reservists.

The McGuinty government has already introduced proposed amendments to two other important issues under the Employment Standards Act. We proposed amendments to provide greater protections for temporary help agency employees and proposed a three-month job-protection leave when an employee wishes to donate an organ.

**1400**

The McGuinty government's decision to introduce greater protections for temporary help agency employees

is a great example of ensuring that employees in an employment relationship have adequate protections. It is evident to me, to Minister Fonseca and to the McGuinty government that the general protections in the Employment Standards Act were not sufficient for the problems faced by temporary help agencies.

I had the pleasure to meet stakeholders last summer to hear about the issues facing temporary help agency employees prior to the introduction of Bill 139. The key is that the Employment Standards Act should focus on employment relationships. The government has demonstrated that it will respond and propose changes to the Employment Standards Act when issues emerge in employment relationships.

This is quite different from what the member from Toronto–Danforth is asking for through his Bill 165. He is asking to radically alter the scope of the Employment Standards Act to cover independent contractors. He is asking the Employment Standards Act to cover non-employees. This proposal would see the Employment Standards Act expanded to include artists, who are not employees. I believe this proposal is unwarranted.

This government has demonstrated that it is a friend to artists, whether they are employees or independent contractors. This government has provided a variety of mechanisms and programs to champion Ontario's artist community.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John O'Toole:** I listened quite attentively on Mr. Tabuns's bill—

**Mr. Mike Colle:** You just got here.

**Mr. John O'Toole:** I did read it when he introduced the bill. That remains the depth of my knowledge, you could say. But I think the intent of what he's trying to achieve here, as I look for the bill, is important: protecting artists.

I'm familiar—I have a copy. It's a very small bill; actually, it's about one paragraph—no, it's more than that, because it's in two languages.

Just to make sure that we understand the explanatory notes—some members have other things they're doing today—"The bill amends the Employment Standards Act, 2000 by adding and amending several definitions. The definition of 'employee' is amended to include artists, and the definition of 'employer' is amended accordingly. Definitions of the terms 'artist' and 'dependent contractor' are also added."

I understand fully, having members of—not my immediate family; they're artistic in different ways, I guess, but I have a nephew who's on TV. You know, it's very precarious. He's actually either in the news or out of the news. It's more like a politician, really. We're either in office or out of office, and it's a pretty risky business. We don't have any coverage from the employment standards. I look at Mr. Phillips. He's been here for longer than I have—very deserving, and a minister as well. There's no protection.

Some would say that this particular activity is partially theatrical. Really—I mean, I’m not trivializing what we do. We are taught—and I’m speaking to artists today, and I do respect the work you do. I’ll make sure I leave that on the record. But when you’re in a role which is primarily—Mr. Tabuns is an extremely respectable fellow. He did very well in the leadership thing and I think brings a lot to the Legislature. But more importantly, this job is really about communication. As such, there is a parallel for what you do. In communications, we’re told that when you’re communicating—maybe you could speak to me after, if I’m wrong on this—it’s about 20% what you say and 80% how you look. Imagine that. We’re discussing legislative, technical things, whether it’s the Highway Traffic Act amendments that were passed yesterday, Bill 118—which I had a role in; Minister Bradley even mentioned that.

This bill is an issue ultimately about fairness for artists. I’m not trying to trivialize it; I’m just trying to say that that is a skill, the communication skill, in whatever medium you talk of, whether it’s in music, instrumental music, theatre, dance, the written word, all the various forms of art.

We need art to enrich our lives, especially in times like these. When we see the economy crashing around our ears and the demonstration out here today, that’s theatre right there. That is theatre. Michael Moore would probably be out there today recording that, to say that Dalton McGuinty is failing the people of Ontario. Now, that’s theatre, but it’s politics.

The parallel that I’m trying to draw today would be to say that artists are important contributors—probably more important than most politicians—to society, the civility of society, and the hope and joy of society. Right now, there’s a lack of hope and joy, and maybe we need art more than ever in these times.

What they need is the security to continue their craft and what this affords them in some measure by these amendments to the Employment Standards Act, which have attached to that certain entitlements.

I want to wrap up. There aren’t many speakers on our side here today. It’s very lonely at the top; I feel like the Maytag man. Really, it’s just that maybe they trust me, that I am able to carry the debate on my own. I am probably going to support it, because Mr. Tabuns does great work here, and so I want to leave that on the message as well.

But I want to get back to the fundamentals of what it’s trying to do. My undergraduate degree was in labour economics. I studied at the University of Toronto, and John Crispo was the professor, a very well-published, brilliant guy. I did learn the issues of roles and duties of the employers and employees. You need certain statutes to cling to, because not everyone is organized by a union.

There are union issues involved here, and the guilds, I guess they call them, need to be out on the front lawn on occasion. They need to act out to make their point and to get what they call their message across, by acting, and probably on some occasions you have acted out. I can

remember being part of the Mike Harris government; there was some acting-out going on then, let me assure you. Now, did it achieve its objective? Well, I suspect it just shows how important the theatrical component of public demonstration is. I see that every night when I watch the CBC—hacking Stephen Harper apart, usually.

My point is this: I would not deny a person’s right to make the demonstration. That is not the point. The point I’m actually making is a philosophical reference, I suppose; it doesn’t get much deeper than that. But it’s this: I may not agree with what you say, but I will defend your right to say it. And saying it is not just in words; it’s in actions, deeds and other mediums.

This is a bill that I think would be supported, and I think Mr. Tabuns’s whole history of what he brings from Greenpeace before he got here would be respectable. It’s not always something that I would agree with, because I’m sort of from that very—Liberals would say “primitive level,” but in my case, I would say that I come from the point of view of: “Which came first, the chicken or the egg?” I would say I could be laughed at, but it doesn’t affect me, only to make this point of: “Which came first, the chicken or the egg?”

In the case of this debate here, we want to make sure that we have a good economy. So a Conservative would say to you that we have to have a strong economy, we have to have competitive tax rules and we have to have a level playing field. Why? We need that to encourage investment. We can see what is happening in Ontario now. I don’t blame it all on Premier McGuinty for sure, but he is in charge. He’s got the gold key, and he’s got the combination to the vault.

The point is this: If you want to look around the world today where there’s upheaval and uncertainty—perhaps Afghanistan or Pakistan might be a case in point—there is no order. There’s no economy; if there is, it’s a black economy based on uncertain things. Perhaps in Afghanistan, it may even be opium or something like that.

#### 1410

But my point is that a Conservative would say you have to have a strong economy to support a strong quality of life. You can’t have a strong quality of life without an economy. That’s the fundamental basic. As I said earlier, in a self-deprecating sort of way, you have to believe in certain principles. This is where we differ in the ideology scale. But what you do with the wealth gets me back to the point here: It’s important to have civility and culture in society. You need those kinds of things, those investors in culture and society. Garth Drabinsky and those other people, some of them serving time, were the great builders of culture.

So in the brief time I have, this bill is a pretty simple bill. As I said, you could probably sum it up in two minutes, but the time has to be used. It’s the Employment Standards Act amending two words and definitions. I’ll probably be supporting it because I do support the arts.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** I had some notes here of what I was going to say, but having listened to the member from

Brampton West, I feel compelled to speak about what I think of the arts. Clearly, what he was enunciating is that the arts are a form of employment and whether or not the good people who are artists work as contractors or as employees for someone else. I think, quite frankly, with the greatest of respect, he has missed the boat.

The whole issue is, what do they do for us as a society? What do artists contribute to all of us? Do they work for the CBC or a corporation? Do they work for an insurance company? Do they work for themselves or do they work for all of us? I would have to say without a shadow of a doubt in my mind that they work for all of us. They help to define who we are as Canadians; they help to define who we are as people, as North Americans; they help to define our entire society. They are who we are, and they give expression to that feeling of how wonderful it is to be from this place.

I've had an opportunity over the last few weeks to go to many arts events, some of them big, some small, to see artists young and old trying to contribute to this society. I went to a very moving event which was art done by children at R.H. McGregor school and saw the paintings that they prepared and the wonder of their art, how they used hands and spray-painted over the hands, which reminded me of going back to the Chauvet caves in France and northern Spain, where you can go back 20,000 and 30,000 years to see the same art technique. I saw them trying to draw and to give expression to their young lives, and it was amazing, and how it was appreciated by the adults who had come to that show.

I'm going this coming weekend to the Don Valley Art Club, where they are going to prepare art, some of which will be for sale. It's people who live in our community, who try to give expression to the area around the Don Valley, to the river, to the natural environment, and what they do to give expression to our community.

The Beaches Art Walk is on this week, and I was there at the beginning of that to see some of the culture that is being presented and how they are so expressive of what it is to live in the Beach. Every summer I go down to the Beach jazz festival to listen to music, not only because I like the music, but I want to hear what Canadians are producing, what Canadian music is all about.

I go to the McMichael collection whenever I get a chance to see some of the great artists of the world, artists who are absolutely unique, that you can't see in the United States, that you can't see in Europe, that you can't see in Australia. I go to their art galleries too, but when I go to McMichael, I see something that's absolutely unique.

When I watch television and film, I see Canadian-produced films and Canadian-produced programs that talk about me, that talk about our society, that talk about our culture, that talk about life in Toronto and in Ontario. I see something that is absolutely unique that I don't see on American television. I am proud of all of that.

So when you ask me, "Who do they work for? Do they work for a contractor or the CBC?"—I guess that might be who pays them. Do they sell some of their work to

individuals? Yes, they do. I have bought some paintings. My house, in fact, is filled with them. "Do they work for themselves?" All of that is true, but they work for all of us. That's what's being missed here. That's what's being missed when the member from Brampton West stands up and asks the question he asked: "Are they contractors or are they employees?" What they are are Canadians who are trying to make this a better place. And what can we do in this bill? We have to do a lot more than we have done in the past for artists.

In the entire history of humankind, both prehistory and today, you can go back, and what distinguishes human beings from others who came before us is that we are artists. You can look at the difference between Cro-Magnon and Neanderthal, and the difference between the two groups is that the Cro-Magnon used body art. They left art. They painted themselves. They buried their dead with jewellery. That's the difference. Artists are who we are, and to deny that and to state that it's a contractor or an employee is absolutely wrong. I am asking the members opposite to think about this, to think about this bill and how we can protect and help artists.

Literally every culture in the history of this earth since recorded time has produced great artists and they have, as societies, gone out of their way to help the artist to produce. Whether they be in China, whether they be in India, whether they be the first flowerings of civilization in Iran and Iraq, in all of those places it was the artist who was given predominance and it is the artist's work that survives today to tell us what those societies were like and what they were about. It is how we understand our history and whence this whole human place, this planet earth, comes from.

The artists are asking a couple of simple things. There's a letter I have from ACTRA which was sent to the minister. I just want to quote two things. It says: "The Status of Ontario's Artists Act, 2007, was introduced as part of the budget bill in the spring of 2007. While the act recognized the importance of Ontario's artists and identified the first weekend in June as Celebrate the Artist Weekend, it did not do anything to actually improve the lives of artists."

I take my mind's eye back to that time because I was in the House when this was debated, when we were talking about this when it was part of the budget bill. I am, after all, the finance critic for the NDP and I remember when it was sent to the finance committee for further discussion—people came to discuss the contents, about artists—and the lament that was palpable in that committee about how absolutely nothing was done for artists. The bill passed, and other than setting aside a weekend in June, nothing was done to improve their lives. They have come back again today, and in the letter they're asking for the same three things that they asked for in 2007 that I think are absolutely essential for us as Canadians and Ontarians and people who want to celebrate all that the arts do for us in terms of our lives.

They have asked for these three things and they're contained, in fact, on the first page: "ACTRA Toronto

has asked the Minister of Labour to take three important measures that would ensure Ontario artists have the same opportunities as other workers:

“(1) Establish a new collective bargaining regime to provide a legal framework within which artists’ organizations can negotiate with producers and engagers.

“(2) Amend the Employment Standards Act to include artists.

“(3) Bring into force legislation or regulations to provide protections for child performers by law.”

I think they all make pretty much sense. Artists earn only about 75% of the average wage in Ontario. They make 75% of the average wage, the average wage being around \$36,000; they earn about \$25,000. That’s what they earn, but they do it for the love of their art. They do it so that all of us can appreciate what they are contributing to this society. They do it in order to push the boundaries of Canadian culture and to make us proud of who and what we are. I think we need to make sure that they have the wherewithal to continue to provide that wonderful resource upon which we have come to rely.

1420

I don’t think it’s too much to ask that they’re paid a decent wage, and I don’t think it’s too much to allow them a mechanism to negotiate to have better lives so that they can in fact continue to produce. The old adage of an artist living and dying in the garret is not one of which we should be proud.

The second one is to amend the Employment Standards Act to include artists. All they’re asking here is, very simply, to be included with other workers. They understand that they work; they understand that they produce; they understand that they are producing a commodity, in many cases, that is saleable. But they want to be treated the same as other workers. I don’t believe that that is difficult to understand.

But in my last two minutes I want to talk about the last one, because this is particularly problematic to me. They want to bring into force legislation or regulation to provide protection for child performers by law. One of the very few places that we allow children under the age of 10 or 12 to work—outside of this Legislature, with the young people who work here for a few weeks—is in the arts. We need them. We need them to perform in plays. We need them to perform in films and in television. We need them to sing sometimes for productions because they are part of our society. They are the young and the future and we need to develop their talents. We must make sure that those children are protected. We stand up as a society—and I can hear it oftentimes in here, or people talking on the streets, or my friends when they talk about the heinous conditions in which children are forced to work around the world, whether it be in the mines, whether it be tying knots in rugs in Iran or Afghanistan, or whether it be children forced to do labour in order to survive on the streets of India. We hear about those things. We hear Craig Kielburger and his brother when they talk about the horrendous conditions.

But we have conditions in this province that need to be protected. I’m not saying that the children are abused, but

I am saying that we need to provide protection for those children, first of all so that they are allowed to make sure they have the opportunity to continue to go to school; secondly, that they have the opportunity to keep the monies they earn and that they’re not siphoned off by family or agents or other people, so that they are protected in their older age; and thirdly, and I think just as importantly, that they have the strength of having a group looking after them to make sure that their interests are paramount throughout it all.

I am asking the members to vote for this. I am asking you to vote for this not because it’s a contractor versus an employee, but I’m asking you to vote for it because it’s the right thing to do to protect our most valuable asset.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Laura Albanese:** I’m very pleased to speak on this subject today and to share some of my thoughts with the members of this House. I also want to thank and welcome the members of the arts community who are here with us today.

I want to offer a personal perspective. I am fortunate enough to have been married for over 30 years now to a visual artist, and over these years, I’ve had the opportunity to meet many artists. I have many friends in the artistic community. I’m also well aware of their precarious financial position, even in the best of economic times. I’ve also worked in the broadcasting field for many years, and I’ve noticed some parallels between that field and the artistic community at large. Often, people in the film and television industry are self-employed, they work on a contract basis, and do not enjoy the benefits of a predictable, steady income.

Also, as the parliamentary assistant to the Minister of Culture, I have learned even more about the profound impact that artists have on Ontario’s economy and our quality of life. As we heard before, artists provide an insight into who we are. They stimulate our imagination on an everyday basis and they challenge us to look at the world in a different way.

They also account for a significant share of our economic growth. The culture sector generates, as we’ve heard, \$46 billion for Ontario. I believe that it accounts for more than 250,000 jobs in our province.

Although artists contribute so much in such a significant way to our economy, their income is often not steady and they are not able to plan for their lives as one usually would. Their fiscal situation is often uncertain.

The average artist earns around \$20,000 or \$30,000 a year, although they work all year round. They work all the time but their income does not reflect their efforts. I’ll give you an example. My husband will work for an art show and he will succeed in selling some paintings. He may have three or four art shows during a year; some years more, some years less. The income is not always steady. Especially if you’re raising a family, especially if you have children, if you want to have a normal life, it’s hard to predict what that income is going to be year after year. Yet the artist has worked all year round. He hasn’t

worked only for that period of time when he's having that show.

Although they're continuously practising their art, their income has an unusual pattern, either because they're self-employed or on commission. Also, they don't contribute, let's say, to Canada pension, as other employees do. In the television field, this happens also to cameramen, editors, videographers and technical assistants. As independent contractors, they are often unable to provide for themselves and their families in periods when they're off work.

I also want to mention that in York South–Weston I see the role that art can play in making a difference in young people's lives, especially for those who live in challenged neighbourhoods. This can keep them off the streets and inspire them. Their talent can grow into a full profession. This is something that I believe we should all support as a society.

I want to conclude with the thought that if we consider this idea that creative forces benefit the society as a whole, it's only fair that artists have to be able to have a better financial outlook for their lives and have the tools to achieve a better situation during their working lives and in their retirement.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Jerry J. Ouellette:** I appreciate the opportunity to speak today. In regard to this, I realize the intent of what is taking place but I have some concerns. Hopefully the member will be able to elaborate and alleviate some of the concerns that I have regarding this issue.

When you're talking about the direction of the bill, certainly the intent is very clear. However, when the actual workings take place—it specifically states that an artist is “in any field of artistic endeavour, and includes a person who ... performs, sings, recites, directs or acts, in any manner.”

For example, the students who were just with us and are just leaving now—what happens in the case of a high school play? They certainly can be found under those guidelines, in that many of those high school plays remunerate funds in order to recoup the costs of putting on plays in a school. I'm certain that is not the member's intent.

Or what happens with the Durham symphony, when they bring performing artists in from other jurisdictions? We have had a number of world-renowned individuals who have come in, have been brought in, from Poland and other jurisdictions to do one performance at the Durham symphony in Oshawa. What would be the intent or the impact there?

There are other areas I have some concerns about that I'd hope they would be able to expand on, such as the Oshawa Little Theatre, for example. What would happen with the Oshawa Little Theatre? What would take place with the individuals performing on that basis, where sometimes they come in as students, or not, or if they participate in any way, shape or form?

Lastly, another aspect that I think needs to be addressed is—for example, when my sister was going

through school, she was working part-time in the musical at Canada's Wonderland for summertime employment. How would this play out with those individuals? How would it affect them?

Quite clearly, we're hearing large support for actors and artistic value in our communities. We need to ensure that when the legislation comes forward, all of the impacts are addressed in the fashion that the member has intended. Hopefully, he will be able to address those issues and, quite possibly through a committee process, be able to expand on where it can and cannot work.

**1430**

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** I guess my colleague left me just a few minutes to speak. Not actually a few minutes—one minute and 20 seconds. I want to take the opportunity to welcome the artists with us here in the gallery.

I also want to echo my colleagues who spoke in support of this bill. I listened to the member from Beaches–East York when he was talking about how many different cultures through history were measured by their artists. You know, we still remember Shakespeare; we still remember the Mona Lisa, the picture. We remember many different artists throughout history because they produced and left something behind. Their artwork and their productions are still a great indication of the continuation of our history.

In the few seconds, I want to say that it is a very important step forward, to see how we can support artists, even though I know it's a huge issue and very complex. We don't have exact definitions of who is going to be the artist, who is going to be included, because many people do the artistic stuff aside, while they're working, and not as a full-time job.

But in the end, I think it's our commitment as a government, as a society, as a culture to pay tribute to those people and give them the support they need to continue to produce for future generations.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Tabuns, you have up to two minutes for your response.

**Mr. Peter Tabuns:** Before I go any further, I have to correct an omission. I should have introduced Janesse Leung at the beginning. Thank you, Janesse, for being here.

To my colleagues who spoke: Member from Beaches–East York, you were particularly eloquent. Thank you. That was great. The member from York South–Weston, I appreciated your perspective.

Similarly, the member from Durham, who—those who are regulars here understand that he has a stream-of-consciousness style that very few others can replicate. James Joyce and Ulysses come to mind, I have to say. Nonetheless, he seemed to be leaning towards the bill, and I appreciate that.

The member for Brampton West—I disagree with him. He took a long time to say no. He could have been a bit more to the point. I think he was wrong. I have to say to all of you in this House: If you want a high-quality arts

sector, if you want to have the arts fully shape our community and do it in a way that is memorable, that is profound, that strikes others in the world, you have to support the people who actually do the work, who actually do the creation. All we're asking for is that they not have to fight on the very simplest things.

The new representative from Haliburton–Kawartha Lakes–Brock is a musician. He had to fight to get severance after working for eight years as a musician in a restaurant in Oshawa riding. No artist should have to go through that. This legislation can at least set some ground rules so that artists can know that there is some base underneath their feet. The underpayment of artists in this society is not only scandalous, but it's also economically counterproductive. So I ask everyone in this House to think not only narrowly, but very broadly, and support this legislation. Thank you.

**The Acting Speaker (Mr. Jim Wilson):** That concludes the time for this particular ballot item. For those who are visiting us here in the gallery here today and those who are watching at home, Mr. Tabuns's item will be voted on in about 100 minutes' time.

MOTOR VEHICLE DEALERS  
AMENDMENT ACT  
(DISCLOSURE OF LEMONS), 2009  
LOI DE 2009 MODIFIANT  
LA LOI SUR LE COMMERCE  
DES VÉHICULES AUTOMOBILES  
(DIVULGATION DE RENSEIGNEMENTS  
CONCERNANT LES VÉHICULES  
DE PIÈTRE QUALITÉ)

Mr. Flynn moved second reading of the following bill:  
Bill 164, An Act to amend the Motor Vehicle Dealers Act, 2002 / Projet de loi 164, Loi modifiant la Loi de 2002 sur le commerce des véhicules automobiles.

**Mr. Kevin Daniel Flynn:** It is a pleasure to rise before the House today. The previous bill was a little on the esoteric side; this is a much more practical bill that I think will bring some practical advancement to those people who use motor vehicles as their choice of transportation in their communities. It's An Act to amend the Motor Vehicle Dealers Amendment Act, in second reading today.

Before I start, I'd like to thank my staff who assisted in the preparation of this. Jen Adams has joined us today, along with Steven Ball; Waqas Iqbal, my intern from the legislative intern program; and particularly, today is almost the last day for Tania Barile, who has been my executive assistant for three years and will be leaving me tomorrow and going to Guelph. I really wanted to thank my staff for the assistance that they've given me in this.

The basis of this bill is going to require motor vehicle dealers to disclose in writing to potential buyers whether a vehicle has been determined to be a lemon under the laws of another jurisdiction. Before I started to prepare this bill, I didn't realize that "lemon" was actually a

technical term that's enshrined in a lot of other legislation throughout states and provinces in Canada now. But currently, the existing situation in Ontario is that there's little protection available to a consumer who has purchased a car that, in fact, is being imported from a dealer in the United States. So the purpose of the bill we have before us today that I'm asking your support for is to ensure that Ontario's consumers are able to feel confident when they purchase a used vehicle in Ontario and know that they're making an informed decision and that the vehicle that they're purchasing has indeed not been declared a lemon under the laws of another jurisdiction.

Now we've got some changes that are coming into place January 1, 2010, and that's going to be some regulations and amendments to the Motor Vehicle Dealers Act, 2002. There are going to be extensive disclosure requirements concerning a vehicle's history and the previous condition of that vehicle. Through the Motor Vehicle Dealers Act, buyers, lessees and others will be permitted to cancel a contract to lease or to purchase a vehicle within 90 days if a dealer fails to comply with the disclosure requirements of the act.

But what is not in the act as it currently stands is that the act does not explicitly require the disclosure of whether a motor vehicle is indeed a lemon by the definition of another jurisdiction. What it does, for greater certainty for the members, is that the Motor Vehicle Dealers Amendment Act would amend the regulations to explicitly require the disclosure of whether a car or vehicle has been labelled a lemon by another jurisdiction. This amendment would allow Ontarians—our constituents, from all parties—to have the same equity, to get the same treatment, based on what was just passed in Manitoba in the spring of 2008. That piece of legislation was called the Business Practices Amendment Act (Disclosing Motor Vehicle Information). A lemon is defined as "a motor vehicle that was returned to the manufacturer under the laws of another jurisdiction because

"(a) it did not conform to the manufacturer's warranty, and

"(b) it had defects or conditions that substantially impaired its use, value or safety and that were not repaired within a reasonable time period or after a reasonable number of attempts...."

I think we can all go through our lives and through some of the vehicles we've had and perhaps have stories about some of the frustrations that we've experienced in the purchase of that vehicle and in our ability to get it fixed.

*Interjection.*

**Mr. Kevin Daniel Flynn:** Mr. Leal is going to tell us about a special vehicle that has been part of his life or part of his history.

Manitoba was the first province in this country and is currently, unfortunately, the only province that has passed this type of legislation so far. But currently, every state in the union in the United States has a "lemon" law in place. We should be following their lead; in fact, we should be part of the leadership.

The United States has also had federal legislation in place since 1975. That piece of legislation is called the Magnuson-Moss Warranty Act, and it governs the warranty on all consumer products. Full warranty requirements are set out in the act and include responsibilities in case of a defect, a malfunction or a failure to conform with the written warranty of the vehicle.

As provinces take the lead in Canada, it's not a federal responsibility to ensure consumer protection, but it's my hope that our federal government will also take action in this regard because it's Transport Canada, through the Registrar of Imported Vehicles, that makes a determination of what vehicles may or may not be imported into our country.

Manitoba is currently in the process of preparing a discussion paper in order to consult with various stakeholders that would be affected by the regulation to their act, and I look forward to reading that discussion paper when it is released.

#### 1440

Manitoba's law actually came about as a result of a CBC News investigation that took place in November 2007. That investigation found that more than 130 vehicles that had officially been declared lemons under United States law were being sold in Manitoba, as if they had not been declared lemons, to consumers who had no reason to believe these cars had ever been declared lemons.

Through this bill, what we'd like to see is the Minister of Small Business and Consumer Services receive the power to set requirements by regulation that would ensure we come up with a comprehensive plan, and that includes consultation with car dealers, consumer watchdogs and other interest groups on the final information that might be included in this amendment.

It's a proactive bill. We need to ensure that Ontario's consumers are making informed decisions before they buy any vehicle. It's particularly significant in today's difficult economic times, when for most people the purchase of a vehicle is the second-largest purchase they will make, after buying a home, of course.

A March 4, 2009, Canada.com article states that 2.7 million cars and trucks will come off lease in the United States this year, and they're expecting to see a flood on the North American used vehicle market; some 216,000 more vehicles than in 2008. The article goes on to state that the trend is more relevant in Canada, because hundreds of thousands of these used vehicles are bought by Canadian used car dealers and individuals and are trucked across the border every year. This bill is going to enhance the current consumer protection that is in place.

Many of you will be familiar with CAMVAP, the Canadian motor vehicle arbitration plan, which helps resolve disputes with automobile manufacturers and consumers but is not a valid avenue for vehicles that have been imported from the United States. For example, you would be ineligible for arbitration from CAMVAP if your vehicle had over 160,000 kilometres on it or if it was more than four model years old, and you wouldn't be

eligible for the buyback program at all if your vehicle was more than three years old and had over 60,000 kilometres on it. The bill is not stating that the Ontario Motor Vehicle Industry Council and CAMVAP are ineffective, but just that in cases where cars are brought up from the United States, we need to ensure there are protections in place to further protect Ontario consumers.

The intent of the bill is certainly not at all to state that all North American vehicles are lemons. I know that not to be the case. I have a motor vehicle assembly plant in my riding, in Oakville. I drive a North American vehicle myself, and have had it for a number of years. We also have a hybrid vehicle in the family, and we're seriously considering the purchase of a new hybrid from Ford. It was encouraging today to see that Ford is considered a stock you should now consider buying. After all the bad news from the auto industry, economists and experts are suggesting that Ford may be a good stock to add to your portfolio.

The implementation date of the Motor Vehicle Dealers Amendment Act is scheduled for January 2010. That gives us time to look at this amendment, make sure it's done properly and make sure that consumers are being protected.

The act has received endorsement from Phil Edmonston. Of course, many of you will know Edmonston as the Canadian consumer advocate, writer and former politician. But I think he's best known for his series of annual Lemon-Aid car guides.

The bill has also received support from the Insurance Bureau of Canada. They say, "It has been said that information is power. In today's difficult economic times, access to relevant information is vital. By introducing this legislation, you're helping consumers to access information that will allow them to make better and more-informed decisions when purchasing a used car."

This issue is cause for concern because of the significant numbers of vehicles being imported from the United States into Ontario, where they are ultimately re-registered. According to the North American Automobile Trade Association, about a quarter of a million vehicles were imported into Canada from the United States in 2008. Further, almost all of these vehicles had prior registration in the United States, and approximately 33% to 35% of all vehicles imported into this country are actually imported into Ontario.

It's a proactive approach. Consumers will be informed. Consumers for Auto Reliability and Safety estimates that manufacturers buy back more than 100,000 lemons a year and then resell most of them, often without disclosing their history. Currently some of these cars are finding their way into our province, and I want to do something about that.

A CBC News investigation detected a steady increase in the number of lemons imported into Canada when the dollar was approaching parity. Between May 1, 2006, and November 5, 2007, the study tracked 852 American lemons that were imported into this country.

In planning this bill, I've spoken to various automobile associations. There have been suggestions that, instead, we amend the regulations of the Motor Vehicle Dealers Act to include disclosure of a manufacturer's buyback instead of using the term "lemon." I suggest that it's not the terminology; it's not a game of semantics here that's important to me, as long as it achieves the same result.

Consumer protection is something we can advance here today by supporting this bill, assuming that what we will be doing is explicitly introducing consumer protection to our constituents where it currently doesn't exist. As I said, it's a very practical bill, but it's something that touches just about every life and every individual eventually in this province, as we all rely on personal motor vehicles as a part of our everyday life. So supporting it this afternoon is something you can do that's going to impact people positively.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John O'Toole:** As I said earlier, it's sort of like being the Maytag man here today. I do have my other colleague here from Oxford, who's very capable. In fact, I'm going to share my time with him, I think. At this point in time I'm putting him on notice that this is a bill that I know he's genuinely interested in. But I think everyone in the House would be interested in supporting this bill. When you're looking at consumer protection today in the economy, in globalization—I may wander off topic a little bit, but I'll be generally on topic to the extent that we'd be supportive of the bill because of the consumer protection implications. But again, I want to make reference that these private members' bills are not that substantive—no reflection there on the member and his intent. I know that the member from Oakville has worked hard on this bill. Actually, he has been quite complimentary to me. He has copied a couple of my bills, which is a compliment, really, in a backhanded sort of way.

What the bill does—it's important to bring the viewer on side here and try to get on the same channel. It says: "The bill amends the Motor Vehicle Dealers Act to require motor vehicle dealers to disclose in writing whether a vehicle has been determined to be a lemon under the laws of another jurisdiction."

We have Manheim and other kinds of auto auctions and these kinds of things around the country. This has been a problem. In Ontario, when a vehicle has been in an accident, the insurance company and others are supposed to mark the vehicle as scrapped, okay? It's supposed to be on the record of that vehicle, under the VIN, the vehicle identification number. So there is a process when you go to buy a used vehicle where you're able to get the data, the vehicle history, and it's required if you buy a roadside product. The problem is that some of the dealers may not be quite as transparent. By making it law, you still have the requirement for people to abide by the law, and if you get people who are kind of rebuilding cars from scrap cars or yard scrap, it could be problematic.

But let's look at the bill here. I think it is a consumer protection—it says that "'lemon' means a motor vehicle that was returned to the manufacturer under the laws of another jurisdiction because,

"(a) it did not conform to the manufacturer's warranty, and

"(b) it had defects or conditions that substantially impaired its use, value or safety and that were not repaired within a reasonable time period or after a reasonable number of attempts;"

**1450**

Another section here, section 2 of the bill:

"Subsection 30(1) of the act is repealed and the following substituted:...

"(1) Motor vehicle dealers shall disclose in writing the following information to customers and to motor vehicle dealers and shall make the disclosure at such time as may be prescribed:

"1. Whether the vehicle has been determined to be a lemon under the law of another jurisdiction.

"2. Such other information as may be prescribed."

Fairly vague, really. But what I can say is that we all recall the name Ralph Nader, the great crusader who ran for President. He has run for a lot of things—mostly from the law, I guess. But here's the deal: His intent was fine and well intended. Ralph accused General Motors's Vega of being unsafe at any speed. I'm older, and a lot of this stuff I've heard about for years. Actually, they did a series of scientific, independent, third party research and found out it was no less safe than any other vehicle, and yet it had marred the reputation of General Motors. You could say that that was why they were demonstrating on the lawn here today. The company steadily had a trajectory from positive to negative. Unsafe at Any Speed was the book by Ralph Nader about the Vega. It turned out it wasn't even accurate.

So I challenge the member with the best of intentions—it's a feel-good kind of bill—to define the framework and process for testing. You're on very thin ice here because the Minister of Transportation, as we speak, perhaps in his office in secrecy right now, is probably—what they call low-speed vehicles is a big deal nowadays. In fact, you're going to be authorizing the electric vehicle that wasn't even authorized in Ontario. You know what I'm talking about: the electric vehicle. They denied it in Ontario, and it's for sale in other provinces.

What I'm saying is: good intention; no detail. It's like a sandwich with nothing in it. It's two pieces of bread and I'm assuming it's a sandwich. Innovation in automobiles today is going to have to be carefully watched by the government and qualified technical people, not politicians, to develop those vehicles of the future, some of which will be electric.

The Volt car is going to set the pace for the future. The Volt—we have all heard about it. You've seen pictures of it on television. I've actually seen it at the auto show in Detroit. You could drink the stuff coming out of the tailpipe—I wouldn't want to, because the tailpipe itself may be made of lead or tin or something like that—

the point being that it is not going to be using carbon fuel.

I digress a bit. When you get into these, there's a vehicle now being made in India—I forget the name of it. I think it could be called the Nano or something like that. Does anybody know the name of the Indian vehicle? The vehicle in India is going to sell for about \$2,000—

**Mr. Michael Prue:** Tata.

**Mr. John O'Toole:** That's Tata Motors. It was featured at the auto show, too. I didn't look at it. But they won't conform even now with all of the standards. In fact, there's no consistency in standards—consistency in standards of safety, air bags, CAFE, which is corporate vehicle fuel consumption, and stuff like that.

So when you talk about the lemon—the Edsel was a lemon in terms of the market. Does anybody remember the Edsel? It's a collector's item now.

**Mr. Michael Prue:** Yes. I wish I had one.

**Mr. John O'Toole:** Mr. Prue said he had one. That was when he was mayor of East York, when he had a good job.

The point being, the Edsel—

*Interjection.*

**Mr. John O'Toole:** Let's calm down here for a minute. It wasn't really a lemon. It was a lemon in the marketplace, but the vehicle had been extensively tested and determined to be leading-edge. It just turned out that the design looked like some sort of spaceship that had landed in a dump. It was terrible, really. Look, nothing against it. Edsel was one of the sons of Ford. Do you recall that? That's right. I'm not sure how Edsel the person turned out, but Edsel the car—that's a story for another time.

But in the very few minutes I have left, I'll start the next chapter of this book. The short title is the Motor Vehicle Dealers Amendment Act. A compliment to the member is that consumers should be aware that the province now has in place a vehicle history document. If you can't get that, that is a problem, and maybe you shouldn't be giving anybody any money.

Roadside sales are another issue. Sometimes it's a cash transaction, and you can register—you have to have a safety certificate. What does a safety certificate really mean? It means there is no perforation rust, and that's about it, really; maybe the brakes, the emissions control—there might be some emissions. That vehicle could have been written off, technically. You've got to be careful. It is a consumer protection thing now. The consumers' magazine, I think, is a good place to start protecting yourself.

Again, vehicles that come from other jurisdictions in this globalized world have other, and possibly lower, standards in the case of some countries, because of the state of their economy or the state of their manufacturing, but we know now what is happening. Thanks to the Premier—I'm not blaming him exclusively—all the trucks that were made in Oshawa are now being made in Mexico—seriously. The trucks that were made at the truck plant in Oshawa are being made in Mexico. Some

vehicles from North America—Buick, for instance, is going to be built in China. I can't say that they use the same employment standards—obviously, they pay a heck of a lot less—and that they will be compliant. I would hope they're compliant, but we're going to have to inspect them.

I think the member is saying that he's going to set up a whole bureaucracy to make sure that consumers are protected from these so-called lemons—he hasn't determined how we're going to define that. That's the intent. I support the intent of the bill, but it's like the sandwich reference. It could have used a little more time in the drafting room; we'll leave it at that. It's like making a movie: Maybe the best part is in the cutting room.

He does have some good ideas here. I think the intent is worthy. I'm going to sit down now and listen to what other persons might have to say on this bill. There is more to be said, and I'll defer to another time.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Tabuns:** I will speak to this bill, but I must say first that the member for Durham continues his tradition of an artistic and stream-of-consciousness approach to speaking in this Legislature. I'm sure it is appreciated not only by all my colleagues but by those who are watching on television now and in the middle of the night. When they're fighting to fall asleep and just need that extra little hit to put them over the edge, we here can help the people.

First of all, I want to commend the member for Oakville for bringing forward this private member's bill. There is no question that the requirement for disclosure is a sensible requirement. Speaker, as you are well aware—you have been in this chamber for many a year—occasionally private members' bills become law, and my hope is that this will become law, because I think that people need protection.

There are a lot of levels at which this matters. The member for Oakville is entirely correct: This is, in most instances, people's second-largest purchase—in fact, in some situations it is their largest purchase—so they have a huge amount riding on this. A purchase that goes sour and generates constant costs can be a nightmare—no doubt whatsoever.

The other factor, clearly, is that not only is it a question of financial problems, but if you are using a car—frankly, you don't have to use it regularly, but if you are using it at high speeds on one of the 400-series highways in this province and it fails, that is of great consequence. It can be a matter of life and death.

The member from Oakville noted that something like 2.6 million cars are going to be coming off lease in the United States in the next year or so, and, frankly, they're going to have to go somewhere. I would not be surprised if he's quite correct in predicting that a large number of those cars are going to come here. There are already pieces of legislation in place in a variety of American states that define and set out regulations regarding cars that are considered lemons, and I'll speak to that later.

**1500**

Phil Edmonston is endorsing this private member's bill. Phil Edmonston, with his Lemon-Aid series, put forward information that was extraordinarily popular. I have to say, you don't sell a lot of books about bad cars unless a lot of people have experience getting bad cars into their hands. They want information; they want to know what's going on. So that speaks to the base, the level of problems that people experience in this country.

The insurance bureau is calling for support for this bill. There's no question, if they are calling for it, that they've been dinged. They know that, in fact, a car breaking down on a highway is going to result in insurance claims. It also probably reflects the fact that the cars that we're talking about do not do as well in terms of claims, in terms of performance, and that they get hit.

My father was an auto mechanic, and as an auto mechanic he dealt with people who had bought cars that were not all that they expected them to be. I can't remember all of the stuff that he encountered, but sawdust in the transmission to muffle the noise of grinding was one of the things that he would talk to me about when he'd come home at the end of the day. There were a variety of other activities that went on to make sure that cars that shouldn't be sold were sold.

I would say that the pressure, in fact, to continue selling cars that are substandard is substantial, and when that pressure is substantial, then dealers will cut corners. They will do what it takes to move product off their lot, and they will do what it takes—I had a look there from one of the members. I have to say that substantial financial pressure will change the way that businesses and individuals will approach things. Companies in a recession that are getting a deal on a very cheap car from the United States, and perhaps cheap because it's not saleable there because it is in conflict with lemon laws in a variety of states, are going to look at bringing them here and trying to pass them off. We need at least the same level of protection as is put in place in other jurisdictions.

When we look at some things that have happened with cars over the decades, those who are in this chamber may remember the Pinto, a car that, when involved in an accident, had a very bad tendency of exploding into flame.

**Mr. Michael Prue:** The Vega, too.

**Mr. Peter Tabuns:** Might have been the Vega as well, but I know the Pinto. I know the Pinto in part because my son is studying law, and one of the cases that they deal with in a very big way is the Pinto product liability, corporate liability. Apparently in its manufacture, a decision was made by the manufacturer to not correct the defect, because when they calculated the value of legal liability they would face, it was less than the cost of correcting the defect. Tremendous financial pressure to get a product out the door and bring in revenue can lead to decisions that do not protect the public. So this kind of legislation is the direction we have to go in.

We don't have to look at cars. We can look at what's happened with the financial services sector over the last

decade or two, when there was constant pressure to push back transparency, push back disclosure. My colleague from Beaches–East York, as the critic in this area, has often called for far more vigilant, far more in-depth policing of the securities industry, the financial industry overall, because, in fact, people do get taken for a ride. As you well know, in this case it wasn't a few people; it was millions of people, and companies, some of the largest in the world, that bought products, the value of which was indeterminable, the value of which they could not understand and the value of which led to catastrophic results for their corporations. Similarly, if people buy vehicles that are lemons, that were poorly manufactured, then those people will be stuck with a product that drains them financially and may well put their lives at risk on a high-speed highway. That's of consequence to us.

The question one might well ask is whether this bill does as much as we want it to do. As the bill is written, motor vehicle dealers will have to disclose to customers and other motor vehicle dealers whether the vehicle has been determined to be a lemon under the laws of another jurisdiction. It's a good thing to require. It's a good first step, but the NDP believes that we should go further than this. My hope is that this bill will pass, that it will go to committee, that it will be strengthened at committee and then be adopted.

In Pennsylvania, the lemon law requires all dealers and other classified sellers to disclose the "lemon history" of a used car and obtain a signature from the buyer or lessee before the sale or lease. The question was asked as to what is a lemon; what are the conditions that determine it? In Pennsylvania, they are classified as cars that have had three repair attempts or 30 calendar days out of service. Thirty calendar days out of service is a lot of time out of service. It's an indication that in fact a car has profound problems; it's not just a question of the odd missing bolt here and there but some substantial defect in its assembly.

There's no such thing as a perfect assembly process, a perfect work process. There are always going to be errors. When you make photocopies, if you make thousands, you will find defective copies. People, individuals, consumers in this society should not be in a situation where they are the ones who have to carry the burden of that bad copy, that bad assembly. They should have protection from that and they shouldn't be in a situation where they have to deal with it after the fact. They should be aware in advance of the quality of car they are getting.

There was an interesting piece on television, as I was flipping through about a month or so ago, about cars in Canada that were being sold with certificates showing that they'd never been involved in automobile accidents when in fact they had been involved in automobile accidents. Having a substantial accident is going to make a real difference to the structural integrity of a vehicle. In that case it wasn't just a question of lack of disclosure; it was falsification of disclosure. When we have these kinds of laws in place, it's going to be necessary not only to have them on the statute books but to have people out

there who actually enforce them, who go out, check, audit and make sure that what's represented to the public is in fact the reality.

In Pennsylvania, the lemon law requires all dealers and other classified sellers, as I said, to disclose the lemon history of a used car and to obtain a signature from the buyer or lessee before the sale or lease. If a manufacturer or dealer fails to comply with the disclosure requirement and/or the customer is not notified in the way specified, then the dealer or seller faces stiff civil penalties of \$2,000 per car and has to offer the purchaser or lessee their choice of a refund or a comparable vehicle without charge. As added protection, the Pennsylvania law mandates that manufacturers apply for a branded lemon title from government before the car can be resold, leased or transferred in the Commonwealth of Pennsylvania. The title branding then remains throughout the life of a vehicle and can't be removed. The Pennsylvania law points the way toward the much more ambitious lemon protection scheme that this province needs.

I would say again to the member that I appreciate the fact that he has brought this forward to the floor of the Legislature. I hope it is passed, I hope it goes to committee, I hope there are hearings and I hope it's amended to make it at least as strong as the strongest legislation in the United States, because, as he said at the beginning, there is going to be a flood of cars out there that are going to have to go somewhere, and the jurisdiction that has the lowest level of protection is going to be the jurisdiction that gets most of them. So we have to protect ourselves by at least matching the protections that exist in American states that have already taken this on. I congratulate the member and thank him for coming forward.

1510

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Jeff Leal:** It really is a delight for me to have the opportunity this afternoon to get a few thoughts on the record regarding Bill 164, An Act to amend the Motor Vehicle Dealers Act, 2002, brought forward by my very distinguished colleague the member from Oakville, Mr. Flynn.

I must say at the outset that I know Mr. Flynn has been very involved in the auto industry in his hometown of Oakville. He works very closely with the Ford company, which has had a very long history in Oakville. I think they moved from Windsor to Oakville in about 1955 to establish their extensive assembly operation and their parts network. Since coming here in 2003, Mr. Flynn is chair of the auto caucus, working closely with Bill Ford. I know Mr. Flynn consults with Mr. Ford from time to time, who I guess is the great-grandson of the founder of the Ford Motor Co., Henry Ford. I know he's very interested in the automotive industry, as we all are in the province of Ontario.

I know that the member from Durham was a senior executive for many years with General Motors and, if I have my history correct today, helped to establish the assembly plant in Sainte-Thérèse, Quebec. I think the

member from Durham recruited all those wonderful men and women to get that operation up and running. I know he has a strong, strong interest in that operation. He was born and raised in Peterborough. I know he left many years ago to find his future in Bowmanville and General Motors. He's a good friend of mine, and I always enjoy chatting with him.

The member from Northumberland-Quinte West also has a long history in the automotive industry in Ontario. I know that he had a very distinguished career with Fiat many, many years ago. He was a senior member of the Fiat team. Mr. Rinaldi retains a great interest in the auto sector.

I'd better get to the bill here; I digressed there for a moment. I want to tell a bit of a personal story. I was about four or five years old, so this would be about 1966 or 1967, and my father bought a used 1959 Chev Bel Air. Does anybody in this room remember the 1959 Chev Bel Air? It had the horizontal fins at the back; very distinctive. I guess my dad thought it was kind of a unique thing to buy, so he bought one in about 1965 or 1966. He bought it from a used car dealer at night—this is part of the story—and every time it rained, the back floors used to fill up with water. You could see that there were stains at the front of the car from water. Obviously, that was a good indicator that this vehicle, at some stage of its career, had been flipped over, the roof had been injured somehow and had been fixed to look presentable. So my father bought this Chevrolet. We had it for about three years, and every time it rained, it was like a swimming pool in the back. I always thought, "Holy smokes, if we're selling used cars in the province of Ontario, there must be some way to protect the consumer who was buying that kind of vehicle in order that it should be shipshape."

The other thing I remember: As a university student, I had the opportunity to work for a car dealer in Peterborough. I remember some of the older salesmen telling me these great stories. They would have an old clunker come in. They would buy two or three cans of Bardahl. Mr. Speaker, you may remember Bardahl; there were great commercials on TV about that. So you'd take this old junker, put three or four cans of Bardahl in it, and it used to make the valves quieten down enough that the car could be sold. Of course the other story is, you used to take the odometer, roll it back about 50,000 miles and tell that little old lady who was coming to the car dealership, "Well, we just freshened it up a bit, and this will be a great vehicle for you to purchase." The Bardahl has gone into it, the odometer has been rolled back, the sawdust has been put up the tailpipe, and it's ready to be put on the market to be sold as a fine used automobile.

Having told those stories, Mr. Flynn, who has introduced the bill today, has certainly highlighted for us the need to add extra consumer protection when it comes to buying a vehicle, which for many of us is the second-largest purchase that one makes during one's lifetime. With those few remarks, I'll conclude. I hope everybody in this House supports Mr. Flynn's bill this afternoon.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Kim Craiton:** I'm pleased to be able to speak on the lemon bill. When the member asked me if I would speak, he sent me some speaking notes—and we all get them when we're in the House from members who are putting bills forward. It was a subject that I didn't need speaking notes for, although when I read the speaking notes, there was some really factual information that more than substantiates why this bill is so important.

I remember that, between the ages of 16 to 20, I owned 25 cars at least. I remember when the Ministry of Transportation sent me a notice saying, "I think you should be taking out a dealership." The reason I am making this—because I remember the lemons, but at that time you were just buying cars because you loved them. There's nothing more important, back at that age, than owning a car, working on it, selling it and moving forward to the next car. Although I had a number of lemons, I have to say I wish I had some of them now: the 1957 Chevy, the 1958 Impala, the Corvette that I owned, the Thunderbird that I owned.

Most of them were good cars, but I had a number of lemons. I can remember quite clearly that back then there wasn't any kind of legislation, literally. My good colleague from Peterborough really enunciated the ways in which dealers back then used to fix up the cars to give the impression that they were A1. Mostly what caught your eye when you were buying these used cars was the outside of it, how it looked: It was shiny, it was waxed, it was well-conditioned, the seats looked great. No one really understood the importance of what made the car tick: the engine, the muffler system, the brakes—how important they were to making a car safe.

I think if I were back in the riding and I went around to people and said, "What do you think about a lemon bill for automobiles?" most people would have thought that we actually had such a thing. They'd be shocked to know that we don't have it here in Ontario. When I read the speaking notes and realized that across the US—let me know when my time is up; I only have a certain amount of time—there are; Manitoba; BC is looking at it. This is really a great opportunity.

I personally think, and I'm speaking for myself as the MPP for Niagara Falls, this bill is so significant that it's one the government should just take on and move forward. I don't think there would be any opposition to something like this, particularly for the benefit of the consumer.

So I'm pleased to have the opportunity to say that I totally support the bill. I know that my riding of Niagara Falls and my constituents would be in support of this bill. Thank you for allowing me to say a few words.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Lorenzo Berardinetti:** I, too, am pleased to have an opportunity to say a few words in the few moments I have. First of all, I want to commend the member from Oakville for bringing this bill forward. It is something that is needed. I, too, thought that something like this

would be in place, and it does need to be in place because a lot of people do drive.

In my riding of Scarborough Southwest, we have a lot—a lot—of used car dealerships. The amazing thing about it is that you'll see a beautiful 2007, 2008 or 2009 vehicle sitting on one of these used car lots, and it will be going for \$4,000, \$5,000 or \$6,000. You say to yourself, "How can that be?" You know something is wrong with it, but you don't know what, and you're not going to find out by asking the vendor.

What the member has proposed here makes a lot of sense. I know that in the United States they do this; they've passed lemon laws. I would strongly suggest that we stay with the word "lemon," because "lemon" means a motor vehicle that was returned to the manufacturer under the laws of another jurisdiction because ... it did not conform to the manufacturer's warranty, and ... it had defects or conditions that substantially impaired its use, value or safety and that were not repaired within a reasonable time period or after a reasonable number of attempts."

That's the key: This vehicle is a bad vehicle. It's not being repaired. Someone can build it—it can be any car company—and it could be passed on to somebody else and then sold. You don't know, as a purchaser, what you're getting until you leave the lot.

I was just speaking with my wife a bit earlier and she said that when she was 16 her very first car was a lemon, and there was no real recourse. You're 16 years old and you decide to go out and buy a vehicle. What do you do? Do you go to a lawyer? I don't think very many 16-year-olds are going to go to a lawyer. Even adults don't want to go to a lawyer and fight or argue over something of this nature. You hope that you can resolve it with the actual person who sold you the vehicle, but oftentimes they'll say, "No, sorry. You bought it as is," and that's the end of the story.

#### 1520

This particular amendment to the Motor Vehicle Dealers Act provides that protection that we need. It says that there has to be disclosure, and disclosure basically means you've got to tell the truth. The vendor now has to tell the truth. He can't put a \$4,000 or a \$5,000 price on the vehicle and just say, "Do you know what? It's on sale because it's my last one of these models and I want to get rid of it." He has to tell the truth, he has to disclose it, and that's a big difference, because it's not there right now.

It makes tremendous sense. It's the sort of thing that makes working in this Legislature worthwhile. We're doing things and passing things that I think are necessary for the good and the benefit of all people. We're crossing party lines here and we're including everybody across Ontario who owns or would want to own a motor vehicle. In these days and times, with the climate the way that it is and with the economy the way that it is, the last thing you need is to end up with a vehicle that doesn't work. A vehicle that doesn't work has no other name but "lemon."

I'm glad that this has come forward, I support it, and I hope that it goes through committee quickly and gets approved.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Flynn, you have up to two minutes for your reply.

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise, and I do want to take this opportunity to thank all members of the House who have spoken in favour of the bill.

The member from Toronto–Danforth referred to it as a good first step; I think he's right.

I'd like to thank the members from Peterborough and Niagara Falls for their personal stories regarding some of their own purchases, and the member from Scarborough–Southwest for some of the commercial aspects that are entailed in a personal vehicle purchase.

The member for Durham—we were talking about cars. He got us off talking about sandwiches at one point, but that's just the way things roll around here sometimes, and deep in his heart I know he's a decent individual, and actually, I think he will support this at the end of the day.

I'd like to also thank Phil Edmonston from the Lemon-Aid series for his support on this, and of course the Insurance Bureau of Canada, which has also supported this. I'd also like to thank the industry professionals in the other organizations that I've spoken to. I received good feedback, I think in a positive vein, in a constructive way, in the planning of this bill, which my staff worked very hard on.

I just want to reiterate that the purpose of the bill is to ensure that our consumers in all ridings feel confident when they purchase a used vehicle in Ontario and they know they are making an informed decision; the vehicle has not been determined to be a lemon under the laws of any other jurisdiction. Through regulations of the Motor Vehicle Dealers Act coming into effect on January 1, 2010, dealers now will be subject to extensive disclosure requirements concerning that vehicle's history and condition, but what you're doing today by supporting this bill is you're saying to the consumers of Ontario that if that vehicle has been determined to be a lemon in another jurisdiction, under the laws of the province of Ontario that dealer is required to tell you about that. If not, he or she would be breaking the law. That can't help but be a good thing and a positive thing for our consumers. I'd ask for your support.

**The Acting Speaker (Mr. Jim Wilson):** The time for that ballot item has expired. We'll vote on Mr. Flynn's ballot item in about 50 minutes.

#### TRANSPARENCY IN PUBLIC MATTERS ACT, 2009

#### LOI DE 2009 SUR LA TRANSPARENCE DES QUESTIONS D'INTÉRÊT PUBLIC

Mr. Craitor moved second reading of the following bill:

Bill 159, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public / Projet de loi 159, Loi exigeant que les réunions des commissions et conseils provinciaux et municipaux et d'autres organismes publics soient ouvertes au public.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98, Mr. Craitor, you have up to 12 minutes for your presentation.

**Mr. Kim Craitor:** There's a saying that I've always believed in since I've been in politics, which has been about 15 years, and that is that democracy dies in darkness. It's something that I've lived by all my political life.

I believe that there needs to be much more openness and transparency in the affairs of public bodies, boards and commissions that represent the province of Ontario and represent the taxpayers of Ontario. I also believe that there are insufficient guidelines governing the opening of meetings of these different boards and agencies to the public, to the media, when it comes to doing business. I also believe that there's far too much public money that is being spent that is not open to public scrutiny and that the current rules governing the openness of public meetings have to be improved. So I want to just quickly talk about what I believe in terms of transparency.

Transparency is much more than accountability. It requires decision-making by any of these bodies to be transparent right from the beginning, while accountability is a process of verifying the quality of decisions or actions only after decisions have been made. Accountability generally implements some sort of punishment mechanism against individuals or institutions that are not taking appropriate actions—again, only after these decisions have taken place. I say, what good is that? We all know from experience that organizations are loath to admit that they make mistakes, and when they do come into the public view, they're embarrassed. Many of these organizations close their doors even more to the public and become more secretive and oftentimes manipulate the facts. It fosters a culture where, like mushrooms, power and privilege grow in the dark. I believe real transparency encourages corrections and improvements to decisions to be made long before poor-quality decisions have to be enacted.

What I am proposing may seem a bit radical, but whoever heard of doing the right thing for the right reason? I am asking my colleagues in the House to know that it's easier to get to a goal of more transparency, not less transparency, when it comes to making decisions.

That's why I'm proud of a couple of things that our government has already done in the name of transparency. They introduced Bill 2, the Fiscal Responsibility Act, which required government books to be audited six months before any election so that the public could really know the state of the provincial finances. As well, the government went on to proclaim another piece of legislation to enhance transparency under the new Municipal Act.

I know that I was first elected as an MPP in my riding because there were a number of concerns about what was happening with local agencies, government agencies, in my community. One was the Ontario Lottery and Gaming Corp. and the special arrangement they made to choose an American company to have control of oper-

ating both our casinos. The information about how they were chosen was never given out to the public. I know that when I was first elected, everyone was coming in and asking me, "How was this deal done? Who made the decision? Can you get us information?" Lo and behold, what I found out was that I had no access to that information as MPP. I was told that was confidential, and I could not even access it under freedom of information.

As well, I had people constantly coming in about the Niagara Parks Commission when I first was elected. Much to my surprise, I found that as an MPP I had no right to even attend their board meetings. I couldn't go in and talk to them about concerns I was hearing from the public. They were asking me legitimate questions.

As well I was having people constantly coming in and talking about issues regarding health care in Niagara. Lo and behold, I found that as an MPP I didn't have the right to go in to ask questions about scenarios, cases and problems people felt they were having with their personal health care in my riding.

So, as a new MPP, when I did try to get that information, it wasn't available because these agencies were not open to the public or even, in some cases, to an MPP. Operational transparency was denied, as I said, to an elected official. The results were pretty severe, because when I went back to the public and tried to explain to them that I couldn't get the information, the public became upset with me as their MPP. The press was wary when I couldn't respond to the questions they were asking me. There was a distrust in the labour force of some of these agencies who were employed by these boards. A lot of money and time was spent, with no results. How do we support institutions that are not transparent and hide behind the veil of not being open to the public? I'll tell you, it's very difficult. It's hard to tell the people who elected you that you are not able to get them the information they are entitled to.

**1530**

I am also proud of the fact that in my riding, the Niagara Falls newspaper, the Niagara Falls Review, under the banner of the headline "No Good Reason to Keep Boards' Business Private," wrote in support the first time I introduced this bill in the first session I was elected. They went on to say:

"Many of these public agencies"—that exist in Ontario—"are made up of elected representatives and government appointees.... most of these agencies are spending public money. In many cases, government appoints the boards of governors.

"It makes sense that their meetings should be open to the public they serve and through which they are funded."

I'm one of those who believe in sunshine. I think democracy is well served when everybody has the same facts. Open up the doors in the boardrooms of publicly supported companies and institutions and we'll have better governance, better decisions and, more importantly, better use of taxpayers' money.

I believe that a knowledgeable public is an engaged public and, when engaged, the public becomes involved.

They vote with knowledge and purpose. I often wonder: Is that a reflection of why voter turnout sometimes is getting lower with every election? The more they're involved in the agencies and have a chance to comment, the higher the participation. The main purpose behind a transparency bill is to guard against complacency and arrogance that can infect any public organization at any level.

How am I proposing this in my bill? I am proposing it in a number of ways. I'm proposing that every meeting of every public agency has to be advertised. I'm proposing that the meetings have to be open to the press, to the public, and they have a right to attend. I'm proposing that these agencies cannot introduce new business at the last second when they have their meetings.

The legislation is all about trust between the public and these institutions. I'm happy to say that my legislation does even more than that. It is more inclusive and will cover many other agencies that are not covered under existing legislation, such as public utilities, universities, colleges, CCACs, hospital boards and various parks commissions such as mine in Niagara Falls.

My proposed legislation also gives tools to the Information and Privacy Commissioner to investigate complaints. It increases fines to a minimum of \$2,500 and a maximum of \$10,000 for anyone who obstructs, withholds or misleads the commissioner in his duties to apply to both the board members and executive officers of an organization personally. I want to stress that this penalty is for misleading the investigator and not the violation of the bill. The legislation also gives other binding remedies for the violation of the principle of the bill.

There are probably over 400 various government and municipal organizations in Ontario that are spending 80% of provincial funding and are completely immune to scrutiny.

To my way of thinking, in this information age we have, with technology, it is a lot easier to be much more transparent. One of the easiest ways is to make sure that the public are notified of meetings. That can be done through the Internet, where the public can then look and see what's going to be discussed—much like city council meetings, where I spent 10 years. The press can see what's being discussed and then make a decision if they want to attend.

Another thing is to make background information on pending decisions more readily available and cause decisions to be made instantaneously to the community, out to the public, so they are aware of what's being decided by these different boards and agencies.

Of course, I understand that some of the meetings can be held legally behind closed doors. They can involve personnel matters, lawsuits or land matters. But the privilege has been abused far too often, and that's why the law needs to be changed. Can you imagine if this Legislature closed its doors for one day, kicked out all the spectators and kicked out all the journalists? Can you imagine if the House of Commons met in secret? People wouldn't stand for it. They wouldn't stand for it at any

other level, and yet it does happen out there with some of our agencies and boards.

Transparency, I believe, has to be done right. Oversight of a government rests on four fundamental principles—*independence, impartiality, confidentiality and a credible investigative process*—and my bill will accomplish that.

It now has a section to ensure, as I said, notice of meetings. It has a section to ensure that the public, if they believe that meetings have not been held properly, can file a complaint to the privacy commissioner and have an investigation done.

As well, the privacy commissioner has a lot more tools and power available to him to access these agencies. The bill authorizes the commissioner to make certain orders for reviews, including orders that can in fact void board decisions made at these meetings if they're deemed not to be held in a proper manner.

In essence, I think this is a great opportunity for the government and the members to show how much they believe in transparency and openness, not just here in the House but, more importantly, by all the various agencies that make some major decisions and spend some major money on behalf of taxpayers.

I'm simply going to say to the House: I'm hoping to get support from all the members in the House in the name of transparency and to support the bill that I'm putting forward. This will be the second time that I have brought this bill forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ernie Hardeman:** I rise today to support the concept of open meetings. I'm pleased that the member from Niagara Falls recognized the importance of open meetings and transparency, because, as he mentioned that he hoped that all the members here support it, it seems quite obvious that the government doesn't support it. The Premier didn't even think that he needed to consult with his caucus when he was negotiating the HST with the federal government. He did the negotiations, he signed the deal and then he told his caucus this was what they were going to do.

The government has had plenty of opportunity. They've had three opportunities—once before, this member from Niagara Falls introduced this piece of legislation, and before that, the member from Sarnia-Lambton introduced this legislation. Mr. Speaker, you will know that in this process of private members' bills, once you get it through second reading debate and everyone supports it, or if the majority of the House supports it, it goes to committee. But before it can come back for third reading, the government has to call it back, and so far, the government has not seen fit to call any one of the previous two. I'm really worried that this time they will not call this one back either.

In fact, the McGuinty government has actually reduced the number of open meetings. I think the member, in his remarks, mentioned Bill 130. Mr. Speaker, you will remember that Bill 130 was the revisions of the Muni-

icipal Act. The present government forced that through against the objections of the opposition, and it actually reduced the amount of open meetings. Their amendment to the Municipal Act gave municipalities the ability to hold more closed meetings.

There were many problems with Bill 130. There were so many problems that the Ombudsman, who had been given the opportunity to speak to the bill at one point, used up his time and then asked the Chair to be able to return because he had much more that he wanted to put on the record that he thought were grave concerns with the bill. But the Chair of the committee decided that we had heard enough from the Ombudsman and he was not allowed to come back, so he then sent the remaining remarks that he had in a letter to the committee, and I want to quote from that presentation. I won't read the whole presentation because we don't have enough time for that, but I want to read a couple of paragraphs. These are the words of the provincial Ombudsman.

"There is little room for closed-door politics in a mature democracy. We in mature democracies speak about transparency and openness with reverence because democracy cannot be healthy without transparency and openness. The reason is simple. Malicious or self-serving or just plain bad decisions, the bacteria of government, can flourish in the dark but in a democracy cannot survive the sanitizing light of public scrutiny. It is no surprise that those that exercise power behind closed doors invite suspicion. Closed doors breed distrust. And they should.

**1540**

"That is why I applaud the theory behind the open-meeting provisions of the Municipal Statute Law Amendment Act, 2006," which is Bill 130, and I think similar things could be said for this bill that's before us today. "It is also why I cannot applaud the specifics of the bill. It is badly flawed. Its shame is that it is in fact enabling legislation—it enables closed government while appearing without critical examination to champion openness. I want to bring that critical examination. Critical examination shows that this bill is not an effective solution to closed government. It needs to be fixed."

That's why I support this bill, because the individual presenting this bill from Niagara Falls is, in fact, trying to fix what the Ombudsman was talking about when it relates to open meetings. In spite of the objections of the Ombudsman, though—and that's the end of the quote from the Ombudsman—despite the concerns of the opposition, despite concerns of the Ontario Community Newspapers Association, the McGuinty government put the legislation through and allowed more closed meetings for municipalities.

In fact, and I want to put this on the record, during the clause-by-clause of Bill 130, the parliamentary assistant for municipal affairs, who is now Minister of Aboriginal Affairs, said, "We don't believe it will be in any way abused. We think it's an appropriate way, if a municipality chooses—they don't have to, but if a municipality thinks that in this particular issue they think it's

appropriate for educational and training purposes that it would be more effective go into an in camera meeting, to engage in that, they have that option, plain and simple.” It seems ironic that a member of that caucus is pushing for more open meetings now when not one of them voted against Bill 130, which allowed more closed meetings.

As I said, I support the concept of open meetings. I think that transparency and accountability are too often lacking in government, and I support efforts to increase them. However, there are a few problems with how this bill introduced by the member for Niagara Falls accomplishes the goal of transparency.

One of the challenges in the bill is, it gives the Information and Privacy Commissioner the right to enter and inspect a premises without a warrant or court order. I think it is always dangerous to grant that right. The process of applying for a court order or warrant is to ensure that the rights of the citizens are protected. We’ve seen this clause in a number of pieces of legislation from this government, and every time we do, on this side of the Legislature, we’ve pointed out that it is wrong. Unless there is an emergency situation where a person is in physical danger, there should be no excuse for proceeding without getting a warrant.

As an example, a volunteer who is serving on a public board and takes a document back to their office could actually have their workplace searched without a warrant. No one would be protecting their rights to privacy. Ironically, no one would be ensuring that the actions of the Information and Privacy Commissioner were transparent.

Section 14: I’m also concerned about the clause that allows the commissioner to decide not to proceed with a complaint because too much time has lapsed, even if it is within the time limits he himself has prescribed. This is unfair to the citizens and can lead to confusion. I understand that complaints must be filed within a reasonable time, but a consistent and clear cut-off must be established.

The bill itself, in schedule 1, has a long list of different boards and commissions that this applies to. In the bill, it also points out that the minister could add to that list if the need occurs. One of the items, number 7 on that list, is the council of a municipality. The reason I mention that is because there is also a section of the bill that says that the provisions of this bill override any other legislation unless the other legislation is stricter. So unless the other legislation prohibits in camera meetings totally, then this would apply to all, including the Municipal Act. The bill also includes a section that says that in the event of a conflict, this bill prevails over all others. That means that if this bill passes, municipal council meetings will be dictated by this act instead of the Municipal Act.

Going back to my earlier comments, if this bill passes here today, it requires the House leader from the government side to call it forward for third reading. I mentioned the comments from the Ombudsman and the parliamentary assistant. I find it inconceivable that the government would at any point call this bill back for

third reading, which would make the Municipal Act even stricter than it was prior to the government making closed meetings more prevalent in the act.

Section 9 of the bill—and I think this is constructive criticism—deals with keeping minutes of the meetings. In the Municipal Act, it says the that actions of council shall be taken “without note or comment.” Under this bill, it defines what the minutes should include and it says, “contain sufficient detail to adequately inform the public of the main subject matters considered, any deliberations engaged in and any decisions made.” The only part of that which is allowed in the Municipal Act today is the part that says “and any decisions made.” They’re not allowed to put in their minutes the discussion that took place because that would be note or comment. So again, we have the confusion with this and the other act.

While I support the goal of this bill—and the thing I really agree with in the bill is section 28: “The short title of this act is the Transparency in Public Matters Act, 2009.” I couldn’t support that any more strongly. I think there is a need for this transparency but I don’t believe that this bill will ever see the light of day for third reading. I think we should all be working harder to get the government to understand the need for this type of legislation and get it introduced.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** I listened intently to my colleague from Oxford, who is almost my seatmate—across a little, tiny barrier here. Although I share many of the sentiments he has expressed here today, I will be supporting the bill. I will be supporting the bill, notwithstanding I understand the difficulties he has enunciated, and very carefully, of how this bill will have to wend its way through, and a governing party that has not seen fit to pass similar legislation in the past will probably, in all likelihood, not allow this to come forward for third reading.

I don’t take anything away from the proponent of the bill, the member from Niagara Falls. He has for a long time believed in openness in government. I have heard him in this Legislature, I have heard him outside of this Legislature and I’ve had the good fortune of knowing him for many years within the union movement, the Public Service Alliance of Canada, where both of us were people who participated in that good union. He was a proponent, even within those union days, of having matters opened up.

I remember being a public employee. I remember how, at one point, the legislation was passed in Canada that said there was a freedom of information act. I worked in the immigration department. We kept enormous files on many, many hundreds of thousands of people. I remember that when the act came into force, some of the public employees were a little reticent because of what they had written in the files, what might be contained within them and the freedom of access to those. There was some considerable angst. I remember being taken

into training sessions and people, quite rightly, said, "You cannot be putting things in these files that you do not want to be seen in the future. If it is correct and factual, then put it in. If it is a comment on the nastiness of the person with whom you were dealing, leave it out." We learned very early that those kinds of things had to be done because the public has an unqualified right to know what is contained within those files that pertain to them.

Later on, when I became a councillor and then later the mayor of the borough of East York, this was driven home many, many times to us, about the public's right to know. There were many times that my colleagues on council wanted to go into private session. There were many times that they thought, "This is a little bit contentious. We want to have some advice from the lawyer," but I am proud to say that over the length of time that I was on council, the length of time that I was a councillor and later the mayor, the number of times we went into private session were few and far between. They always involved, without exception, either a personnel matter or some advice from the lawyer on land transactions. We were strong in our resolve to make sure that we did not go into private session because in my view, that is not what should ever happen.

#### 1550

One of the really black marks of my time on municipal council took place not in East York but later, following amalgamation, at the city of Toronto. I had the privilege and responsibility of representing the people of East York at what was then the new megacity of Toronto. I remember one particular night when we went into private session, much to the consternation of many of the members of the council. We went into private session to discuss the purchase of computers from MFP. I remember that night. I remember not wanting to go into closed session. I remember the arguments that were being made by some proponents, particularly Mr. Jakobek, who was the budget chief. I remember that there was some support from the lawyers that some of this was contentious because it involved the amount of money that we were going to have to pay MFP and some of the conditions that council may want to put on the contract. I remember, and I still remember to this day, going into that private session very late at night. I think it was around 10 or 10:30 when we actually went into private session. People were tired, people were upset and people wanted to go home. Quite frankly, that whole MFP decision took only about 20 minutes to be made. I clearly remember the proponents standing up and saying, "This is a good deal. The commissioner supports it. The lawyers support it. I support it. Let's all go home." In fact, in a nutshell—and you can check the records; I've said this to the public inquiry as well—that's precisely what happened.

It taught me a very valuable lesson. It taught me a valuable lesson that has taken place over years, although when we came out of private session I want everyone to know that I voted no. I thought something stank; I still think something stank. It was pretty bad. The fact of the matter is that everybody who was in the room, all of the

public who were there, were barred. No one got to see what we were discussing. The newspapers that attended the megacity councils faithfully did not have an opportunity to see or hear. All that happened is, we went back into public session for about one minute, the vote was taken, the vote was passed and we ended up with MFP computers.

I've had had the opportunity of being on many boards and commissions over my life—boards and commissions that are listed here in the schedule at the back. I have to say that I believe that all of these should have full public scrutiny. I cannot in my imagination understand how any of the boards or commissions listed here should not have an opportunity for people, ordinary members of the public, to come forward to see how tax dollars are being spent. Whether it is direct tax dollars or indirect tax dollars, it is all one and the same. I believe that the newspapers ought to have an opportunity, and reporters and people who are interested ought to be able to go there.

I know Mr. Craitor did not take an opportunity to read the full list, but I think it's important that we listen to what this list is because it's quite exhaustive and extensive. It includes the Ontario College of Social Workers, the Ontario College of Teachers and the Ontario Lottery and Gaming Corp., which I think would be a favourite of my colleague from Welland. It includes the Ontario Municipal Board, and I believe that every single one of their hearings should be open to the public. Then it goes on to talk about designated public bodies, including universities, hospitals, colleges, boards of health, colleges of health professionals, commissions under the Municipal Act, a council of a municipality, a school board, a services board, a police services board, a library board, a parks commission, local health integration networks, electrical boards and community care access boards. I'm sure that the list is not exhaustive, but that's what is on the back.

All of these are boards or commissions where people should have the right to know what is being said. None of them ought to be closed to the public. I don't care really what the issue is, save and except, and I think two still stand the test: If it is a personnel matter where somebody is being hired or fired, where people are being named, a grievance procedure, that is one thing. The other one is strict advice from the lawyer on the purchase of land. I think that is quite another.

Other than that, I don't really see the purpose of excluding the public. I know that when I have gone to some boards or committees over time, it is difficult to gain access. It's difficult to gain access to a number of things. But I think that everything we do should bear that scrutiny.

I will digress a little. I know it's not a board or committee, but I remember taking particular umbrage at what can be described as a ministerial committee of this House, trying to go in and trying to find out about the new poverty bill. I remember driving all the way to Peterborough to get into that, to hear what was being said, and being denied as a member of this House. It wasn't just

me who was denied, it was members of the public, and I think the public has a right to know what was being discussed. I would hope that this bill would not allow such an occurrence, because it didn't happen just once; it happened when I went into Durham region, it happened in Toronto and it happened literally every time I showed up. In Ottawa I was denied entry too, and so were other members of the public.

If it is a good process, what is to stop the members of the public from watching it? They don't have to be participants; they don't even have to be allowed to speak. They don't have to be able to make deputations, but they should be allowed to watch it. I believe that every member of this House should have that opportunity, just as I believe every duly elected person in a municipality or school board should have that opportunity. Every member of the public, if they are so inclined and want to attend, should be able to have that opportunity.

I could not help but notice in reading the bill that it is rather complex. I have to perhaps give some advice to my good colleague the member from Niagara that on such a complex bill as this, it might have helped some of the members of the Legislature to receive a few notes or something to the effect. None were forthcoming, at least none that I could find, to try to describe what the intent was or where the actual changes to the bill were being envisaged, but that's for another time.

The one thing that did seem to bother me a little, and I still have some difficulty with this, is telephone meetings. It allows for telephone meetings and for people to participate in telephone meetings, but I don't know how they gain access. In order to gain access to a telephone meeting—and we have all had them; we have all had these conference calls—you have to have a time, you have to have a number that you phone, you have to have a code that is given out only to the participants, and then you get on board. But even when you get on board, if the conference is a large one, it is difficult to know who is speaking or who is participating. It is absolutely impossible, even with a trained ear, even when you know most of the players, to determine who is speaking and who is contributing. I have some very real difficulties. I don't know how you would ever enforce this. I'm not sure we should even allow such meetings where decisions are being made to exist in public bodies. But say that as I may, I thought I should bring that up. If it does go to committee, I think some considerable thought is going to have to be given to this.

In the end, though, should we support the bill? Yes. Should we strive, as elected people, to make sure that the public is always aware? Yes. Should we be trying to do so within the body of this Legislature whenever possible? Yes, we should be doing that, again, as well. And just as I was not allowed into those couple of meetings around the poverty bill, I think the same thing holds true of other opportunities for the public to be present, everything right down to the budget bill. We should be making them open and accessible to everyone.

**The Acting Chair (Mr. Ernie Hardeman):** I recognize the member for Brampton–Springdale.

**Mrs. Linda Jeffrey:** I'm pleased to speak on Bill 159, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public. But before I begin speaking, I would like to use this opportunity to thank Richard Carnifax. He is one of two interns who have been in the Legislature for the last two months from Akron, Ohio; they're from the Bliss Institute of Applied Politics. Richard was helpful in preparing some comments for me today, so I wanted to formally say thank you. I'm going to lose him in about a week, and I'm very pleased to have had the opportunity to have him in my office.

When I first joined this Legislature, back in 2003, I met a member who impressed me with her sincerity and hard work. It was the member from Sarnia–Lambton, Liberal MPP Caroline Di Cocco, who originally brought forward a very similar private member's bill. I remember how thoughtful she was in the way she spoke about the importance of transparency and committees, making sure that the public know what goes on behind closed doors.

**1600**

She introduced a bill when the Liberals were in opposition. She tried again while in government back in 2004, with Bill 123. That attempt died when she became a cabinet minister.

I remember when she spoke in the Legislature, and I want to quote a few things she said about her bill at the time.

“This bill is about transparency in public matters. Currently in Ontario, there are some guidelines in various acts governing open meetings for public bodies, but there are no penalties imposed or mechanisms for complaint when those guidelines are not complied with. Again, many states in the US, including Michigan, have open meetings acts, with penalties placed on those who serve in public bodies who are found to have broken the rules.”

She believed, as I do, that the public has a right to know, and that was the premise of her bill. “Public bodies, unlike private companies, are really doing public business. It is important, in the whole system of decision-making we have, that that is done so that the public understands how that body has arrived at that decision. How do you do that?” By having your meetings in public.

The member from Niagara Falls tried to bring forward his bill back in the first term: Bill 142, as it was called at that time, Transparency in Public Matters. It's his second attempt today to get the private member's bill through the provincial Legislature and passed into law, and it's the fourth attempt in the last decade.

His private member's bill would require a list of public bodies, including municipal councils, hospital boards and provincial agencies, to meet in public, to notify the public of their meetings and to make the minutes available to the public.

When the member from Beaches–East York spoke about his municipal experience, I listened intently, because in my experience on municipal council, when I was elected back in 1991 to Brampton city council, we weren't so diligent about what happened behind closed

doors. Really, it should only be for three things. It should be for property acquisition, personnel issues and litigation.

But I found, at the beginning of my municipal career, that it wasn't always that cut and dried. I know that things are better now, but I think that many boards don't understand their fiduciary responsibility and the requirement that they have to make sure that these pieces of legislation and/or decisions are made in a public setting. It's very important that they do. The public may not always like the decisions, but the public has an opportunity with this legislation to see what boards do, to know what they're doing, to attend the meetings and to scrutinize those decisions.

I really support the member from Niagara Falls in his attempt to pass this bill. I regret that it's even necessary to bring forward a piece of legislation in order to bring more openness and more accountability to meetings of municipal boards and commissions.

We all find here that we understand how open our debate process is, but on municipal councils and many boards, those decisions aren't made public, the minutes aren't made public and people don't know when the meetings occur. They have public dollars at their discretion that they must make that decision about.

In closing, I support the member for Niagara Falls. I think that each one of us tries to leave our mark and imprint in this House, to make the province a better place. I believe that this bill would achieve that goal.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John O'Toole:** Again, I just want to acknowledge the member from Niagara Falls. I would say at the outset that I certainly agree with some of the sentiment he expressed.

My colleague the member from Oxford, in his experience, gave some very good advice and pretty well covered some of the issues or concerns in the technical drafting of the bill—I think he draws a very good point—as well as the oversight by the Information and Privacy Commissioner, Ms. Cavoukian. The strong oversight and investigative powers that she has are something that we'd be a little bit reticent to support: "Inspection powers," "Time of entry," "Entry to dwellings," "Search warrants"—without a warrant. Those kinds of things are a little bit heavy-handed, but the intent is laudable, and it's a good goal.

You did mention in your remarks from your own experience—we have all had those kinds of experiences if you've served in municipal government. My friend from Oxford did mention that the Municipal Act does cover the requirement to have open meetings except for personnel and property matters, and I suspect there's also room for matters that are before the courts or other considerations with their lawyer that they might be going through.

But as far as transparency and openness, the theme of the bill, I'm all in support of it—totally. As a matter of fact, he mentioned the OLG down in Niagara Falls and the problems there—and the Niagara Parks Commission.

I think that on some of the stuff with the Alcohol and Gaming Commission of Ontario, the lottery scandals we've had, slushgate etc., the Premier should have invoked some of this stuff earlier and investigated it, but he didn't.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate on Bill 159. I certainly want to start by thanking the member from Niagara Falls. I've noticed that any time a private member's bill comes forward from this gentleman, it's always well thought out and there's always a greater public good attached to it. In this case, I'd say that the type of conduct that typifies his conduct in this House can be seen through this bill.

Like the member, I spent some time on council—18 years in the region of Halton and at the town of Oakville—so I'm quite aware of some of the times where it's appropriate to go in camera to deal with things like property acquisitions, personnel issues and legal issues. There is an appropriate time for public bodies to deal with their concerns in private for good business reasons, but most of the time that business is best dealt with in public, and it just enhances the confidence that people have in the governmental system when that transparency is enhanced.

That certainly is the intent, as I understand it, of Bill 159: to take the transparency that we already have at all levels of government and to enhance that transparency, to expand it into other areas and to bring a degree of accountability.

I know that when I talk to people in my own riding of Oakville, quite often—and it doesn't matter which party you're talking about, and I don't think it matters what level of government—what people want to see is an increased level of accountability from that level of government. Sometimes that can get into financial areas. They want to know how the books are kept. They want to know how expenditure decisions are being made. They want to know if the organization is taking on debt, and if that debt is manageable. But also, I think, from an ethical point of view, you want deliberations that are supposed to be made in the public good to be done in the public realm. It just makes sense.

That's what this bill is asking: that those public bodies that are currently funded by taxpayers' dollars also conduct their business within view of the public, and that the public are not only invited to the deliberations, to the proceedings, but are also made to feel that they're a welcome and an integral part of the decision-making process.

We take a lot for granted, I think, here in this country and in this province, and we assume that other people around the world govern themselves in the same manner that we do. That simply is not the truth. You can look at examples around the world where you've got systems of government that don't come close to matching the democratic rights that we take for granted in this province, and you've got to protect them. It's something that we have to instill in our children, that people have laid down their

lives for some of the rights that we take for granted on a daily basis, and when the opportunity arises to make that system even better, as the member from Niagara Falls is doing today, we should all be supporting that in this House.

The council experience that I had taught me that the local level of government is the closest to the people. It may not be the large-scale issues that are dealt with, although some fairly high-expenditure issues are dealt with around the council table, but it's a place where people feel closest to the people that they represent. It's also where the boards, the agencies, and some of the agencies and boards that we perhaps appoint people to as a provincial government—it's where they touch the people as well.

The council experience has taught me that when you open up processes and make them more transparent, rather than feel threatened, the people on those boards and agencies should actually feel that they are doing a better job and the public is far better served. Often, the public finds that they are really impressed with what is going on behind the doors of some of these agencies that typically they wouldn't have access to. So the increased access that this bill would grant the public to some of the decision-making bodies in the province certainly isn't something that I think anybody should feel threatened about.

#### 1610

As I said right from the start, there is an appropriate time for public agencies that are making the best business decisions they can for the public good and on the public's behalf to go in camera, and that's when they're dealing with legal issues, property acquisitions and personnel issues. But I think it's important to note and to ensure that that process isn't abused. When a publicly appointed body that's expending hard-earned taxpayers' dollars is meeting to make decisions that are supposedly for the public good—and I think the vast majority of those decisions are made for the public good and for the right reasons—I think it's only reasonable to expect that those decisions be made in a transparent manner, as envisioned under Bill 159.

We all bring certain aspects of our own previous experience to this House. I know that those people who have been involved in business in the past, those people who have been involved in sports, some people who have been involved in local politics—I think those of us who come here with a municipal background bring a certain sensitivity to this issue. In the 18 years that I was on council, I saw the council process open up from one that I thought, when I first arrived on the council scene in my 20s, was a bit of an old boys' club, to be honest with you, and I saw that actually emerge into—it wasn't unusual for Oakville council to get 500, 600, 700 people to show up for council meetings on certain issues. That's a sign of a good and healthy community that has the best interests of its people at heart and isn't afraid to go out and present those issues to the public it purports to represent.

It certainly has been a good thing in the town of Oakville and the region of Halton. I don't think that I

would have any complaint at all about the way that those two levels of government conduct themselves. I think they do it in a proper manner, and by approving this bill today, what we would be doing is extending that same sentiment to other organizations that make decisions on our behalf, on behalf of our families and in the best interests of our communities.

The exceptions to the rules will still stand. That makes for good business practice. I think anybody with a corporate background would understand that there are certain times to make those decisions. Certain decisions have to be made. Sometimes they're tough. But where possible and where judged by the privacy commissioner to be appropriate, they should always be made in the public realm.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Craitor, you have up to two minutes for your reply.

**Mr. Kim Craitor:** I just want to first thank all the members who spoke in support of the bill. The member from Oxford had some very constructive suggestions on how to improve the bill. Thanks to the member from Durham for his kind words. All three members from Brampton–Springdale, Oakville and Beaches–East York bring with them a municipal background, as I do, and I think that influences the way we feel about transparency.

I'm going to close by just saying a couple of short things.

For me, every day, coming to this House is a special day. I always consider the fact that there aren't many people in Ontario who have the privilege of being a provincial member of Parliament. I think all of us here, myself included, are thankful every day that we have that opportunity. Today is probably one of those even more special days, when you have a bill that you personally believe in, a transparency bill, a bill that you've always believed in for your whole political career, and you have the opportunity under private members' bills to put forth something that you want to see, if all three parties would support it and if the government would allow you to move it on.

I've introduced it for the second time. I'm going to keep introducing it. But I'm feeling comfortable that this time we can consider making some changes, move the bill forward, go to committee and then bring it back into the House.

I want to say to the people in my riding who have supported me with this bill—the local media has supported me, the number of people who come into my office, the letters that I've received in support of this. I will also share with the House that the last time I introduced it, I had a lot of letters in opposition from different boards and agencies who said it wasn't necessary: "You don't need to do it. Everything is fine. We're all open and transparent." I expect I will get those as well. It won't deter me. I am committed to moving this bill forward.

I thank the House and all the members who have spoken and shown support for the bill.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has expired.

EMPLOYMENT STANDARDS  
AMENDMENT ACT  
(PROTECTION FOR ARTISTS), 2009

LOI DE 2009 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(PROTECTION DES ARTISTES)

**The Acting Speaker (Mr. Jim Wilson):** We will deal first with ballot item number 7, standing in the name of Mr. Tabuns.

Mr. Tabuns has moved second reading of Bill 165, An Act to amend the Employment Standards Act, 2000 with respect to artists. Is it the pleasure of the House that the motion carry?

In my opinion, the ayes have it.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Tabuns?

**Mr. Peter Tabuns:** I'd like the bill to be sent to the Standing Committee on Regulations and Private Bills.

**The Acting Speaker (Mr. Jim Wilson):** Do we agree that the bill be sent to that standing committee? Agreed. So ordered.

MOTOR VEHICLE DEALERS  
AMENDMENT ACT  
(DISCLOSURE OF LEMONS), 2009  
LOI DE 2009 MODIFIANT  
LA LOI SUR LE COMMERCE  
DES VÉHICULES AUTOMOBILES  
(DIVULGATION DE RENSEIGNEMENTS  
CONCERNANT LES VÉHICULES  
DE PIÈTRE QUALITÉ)

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 8.

Mr. Flynn has moved second reading of Bill 164, An Act to amend the Motor Vehicle Dealers Act, 2002. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Flynn?

**Mr. Kevin Daniel Flynn:** I'd ask that the bill be referred to the Standing Committee on the Legislative Assembly.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be referred to the Standing Committee on the Legislative Assembly? So ordered.

TRANSPARENCY IN PUBLIC  
MATTERS ACT, 2009  
LOI DE 2009 SUR LA TRANSPARENCE  
DES QUESTIONS D'INTÉRÊT PUBLIC

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 9.

Mr. Craitor has moved second reading of Bill 159, An Act to require that meetings of provincial and municipal

boards, commissions and other public bodies be open to the public. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Craitor?

**Mr. Kim Craitor:** I move that the bill be referred to the Standing Committee on General Government.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be referred to the Standing Committee on General Government? So ordered.

ROYAL ASSENT  
SANCTION ROYALE

**The Acting Speaker (Mr. Jim Wilson):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**The Deputy Clerk (Mr. Todd Decker):** The following are the titles of the bills to which His Honour did assent:

Bill 108, An Act respecting apologies / Loi concernant la présentation d'excuses.

Bill 118, An Act to amend the Highway Traffic Act to prohibit the use of devices with display screens and handheld communication and entertainment devices and to amend the Public Vehicles Act with respect to car pool vehicles / Loi modifiant le Code de la route afin d'interdire l'usage d'appareils à écran et d'appareils portatifs de télécommunications et de divertissement et modifiant la Loi sur les véhicules de transport en commun à l'égard des véhicules de covoiturage.

Bill 126, An Act to amend the Highway Traffic Act and to make consequential amendments to two amending acts / Loi modifiant le Code de la route et apportant des modifications corrélatives à deux lois modificatives.

Bill 141, An Act to amend the Regulated Health Professions Act, 1991 / Loi modifiant la Loi de 1991 sur les professions de la santé réglementées.

Bill 147, An Act to proclaim Holodomor Memorial Day / Loi proclamant le Jour commémoratif de l'Holodomor.

Bill 161, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2009 / Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2009.

**The Acting Speaker (Mr. Jim Wilson):** Orders of the day?

**Hon. Kathleen O. Wynne:** I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Ms. Wynne has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until next Monday at 10:30 a.m.

*The House adjourned at 1619.*

**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

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
<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 Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<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
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
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	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
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 déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Government Services / Ministre des Services gouvernementaux
McNeely, Phil (LIB)	Ottawa–Orléans	
<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 déléguée 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>
Oraziotti, 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 Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
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	
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 Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<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–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (LIB)	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, Bob Delaney  
Garfield Dunlop, Kevin Daniel Flynn  
Tim Hudak, Amrit Mangat  
Phil McNeely, Yasir Naqvi  
John O'Toole  
Committee Clerk / Greffière: Sylwia Przewdziecki

**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**

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Vice-Chair / Vice-président: Jim Brownell  
Robert Bailey, Jim Brownell  
Linda Jeffrey, Kuldip Kular  
Rosario Marchese, Bill Mauro  
Carol Mitchell, David Oraziotti  
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, Howard Hampton  
Rick Johnson, Lisa MacLeod  
Gerry Martiniuk, Julia Munro  
David Ramsay, Lou Rinaldi  
Liz Sandals  
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  
Dave Levac, Reza Moridi  
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, France Gélinas  
Ernie Hardeman, 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  
Rick Johnson, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Yasir Naqvi, Michael Prue  
Tony Ruprecht, Mario Sergio  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-président: Vic Dhillon  
Laurel C. Broten, Kim Craitor  
Vic Dhillon, Cheri DiNovo  
Helena Jaczek, Shafiq Qaadri  
Khalil Ramal, Peter Shurman  
Elizabeth Witmer  
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: Trevor Day

**Select Committee on Mental Health and Addictions / Comité  
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn  
Vice-Chair / Vice-présidente: Christine Elliott  
Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
Committee Clerk / Greffière: Susan Sourial





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