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Thursday 14 May 2009

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Jeudi 14 mai 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

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Hansard Reporting and Interpretation Services
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Service du Journal des débats et d'interprétation
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 14 May 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 14 mai 2009

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

TOBACCO DAMAGES AND HEALTH CARE COSTS RECOVERY ACT, 2009

LOI DE 2009 SUR LE RECOUVREMENT DU MONTANT DES DOMMAGES ET DU COÛT DES SOINS DE SANTÉ IMPUTABLES AU TABAC

Mr. Bentley moved third reading of the following bill:

Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002 / Projet de loi 155, Loi autorisant la province à recouvrer le montant des dommages et du coût des soins de santé engagés en raison des maladies liées au tabac et à apporter une modification complémentaire à la Loi de 2002 sur la prescription des actions.

The Speaker (Hon. Steve Peters): Debate?

Hon. Christopher Bentley: I'm very pleased to rise on this occasion to lead third reading debate.

This bill will do several things, but it does them in a broader context. We all know the terrible effect of tobacco on the health of Ontarians. We all know about the damage that tobacco consumption can do and the death that it causes. There isn't one among us who doesn't know somebody who has been affected by tobacco-related disease, often in a very tragic way.

What this bill does is provide the ability for the people of Ontario to recover health care costs from tobacco companies where it is alleged that their actions have contributed to those costs. This is not new to North America. It was conducted quite successfully in the United States about a decade and a half ago—almost \$250 billion collected or being collected from tobacco companies. Litigation has been commenced throughout other jurisdictions—specifically, British Columbia and New Brunswick—to recover damages for health care costs from tobacco companies. What this bill speaks to is sim-

ply our ability to launch a lawsuit to recover damages in the same way.

The cost—the damages—of tobacco-related disease is enormous. About \$1.6 billion every year can be attributed to tobacco-related disease. Just to put that in context, it would completely fund eight large GTA hospitals, it would fund 211,000 hip and knee operations and it would fund 2,000 MRI units—not 2,000 MRI hours, but 2,000 MRI units operating eight hours a day. So there is a lot at issue here. What this bill does is provide the foundation for a lawsuit to be commenced. We need to do this before we can move forward.

The same approach has been taken in a number of other provinces. I mentioned British Columbia and New Brunswick—they've commenced lawsuits—but a number of others have already passed the legislation. This approach has been found to be constitutional by the Supreme Court of Canada. This approach is important, so that we can recover health care costs on behalf of the people of Ontario. In other jurisdictions, the allegations that are part of the lawsuits include allegations that tobacco companies in the past presented light cigarettes as being less harmful, when they were not; acted to suppress research into the harmful effects of tobacco use; and acted to target children with their advertising. Those are the allegations.

We haven't commenced a lawsuit, because we need the foundation on which to do it. This bill speaks to that foundation. It speaks to the ability of the people of the province to recover health care costs related to the alleged wrongdoing of tobacco companies that helped incur those costs through tobacco use. It speaks to the recovery on behalf of the people of the province of Ontario. It speaks ultimately to the terrible cost of a product that we all know has a very, very sad and terrible effect on the lives of so many people in the province of Ontario.

I encourage all members of this House to give very serious consideration to this legislation and very serious consideration to our ability to move forward, and I ask all members of the House to support this legislation as we continue the third reading debate, and to pass it, so we can recover in the same way they did in the United States, in the same way they're moving to do in British Columbia and New Brunswick, in the same way they've passed or proposed legislation in a number of other provinces in Canada. All we want, on behalf of the people of Ontario, is the same right that people in other jurisdictions in North America have already acquired.

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

Mr. Peter Kormos: I'm going to be speaking to third reading of this bill in short order. I'm confident the bill will pass this morning, in terms of having completed third reading, and then the government and the high-priced lawyers can go about doing what they intend to do.

I am going to be briefer than usual, in terms of a contribution to third reading debate, mostly because I've got a House leaders' meeting at 9:45. Ms. Smith, the government House leader, was very clever in that regard, and I give her credit—one should give credit where credit is due. She compelled me to agree to a 9:45 House leaders' meeting, and here I am; I'm going to find myself truncating what otherwise would have been 60 minutes of diatribe. But I do look forward, in short order, after hearing the Conservative response to this, to making my own comments on behalf of the New Democratic Party.

0910

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

Mr. Ted Chudleigh: I commend the minister for bringing this bill forward. I have some reservations, as the member from Thorold mentioned, about expensive, high-priced lawyers having their way with Ontario taxpayers' money, and the modest success ratio that has been experienced in other jurisdictions. Perhaps the minister could comment on that in his two-minute wrap-up.

I would also like to hear some comment, perhaps, on whether or not this legislation introduces retroactivity to the proceedings and whether that will be challenged in the Supreme Court, with the ever-continuing sound of the cash register going ka-ching, ka-ching, as it does with those types of cases. I'd be interested in the minister's comments in that area.

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

Attorney General, you have up to two minutes for your response.

Hon. Christopher Bentley: I thank the members from Halton and Welland for their comments. Let me address just a few of them.

Whatever challenges may come—and one can never tell what challenges will be made—the approach we're taking is the approach that British Columbia took, which the Supreme Court of Canada has had a good, thorough look at and has said is constitutional. That's why we are using this approach. It very much mirrors the approach that British Columbia and all other jurisdictions in Canada that have taken a look and are moving on this issue have taken.

I take the point about litigation and its expense. I think it's a very important point. We will be taking a look at the bill, if it passes, and determining our next steps, and we will be very careful with respect to the approach.

I would say, with respect to potential recovery, that one never knows in litigation. In the United States, where litigation is thriving regardless of the times and the circumstance, there was a very substantial recovery on behalf of the people of the United States—almost \$250

billion payable over 25 years. That was certainly considered by all the governments involved, and the interest groups, to be appropriate and well worth the instigation of litigation.

One can never determine in advance what is going to happen, but if we don't pass the bill, we don't even have the opportunity to advance. So I ask the members of the House to support this, so we can move forward on behalf of the people of the province.

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

Mr. Peter Kormos: We're witnessing a very sad pattern in this chamber. The Attorney General today, in very brief comments, takes credit for this bill, which is as much about public relations as it is anything else, when in fact it was the parliamentary assistant who did all the heavy lifting. It's the parliamentary assistant, Mr. Zimmer, who carried this bill through second reading and through committee, and does he get credit from the Attorney General? No. So where the Attorney General fails Mr. Zimmer, I will fill that vacuum and commend David Zimmer, from Willowdale, for his strong efforts in terms of stewarding this bill through the precarious legislative process.

You know, inevitably, parliamentary assistants are used to take the blame—take the heat—if something fails, whereas when something is successful, it's the minister himself or herself who seizes the spotlight, squeezing that parliamentary assistant out of the limelight, out of the press, out of any recognition.

Look, New Democrats regard this bill as largely cosmetic. Regrettably, we see the need for cosmetic efforts on the part of the government in no small way as a means of excusing itself for not being as successful as it should have been when it comes to creating declining smoking rates, especially among young people. People of our generation, Speaker, by and large have quit smoking. The carcinogens are already probably well implanted, and we haven't really saved ourselves, but by and large, people of our generation have quit smoking.

Sadly, young people continue to smoke and begin smoking at an alarming rate. Anecdotally, drive past the high school—and of course it's not on school grounds, but it's across the road, to the dismay and annoyance of people who have their homes across the road, where you see high school students, young women as well, frighteningly, smoking.

The other interesting part of that, of course, is—and I understand a package of cigarettes costs up around \$9, \$10 now. The interesting part is that the studies that have been done very cleverly, simply by picking up the butts and examining them, reveal that the vast majority of the cigarettes being smoked by those youngsters are the cheap, non-taxed cigarettes that come from native "smoke shacks," I believe is the phrase. And while we know that there are a number of legitimate manufacturers of those cigarettes, we're also told that there's a whole industry of counterfeit or bootleg tobacco cigarette manufacturing, using tobacco from who knows where—China, among

other places—raised under conditions where there's the use of chemicals, among other things, that would be prohibited in Ontario, increasing, augmenting, the health risks. As if it wasn't dangerous enough to smoke, these kids are also now probably smoking stuff that has any number of toxins and chemicals in it that are far removed from the tar and nicotine. It's not inappropriate to challenge this government on its failure to address that phenomenon: the proliferation of cheap cigarettes in non-native parts of the province, or communities that are not on reserves or are not part of reserves.

We know that the more expensive the product is, the greater the reduction of usage. That's why these cheap cigarettes are particularly dangerous and why the government should be regarding them as an acute health risk. Remarkably, I've sat in this chamber while the Minister of Health Promotion has been questioned about her response to this issue, and inevitably she refers the question to the Solicitor General, who then blames the feds, when in fact the enforcement of laws, as I understand it, is as much the responsibility of municipal police and regional police and Ontario Provincial Police as it is of the RCMP. So there's some explaining to do here, and we should be very concerned. This is a health issue, a major health issue.

Now, the government says it's going to start suing the tobacco companies. You can bet your boots, you can bet your bottom dollar, that the lawyers, the big Bay Street lawyers, the \$500-an-hour or \$600-an-hour lawyers, are rubbing their hands with glee. At the end of the day, they'll have made the money—and for all intents and purposes, who am I to criticize Bay Street lawyers, with their fancy, expensive cars—their BMWs and their Mercedes-Benz S series and their Maybachs—and their Prada shoes and their Rolexes and their Mont Blanc pens? Who am I to criticize them? Hopefully, they pay their share of income taxes. But at the end of the day, this isn't one of those John Grisham novels, where you've got some poor, sad family of a person who's smoked himself to a cancerous death who is awarded a multimillion-dollar settlement by a jury in litigation against the tobacco companies. The victims aren't going to see a penny, if indeed there's ever any money.

Now, as I understand the American litigation, huge chunks of it were resolved by negotiated settlements, and parts of those settlements weren't cash settlements, but they were agreements on the part of the tobacco industry to pull back on some of the advertising tactics and techniques they had used, pull back on their sponsorship of sporting events, pull back on their utilization of characters—I think Joe Cool was one of the characters.

0920

It's just remarkable that the tobacco industry exists at all in this province or in this country. We shouldn't be suing these guys; we should be sending them to jail. We should be providing Conrad Black with cellmates rather than simply looking for them to buy their way out of this intense level of culpability.

But of course this government, like so many others, is in a strange position, because at the same time that it

condemns tobacco use, it generates huge revenues from tobacco sales. Of course, the government now, cash-strapped as it is—after giving billions of dollars of tax breaks to banks and insurance companies, the corporations that least need it—finds itself looking for revenues from any source that it can, including plain folks like the folks who live in your riding and who live in my riding, with the new BST, the BS tax, the blended sales tax, an increase of 8% on everything from being born to dying: an increased 8% tax on funeral services.

This government will tax anything that moves, and if it doesn't move, it will kick it until it does and then tax it as well, yet the corporate world gets huge tax breaks, and we see a government that has simply thrown the towel in when it comes to contraband and cheap tobacco and cigarettes that are being smoked increasingly by youngsters.

The corner store issue: All of us received a package of materials from the corner store association, and they've been crying out for this government to do something about the contraband tobacco. The Korean Businessmen's Association—again, a large number of Korean-Canadian families are involved in the corner store, in the convenience store business—has been crying out for this government to do something about the contraband tobacco issue. These are hard-working people who have abided by the law, who have put all their tobacco products behind closed doors, eliminated any advertising or promotion of them in their stores and who rely upon tobacco sales, in no small part, to generate the traffic through their corner or convenience stores, and this government has done precious little for them.

So here it is: We're going to vote for the legislation. The Attorney General is quite right in that he has no idea what the outcome will be at the end of the day. As I say, we know that lawyers will be paid a whole lot of money during the course of events. There may be no return for the government of Ontario in terms of it seeking compensation for health care costs, or the return may be so small that the cost of getting it outweighs the actual judgment or settlement that's provided at the end of the day by the tobacco companies. New Democrats will be supporting this legislation when it goes to a vote later this morning.

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

Mrs. Julia Munro: I would like to comment on those remarks made by the member for Welland and the fact that it seems to me that this bill, as the minister himself has pointed out, replicates other pieces of legislation in other jurisdictions.

The issue is that we're in Ontario, and the problem is illegal tobacco. This bill does nothing to address that. It does nothing to address a growing and serious problem for people when we know that the number of smokers is in fact increasing, and it is through the avenue of illegal tobacco

I commend him on his comments in that regard.

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

Mr. Ted Chudleigh: It's always interesting to listen to the member. I'm sorry that his speech was short; I can't conceive of the member for Thorold actually doing something he didn't want to do because somebody called a meeting at the wrong time. However, I accept the member's protestations about where he can go.

The member did bring up interesting points, not the least of which was the illegal tobacco issue in which this government doesn't seem to be taking as much interest as the people of Ontario would hope. We have seen over the last couple of weeks the protests of the Tamil group, which is located outside the building here. We have seen them move on to the highways and the streets of Toronto, and they have been immediately removed. There's a lot of comment on the radio, there's a lot of comment in the newspapers about how this protest is inconveniencing their lives, how this protest is going on too long. It just strikes me as strange. I wonder how these people who are complaining about this short protest that has happened in Toronto would like to have lived in Caledonia for the last two years, where that same situation has been occurring on a daily basis, week in and week out. I just find it strange that the government can take the kinds of actions they have here in Toronto, absolutely ignore what's going on in Caledonia and absolutely ignore the illegal sale of cigarettes that is taking place on Ontario government-owned land that is being rented, and smoke shops that are being set up on that land. I just find there's a double-standard here that's disappointing.

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

Mr. Dave Levac: The member from Welland points out rightly that the parliamentary assistant, Mr. Zimmer, has done a great deal of work behind the scenes on this bill. It's nice of him to make sure that that gets mentioned.

I also am very concerned about the disingenuous comments that are being made about a different issue, as opposed to seeking this bill's approval to go after the people who sell those death sticks. If they want to try to relate it to that, I think it's disingenuous to assume that nothing's being done. The gentleman and the ladies who make those decisions are the RCMP, the OPP and the municipal police, and the work that's being done to disenfranchise those groups—it's disingenuous at best. The reality is that there's a very complicated issue here and there's an extremely difficult situation that's volatile. To inflame that simply by saying that the government is doing nothing is disingenuous at best. The reality we are talking about is to try to make sure that the companies that were selling these products—what has happened in the past, what has happened in other jurisdictions, happens in Ontario. Quite frankly, the health care costs that are involved in the recovery of that are what the minister is presenting, and I think rightfully so.

I've heard from the member from Welland, speaking on behalf of his party, that they are going to support the bill in a way that simply says that at least that party says it wants to make sure that those recovery costs are done.

With the comments that are being made by the members in the Tory party, I'm not sure if they are in favour of the bill, I'm not sure if they're against the bill, or if they just want to take cheap shots at the RCMP, the OPP and the municipal police. I just don't know what it is. Maybe they should stand right up and say so.

Thanks to the member from Welland for his comments.

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

Seeing none, the honourable member for Welland has up to two minutes for his response.

Mr. Peter Kormos: I know the member for Halton would dearly have loved to have had the two-minute response. I didn't hear him criticizing municipal police forces, the RCMP or the OPP. You know, I've been a critic of Julian Fantino, and I'm pleased to see now Ted Chudleigh, the member for Halton from the Conservative caucus, join the ranks of critics of Julian Fantino, because I have concerns. Well, I contrast Fantino with Bill Blair, for instance, who in Toronto has—in my view, the Toronto police have dealt remarkably with the Tamil Canadian community in the course of their protests and deserve a great deal of praise. I'm a fan of Bill Blair; I'm not a fan of Julian Fantino, and I see that neither is Mr. Chudleigh. I welcome the support and this new alliance that he and I have in our concerns about Julian Fantino. I know that when Commissioner Fantino reads this transcript, as he undoubtedly will, the fact that the member from Halton has now joined the ranks of his critics will cause him the concern that in fact it should.

0930

Look, let's make it clear: This legislation and this litigation is not going to reduce smoking. That's the sad part. It's not going to reduce that phenomenon of youngsters, teenagers, continuing to smoke and continuing to begin smoking, aided as they are by the proliferation of cheap contraband tobacco that seems to be uninterrupted in its flow, and that's of great concern. I think it's disingenuous for anybody to suggest that we shouldn't be concerned about that and that we shouldn't be crying out for action about that. All the settlements in the world aren't going to protect kids from ingesting carcinogenic stuff, to wit, tobacco, which they're doing every day. That's the sad part about this debate.

The Acting Speaker (Mr. Jim Wilson): Further debate? Seeing none, Mr. Bentley would you like time to respond, as mover of the motion?

Hon. Christopher Bentley: No, thank you.

The Acting Speaker (Mr. Jim Wilson): We'll go to the vote, then.

Mr. Bentley has moved third reading of Bill 155. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. The vote will take place during deferred votes, after question period.

Third reading vote deferred.

**EDUCATION AMENDMENT ACT
(KEEPING OUR KIDS SAFE
AT SCHOOL), 2009**

**LOI DE 2009 MODIFIANT
LA LOI SUR L'ÉDUCATION
(SÉCURITÉ DE NOS ENFANTS
À L'ÉCOLE)**

Ms. Wynne moved third reading of the following bill:
Bill 157, An Act to amend the Education Act / Projet de loi 157, Loi modifiant la Loi sur l'éducation.

The Acting Speaker (Mr. Jim Wilson): Debate?

Hon. Kathleen O. Wynne: I am sharing my time with my parliamentary assistant, the member for Guelph. I just want to lead off by acknowledging the work of the member for Guelph. I know we're not to mention names, but Liz Sandals is my parliamentary assistant, and she has done terrific work in gathering information around the province on how we should move forward to make our schools safer places, so I'm very grateful to her.

The Keeping our Kids Safe at School Act is about just that: It's about making our schools even safer for students. Before I go into detail about what this legislation would do, I want to make an overarching statement about what I believe about the safety of schools.

When we have schools in the province where principals and other administration, support staff, teachers, parents, kids, all understand what the rules are; where they all feel engaged in the life of the school; where there are good connections with the community, including with the police, where those protocols and those procedures are well understood; where there is a code of behaviour that everyone understands; then we are in a far better place to expect that we will have safety in our schools.

Having said that, there's always more that we can do to make sure that those conditions are in fact in place. With that, we have to understand that schools don't exist in isolation from communities. What is going on in a neighbourhood, in a city, in a region, the services for public health and mental health and community and family support—all of those things have an impact on safety in the community and therefore in the school. I just want to be clear that we, in this government, do not take a simplistic approach or have a simplistic notion about what makes a school safe, which is why we have moved, for example, to put in place an equity and inclusive education strategy, because we believe that making sure everyone feels included in our schools is part of creating a safe school environment.

We have put millions of dollars and resources into anti-bullying programs in our schools, because we believe it's very important for everyone to understand what it means to bully, how to prevent bullying and how to react to bullying. It's the reason we have put more money into hiring social workers, psychologists and support workers, to make sure those people are available to the school system. It's why we introduced Bill 212, to make sure that the programs that need to be in place for students who are at risk, for students who have been sus-

pended or expelled—that these kids aren't just sent out to the mall but in fact have a program that can help them get back on track. All the things we've done have helped move us closer to the state where we have perfectly safe schools. Obviously, we're not there. We have to keep making incremental change.

This legislation, if it passes, would build on the work we have done over the past five or so years to make our schools safe. As I say, it has been a priority for us to make our schools safer; when we came to office in 2003, we began to do this work. For us, it is a non-negotiable that our students feel safe, that they feel comfortable and respected at school, and likewise that their families feel they have access to the supports they need. The reason that is so critical is that if a student doesn't feel safe at school, then it's much harder to focus on learning. Obviously, we have put a huge priority on student achievement and on kids succeeding, and in order for that to happen, they must feel safe. They have to be able to focus on learning.

Nous voulons que nos élèves obtiennent leur diplôme et qu'ils puissent exercer de brillantes carrières qui les comblent. Nos écoles doivent être des endroits où tout le monde—le personnel, les élèves, les parents et la communauté—se sent le bienvenu, en sécurité et respecté.

That's why I asked the safe schools action team, chaired by my colleague the member for Guelph, to investigate some of these behaviours that would create an unsafe environment: issues like gender-based violence, homophobia, sexual harassment, inappropriate sexual behaviour in our schools. As I've said before in the House, some of these are difficult issues to talk about, and that makes it even more critical that the safe schools action team went out and talked to people around the province about how to address these issues in our schools.

The safe schools action team also looked at barriers to reporting: What are the barriers that might be in place that would prevent a student from reporting, or that might prevent a staff person from reporting a serious incident? They talked to people about what might cause a person not to report, and we are acting on their advice as a result of those conversations.

They also participated in a review of local police and school board protocols. As I said, it's very important, as part of a safe school initiative, to make sure that schools have good working relationships with the community, including police services, and that it's clear what the rules are in those relationships.

I want to recognize the work of the safe schools action team, and the people who worked with the member for Guelph as part of that team: Stu Auty, Dr. Inez Elliston, Ray Hughes, Dr. Debra Pepler and Lynn Ziraldo. All those people have a variety of experience that they bring to the table, all of which was invaluable in making sure we got the right recommendations.

0940

I received the team's final report in December, and it is evidence of the thoughtful work all of those folks did—as I said, the difficult work, because these are

sometimes tricky issues to raise in the broader community, and critical to do so. There are a number of valuable recommendations that the team brought forward. We've moved quickly to act on those, and this bill, Bill 157, is one piece of that response. This particular bill would deal with some very important issues. First, it would address gaps in reporting in legislation. I said that we were looking at barriers to reporting.

At present, the Education Act indicates when a student suspension and expulsion must be considered by the principal, and these activities include bullying and assault. But principals cannot act on those behaviours if they don't know that they're happening. Staff members, if this legislation were passed, would be required to report to the principal any incident that they're aware of that could result in a student being suspended or expelled. First of all, we delineate what the behaviours are for which a student might be suspended or expelled, and then we require, under this legislation, if it's passed, that that reporting happen.

I just want to say that I know that these changes, if they are passed into law, will formalize what is currently happening most of the time. In the majority of cases, this is what already happens, but there was no formal articulation of that requirement, and we saw that as a problem. It's certainly something, I have to say, that we had heard from members of the opposition and from members of the public, and so we're hoping that it will receive the support of all the members in this House.

We also want to make sure that students feel comfortable disclosing incidents to staff, knowing that they'll be followed up on, and parents should feel comfortable knowing that these incidents will be responded to appropriately.

The legislation would also require principals to contact the parents of victims of student incidents for which suspension or expulsion must be considered. Right now, it's required that principals contact the parents of perpetrators of incidents, but there was nothing that codified the responsibility of principals to report to the parents of victims. Parents have a right to know when their child is a victim of such behaviour, and that is why we are putting this into the legislation. They can't advocate for their child and they can't work with the school to resolve these issues if they're unaware of the incidents happening in the first place.

However, we're also including in the legislation that a principal would not be required to inform the parents of victims if, in his or her opinion—in the opinion of the principal—it would put the victim at risk of harm from a parent. Again, that's a difficult reality to confront, but it's something that we know we need to have in the legislation. We need to make sure that principals have that autonomy to be able to make that decision.

The amendments being proposed would allow the principal to inform the parents of victims about the nature of the incident that resulted in harm to the student, the nature of harm to the student and the steps taken to protect the student's safety, including the nature of any

discipline in response to the incident. We think that's a reasonable response. Principals would also protect the privacy rights of other students involved in the incidents.

The safety and well-being of Ontario students comes first, obviously. If passed, Ontario would be the first province in Canada with legislation of this kind. We would be in the forefront in terms of this kind of safe schools legislation requiring school staff to report serious student incidents to the principals.

Finally, the legislation would authorize policies that would require staff who observe inappropriate or disrespectful behaviour among students to respond. Again, I understand that that happens most of the time, but it's something that we believed needed to be articulated. Such behaviours—we're talking about things like racist or sexist comments that are unacceptable in our schools. I think it's clear from much of the discourse that's going on right now, if we look at the newspapers, around issues of racism and how we perceive each other, that we do a very good job in Ontario to be inclusive, but there's still more that we can do. Having teachers step in and intervene when there are racist or sexist comments I think is something that we can expect. We, of course, would only require staff to do that if it's safe to do so. We're not suggesting that anyone should put themselves at risk but that they should ask a student to stop the behaviour, identify the type of behaviour and why it's inappropriate or disrespectful, and ask for a change in the future. Again, this happens most of the time.

Le projet de loi n'est qu'une partie de la solution. Nous prenons des mesures dans beaucoup d'autres domaines, en nous basant sur les recommandations de l'équipe d'action. Par exemple, nous apportons des modifications au curriculum, développons et maintenons des partenariats communautaires efficaces, améliorons la collecte de données et renforçons le leadership des élèves.

L'équipe d'action a formulé beaucoup d'autres recommandations très utiles dans des domaines comme la collaboration avec la police locale, la prévention et la formation.

We'll continue to provide a comprehensive response to the report. We are already acting on many of those other recommendations, whether it's the curriculum changes or the changes in terms of connections with the community. We have a responsibility to act on those recommendations, to continue to create the safest, most positive school climate that is possible. Now I'd like to turn my time over to the member for Guelph.

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

Mrs. Liz Sandals: I'm delighted to have an opportunity to speak on third reading of the Keeping Our Kids Safe at School Act. I'd just like to begin by thanking the minister, who has been very supportive of the work of the safe schools action team. I know that the team has appreciated that as we've delivered the various reports. The minister has been very receptive and worked closely with us on implementing the recommendations.

Mr. Rosario Marchese: I would have been disappointed if that were not true.

Mrs. Liz Sandals: It is true.

There are nearly two million students in our publicly funded schools, and each one of them deserves the opportunity to learn and grow. They will be our next generation of leaders and innovators. They will help our province grow and prosper. Every effort should be made to create a warm and welcoming learning environment for students. They deserve schoolyards where they run with friends, not run away from bullies. They deserve classrooms where they learn about different cultures, not to be silent when faced with inappropriate remarks. They deserve hope, not fear. We have a duty to take action, and I am confident that this legislation, if passed, will help make our schools safer.

As the minister said, many of the proposed legislative changes in this act were born out of the third report of the safe schools action team. I want to thank the team. We've worked together now—this is our third report. As I said, we've been very pleased, as we work our way through these reports, to see them implemented, and with each report I know we're making improvements in what's happening in our schools in terms of making them safer for the students. So I would very much like to thank the team for the work they've done over a period of several years now.

I've been proud to chair that team, and during our consultations we met with people across the province, including students, school staff, parents, police, community agencies and other members of the school community. We read the statistics. We found that when you looked at the statistics, half of the girls in grades 9 and 11 reported that they were on the receiving end of sexual harassment. When we looked at homophobic behaviours, we found that a third of the boys in our high schools reported being the target of some sort of homophobic harassment. We also heard stories from students about being bullied and from parents of victims who felt that they did not receive the information that they needed, hence the requirement in this bill to make sure that principals bring parents into the loop.

We compiled everything we learned and proposed solutions in our report submitted to the minister in December. I'm pleased to see that five months later we have the first step in the implementation of that third report: the legislation that we have before us this morning.

But I do want to point out that that's the first step. These are the pieces that require legislative action. As we move forward in the months to come, we'll be revising ministry policies, creating new policies and making curriculum revisions that address many of the other recommendations and flesh out the work that's in the legislation.

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What I do think we are seeing, though, is how committed this government is to making sure that our schools are safe for all of our students, because through this legislation we want to give every student a positive learning environment so they can reach their full potential. We want them to graduate confident in themselves and their

future. Everything we do should be focused on getting them there, because a high school graduation diploma is the most important thing that a student can do during their adolescent years. That's the beginning, the foundation, for the rest of their life.

As a government, we have set a target of 85% of students graduating from high school, and we have improved that graduation rate over the past five years from 68% to 77%—a clear signal that we are headed in the right direction. But the action team also heard that when students are bullied, they're less likely to attend school, more likely to drop out. We know that when students are the constant target of chronic homophobic harassment, again, they're less likely to attend school, more likely to drop out. So if we want our kids to graduate, bullying, sexual harassment and homophobia are issues that we must address to keep our kids engaged in learning and able to graduate. To get on the road to success, we must include greater school safety and a more inclusive learning environment.

We're taking several other steps to enhance safety and equity in our schools. We've launched a new equity and inclusive education strategy. We've provided funding to 33 schools in urban high-needs neighbourhoods to implement after-school activities, peer mentoring and other initiatives. We're also investing in programs like focus on youth and community use of schools to help establish our schools as community hubs for our youth.

During our safe school action team consultations, one student told us this: "In a safe, supportive environment you can be who you want to be without being afraid. You feel welcome so you want to be there and do more" at school. Another student told us that, "If staff observe negative behaviour, if staff don't call us when we make homophobic remarks or sexist remarks or racist remarks, then they are giving us permission to do those negative things." Those statements made an impact on the team. We feel that those remarks from kids captured exactly what we need to do and why we need to do it, and this proposed legislation will go a long way to creating the learning environment that is needed to help make sure that every student is safe and every student can succeed.

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

Mr. Peter Shurman: I have been somewhat involved in this process on Bill 157 through my work on the Standing Committee on Social Policy. I was disappointed, and want to say so, in the way this bill has come back to this House for third reading, inasmuch as while I agree with the minister and the parliamentary assistant to the minister that the idea is sound for mandatory reporting, it is important to say that mandatory reporting is, in the way it's applied in this bill, somewhat of a misnomer. It suggests to people who hear the term that mandatory reporting means there is some mandate to report and that that escalates to the ultimate authority, which, in my opinion, and I would have to say in the opinion of the majority of my caucus members, is the parent. We tried to introduce amendments to this bill that would have

taken the discretion, to some extent, away from the principal, where it is almost absolute, the way this bill has come back for third reading, and put it in the hands of the parents.

I have the experience, as have most people in the House, of having been a parent of young children—I brought up two kids who managed to make it to 30-something—and I can tell you that I would have been one angry person had I not heard of the various incidents—and there were incidents over the years—that involved my children.

In the course of hearings on this bill, I saw Liberal members of the social policy committee in tears, listening to closed-door testimony from parents whose children—young children, single-digit-aged children—had been violated sexually in the schools and were complaining to the committee that they had never heard about this until it was brought to their attention, in one case by the children themselves.

“Mandatory reporting” means more than what this bill purports it to mean, and I, for one, take exception to it.

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

Mr. Rosario Marchese: I will have one hour, at the appropriate time, to do a leadoff, and we’re not going to be able to do that this morning. I think things will wrap up very, very soon, so I’m not going to try to pack one hour into a short two minutes, except to say that there is a lot to respond to in terms of what I had said in the second reading debate and in terms of what I heard in the committee from the hearings. Some things the government responded to and some things they didn’t, and I’ll want to speak to that.

I want to speak to what the Conservative caucus has been raising for some time. I have some agreement with what they say, and I’m very supportive of some of the elements of what they have been talking about. We’ll have an opportunity to speak to some of the things that they have raised and some of the inadequacies of what the bill does not speak to in general. So when that opportunity comes, I will do my full hour.

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

Mr. Yasir Naqvi: Thank you very much for giving me the opportunity to speak about this very important bill. I want to commend the minister and her parliamentary assistant for all the great work they have done in terms of this bill, and prior to this bill with the safe schools action team.

This issue has been very important to me from the time I was campaigning to be elected to this Legislature. A young mother asked me a question in one of the all-leadership-candidates debates about mandatory reporting, about kids being abused, primarily sexually, in schools and what the government was planning to do. At that time—I have to be very honest—I did not know the answer, and I was very frank with her. I said, “I do not know the answer to the question you’re posing, but I definitely will undertake to pursue this with you, if given

the opportunity to represent you.” Of course, I’m not naming her for specific purposes, to protect the identity of the child involved.

Since being elected, I’ve been working with my constituent and making sure that she had an opportunity to present her views to the safe schools action team and to the social policy committee as this bill was going forward. She has participated at every single step. I had the opportunity to converse with her the other day. She is very happy with the process that it has taken. She sees this bill as a good step in the right direction.

Of course, we need to do more, no doubt about it. We need to make sure that our schools are safe, that our schools are healthy, that our schools are a place where kids learn and where abuses of any sort—whether they be in terms of homophobia, racism or of a sexual nature—do not take place.

I commend the minister and her PA for taking the steps necessary to make sure that we make our schools more positive and more healthy. I’m very happy that I was able to represent my constituent in this regard.

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

Seeing none, the honourable member for Guelph, you have up to two minutes for your response.

Mrs. Liz Sandals: Thank you to the members for Thornhill, Trinity-Spadina and Ottawa Centre for their comments. Because a couple have mentioned reporting, I will talk about that.

The testimony to the safe schools action team, which included a written submission from the parent who my colleague from Ottawa Centre has referred to, and information about some of the other cases that we’ve heard about at social policy that more members had an opportunity to hear—clearly those cases were mishandled. They very much informed the recommendations that the safe schools action team made that are reflected in this legislation.

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Specifically with respect to reporting to parents, when a child is the victim of something that is on the suspension or expulsion list, the principal will be required to call parents. There is one exception to that, and that is when the principal has reason to believe that further involving the parent could do harm to the child. As somebody who was a long-serving trustee, I have run into these situations. They are rare, but they are real: for example, a student who has been subject to homophobic bullying who says to the principal, “Please don’t tell my parents, because my parents don’t know I’m gay. If you tell my parents I am gay, they will throw me out of the house.” Why would the member from Thornhill insist that in a situation like that, the parent must be informed?

We agree and we will put in regulation that the principal needs to do certain other things if they don’t inform the parent to make sure the student is supported, but we are not—

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

Mr. Ted Chudleigh: On a point of order, Mr. Speaker: I ask for unanimous consent to stand down our lead.

The Acting Speaker (Mr. Jim Wilson): Is it agreed that the Conservatives stand down the lead? Agreed.

Further debate?

Mrs. Julia Munro: I will just take a few minutes to offer a few comments on this particular bill.

I listened to the minister and the parliamentary assistant in their remarks this morning, and I recall that, as the minister herself mentioned, the function of this bill was to close the gap. I guess the question is, does it actually accomplish that? I think that there is, as the parliamentary assistant mentions, more to do, and I look at the kinds of materials and suggestions that have been offered by the action team and people like Lynn Zeraldo, and I think that there is a great deal more to do. At best, this papers over the cracks. It still leaves us with issues around the reality of bullying and the ineffective measures that have been put in place, but also there is a much greater recognition of the damage that is done to victims and the absence of supports for victims.

I look at, for instance, an article which appeared in the York region paper back in the fall when this was first being discussed, and it interviews Sergeant Sarah Riddell, who was commenting on the fact that that particular week, November 16 to 22, was being named Bullying Awareness Week. It just struck me that the fact that you have to have an awareness week says it all. She said that talking about the issue wouldn't hurt, especially since Internet bullying is becoming more common.

"As an example, statistics posted to the York police website show about 10% to 15% of children say they are regularly bullied, and close to 40% of victims say they have not talked to their parents about the problem."

So I think that even in the work that has been done through the legislative process of this bill, obviously, we've only just scratched the surface if you have as many as 10% to 15% of children reporting that, on a regular basis, they would be bullied.

Sergeant Riddell is quoted: "Children bully. Adults bully."

"It deals with not respecting people around you and not being fair to people around you."

"Police are seeing more cyber bullying where computers, instant messaging and text messaging are being employed, she said.

"Unlike in the past, where a student may have been bullied at school and then made it home to a safe haven, an explosion of technology in the hands of young people has made it possible to harass someone electronically when they are at home....

"It can be all that much more overwhelming," she went on to say.

When you don't have that direct contact with the victim, you don't necessarily realize the harm you are causing. To try and bring more awareness to the issue, York police have assigned officers to each school, elementary and secondary, in the region, which is where they obtain information about bullying. Officers also

receive calls from parents and older students who will call from home when the school day ends. I thought it was important to frame this discussion with that kind of reality that exists in our community.

I also think it's important to look at this issue of victims. Certainly there has been a great deal of attention in the public, in the media, on victims. Again, the York regional news was overwhelmed after the first article appeared on a particular victim. They covered several more articles as a result of the fact that the victim is often forgotten in the battle with the bully. I want to take a couple of quotes from the York regional news article on this:

"There's another lesson bullied children are learning," says Jennifer Krizel, a Richmond Hill mom whose daughter was bullied in both public and separate schools.

"We've learned the bully's right to an education outweighs the victim's right to feel safe."

Further on: The "London Anti-Bullying Coalition noticed the same thing and is lobbying to fix the problem. 'The forgotten victim is the biggest travesty' of Ontario's new Bill 212, according to Coalition president Corina Morrison."

Certainly this Bill 157 was designed to rectify some of those things. But I think, from much of what research has demonstrated and much of what people have said in the public hearings that were held, this still becomes a very difficult process for victims. It is certainly, at best, an uneven way of looking at the way perpetrators and victims have been treated. When I look at some of the excellent programs that exist, I think the Minister of Education needs to talk to the Minister of Children and Youth Services and look at the ways in which specific programs are the background to prevention, which after all is really what it's all about. When you look at how much effort is being put into legislation and the mandate by the various boards of education, that's all work that is done, and costs and efforts being made, that come after the perpetration of bullying. I would suggest, then, that the Families and Schools Together program; mindyourmind.ca; and the SNAP program, Stop Now and Plan, are all programs that are issues around prevention. I think that while it's very important to be able to provide support for both perpetrators and victims, the government needs to be looking at prevention and looking at some of these well-documented, researched and extremely efficient programs that deal with prevention. At the end of the day, allowing this to take place at all is something that should be the uppermost concern.

I want to conclude my remarks with those that were provided by Karen Sebben. Karen appeared before committee with her son Daniel. She is a constituent of mine, and as far back as the beginning of the committee that the member from Guelph chaired, I offered to provide the opportunity for correspondence between my constituent and the parliamentary assistant. My constituent has been involved in this process right from early last year.

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She then appeared in the public hearings with her son, and I would like to read her conclusion to an article that

appeared in the York region newspaper chain on March 19; it says:

"Here, we can point to policy and see how aggressors of our schools are dealt with, but where do we point to help victims?"

"Mandatory reporting, although a positive" first "step, does not speak to the issue of dealing with victims within legislation.

"At the end of the day, our 'self-governing corporations,' known as our school boards, do very little to assist victims of bullying other than state 'Our hands are tied.'

"As taxpaying parents, we fund our schools and have the absolute right to demand accountability and justice."

"The failure of our government to stand up and take charge by ensuring the safety and learning opportunities of students who have fallen victim to violence is nothing short of neglect."

I think that captures it for the many people in this province who have, as parents, witnessed the kind of damage done to their children in this process. I think this tells us that we have a lot more to do.

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

Mr. Rosario Marchese: I want to read briefly the amendment that was introduced by the Conservatives, which I supported, with some amendments that we made, because I think it tries to speak to some of the concerns that some parents raised.

What I was infuriated with and heard from three or four parents was the sexual violence that was done on young people—not by teachers but by other young people. So that was the story: violence by boys against boys, for the most part. The way that the principal did not deal with that in an adequate manner left me feeling very, very frustrated and angry. I thought those kids needed to be protected, and I thought we needed something in place to protect them.

The Tories introduced a motion that said:

"If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306(1) or 310(1), the principal shall, as soon as reasonably possible," inform one or more of the following:

- "(a) the superintendent;
- "(b) the chair of the board;
- "(c) the director of education of the board;
- "(d) the appropriate police department; and
- "(e) if the activity is sexual in nature, the appropriate children's aid society."

I thought that was a good thing to do. Then it says "Safety plan," that the principal should have a "a written safety plan for the harmed pupil." I thought that was a reasonable thing. Third:

"Documentation by principal"

"300.3.3 If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306(1) or 310(1), the principal shall maintain written documentation,

"(a) describing the activity and the harm;

"(b) describing the actions taken in response to the activity and the harm; and

"(c) setting out the reasons for the actions taken in response to the activity and the harm."

I thought that was reasonable. We should have supported it, and the Liberal caucus did not.

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

Mr. Rick Johnson: I would like to thank the members from York Simcoe and from Trinity-Spadina for their comments, and I'd also like to thank the minister and the parliamentary assistant for bringing forward this bill. The goal of Bill 157 is clear in the title, which is the Keeping Our Kids Safe at School Act. We have an obligation, as a society, to create a safe and caring environment for all of our province's children, a place where they can learn in safety and have the desire to be in a safe environment.

As a former school trustee for the past 12 years, the majority of phone calls that I would get would be from parents who would be concerned about things that were happening in the schools. Many of the stories were heartbreaking. Just last week—my phone number is still on the local school calendar, so my wife received a phone call and passed it on to the school board, from a mother who was complaining about bullying in a primary school, which is a school that only goes up to grade 4. The stories are heartbreaking, when you hear that. I think we have an obligation as a government and a society to create that environment where children will feel safe. In the school board in my area, Trillium Lakelands, the board's logo is "Better together in a safe and caring environment." We really tried to live that while I was there.

We can no longer put up with the attitude that it's just kids being kids. Children need to want to go to school; they need to want to be in an environment where they feel safe, and that is really the key thing that this act is attempting to do. I would commend the efforts of the safe schools action team for the work that was done on this. I will be supporting this bill and I think that it's really crucial to the future of our province.

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

Mr. Peter Shurman: My colleague from York-Simcoe rightfully raised the issue of a perpetrator's rights sometimes being put ahead of a victim's rights. I again want to hearken back to a particular deputation made to the committee in reviewing this bill after second reading. Very particularly, this deputation was in camera by a very distraught mother of an 8-year-old—an 8-year-old, I have to say—who was sexually attacked by his peers in a washroom in the school that he attended, being literally scarred for life. This woman tearfully told the committee that what the principal had done with the reporting on this incident was to initially call the perpetrator's parents. It took a long time for her to find out what had happened to her child. That's why the amendment that we've been talking about, that was rejected out of hand by this self-satisfied Liberal government, that had to do with what a

principal does with information, made so much difference as far as we were concerned.

This is not an adversarial bill, from our party's perspective. This is a bill where co-operation between all of the parties could have and should have been invoked at the committee stage so that by the time we got to this third reading debate, we would be able to talk about mandatory reporting on the level that I think most Ontarians expect us to talk about it, which is that it is mandatory for a principal to escalate reporting to the appropriate authority where deemed necessary. To distort my words and suggest that we're talking about something like a gay student having that information preserved at the level of the principal and not shared with the parents—to me, that is not a discretionary aspect of a principal's rights. Principals have a duty of care to people which goes beyond the student.

The Acting Speaker (Mr. Jim Wilson): Further questions or comments? Seeing none, the honourable member for York-Simcoe, you have up to two minutes for your response.

Mrs. Julia Munro: I'm pleased to respond to the members from Trinity-Spadina, Haliburton-Kawartha Lakes-Brock and Thornhill. I'm very pleased that the member for Trinity-Spadina chose to use his time to put into Hansard the amendment that was proposed, because I think it demonstrates what the member from Thornhill just mentioned in the fact that it was not intended to be an adversarial or partisan kind of thing; we are concerned about the fact that there seems to be a need to provide a better system of reporting and, as I mentioned in my remarks, a better system of support for both perpetrator and victim. Certainly, I appreciate the fact that people took the time to respond to my remarks.

Third reading debate deemed adjourned.

Mr. Jim Wilson: It being past 10:15, this House stands in recess until 10:30, at which time we will have question period.

The House recessed from 1019 to 1030.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): The member from Parkdale-High Park.

Ms. Cheri DiNovo: Thank you, Mr. Speaker, for being a gracious host today to Girls Government from Parkdale public school and also from Fern public school. These are their names: Julianne Rufin, Ann Truong, Alana Tinney, Thenuka Thanabalasingam, Mumtahia Monzoor, Monica Truong, and their vice-principal, Ann Marie Borthwick. Also, from Fern: the vice-principal, Linda Tasevski; and the girls, Mayla Patchett, Sophie Lovink, Astrid Burgess, Nuala Polo, Na'ama McLaughlin and Emma Lewis. One of them will be Premier one day.

Hon. Michael Bryant: I want to introduce my fabulous kids, Sadie and Louis Bryant. You all better hope that one of them isn't Premier one day. Welcome.

Mrs. Julia Munro: I'd like to introduce the students from W.J. Watson school in Keswick, who are on their way.

Mme France Gélinas: I would like to introduce people from the Strathroy and Area Concerned Citizens. They are Sandra Edmondson, Joyce Jolliffe and Kathryn Gordyn. Welcome to Queen's Park.

Mr. Robert Bailey: It gives me great pleasure to introduce the parents of page Cameron Tomlinson: his mother, Christine Tomlinson, his father, Scott, and his sister, Madison, who are with us in the gallery today.

Mr. Paul Miller: I rise on a request for the consent of this House. I request permission to wear this hockey jersey today, supporting the bid for an NHL team for Hamilton. I've heard the Premier's voice in support for this team, and I'm sure that my colleagues in the opposition will support this economic boost to the Hamilton region.

The Speaker (Hon. Steve Peters): The member seeks unanimous consent to wear the shirt? Agreed? Agreed.

And on behalf of the member from Bramalea-Gore-Malton and page Zachary Crichton, we want to welcome this mother, Theresa Crichton, to the Legislature today. Welcome.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): I'd like to take this opportunity to ask all members to join me in recognition and saying thank you to the pages for their service to all members of the Legislature. We wish you all the best in your future endeavours.

ORAL QUESTIONS

TAXATION

Mr. Robert W. Runciman: My question is to the Deputy Premier. For the past number of weeks, the folks across the way in the Liberal ranks have been in damage-control mode, trying to work the media and reduce the impact of their record-breaking, debt-ridden budget. The Progressive Conservative caucus has asked repeated questions about specific impacts in increased costs to families on items and services they use every day, because that's what we're being asked by families and seniors every day.

Minister, when you're forcing people to pay more taxes and those people are asking specifically what those new taxes will include, do you not feel that you have an obligation to provide them with an answer?

Hon. George Smitherman: To the Minister of Finance.

Hon. Dwight Duncan: The information is readily available. We are creating a single sales tax. The new things that are covered are those services and goods that are not covered by the provincial sales tax. It is subject to

a number of transitional rule changes on which we are working with the federal government now in terms of implementation. I should also point out that the tax package will provide enormous tax relief both to businesses and consumers. We look forward to continuing the dialogue as we move to this more competitive tax system which that member and his party in the past supported but for some reason now don't support.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: The reality is we have not received any answers to very specific questions. It's difficult for most Ontarians to believe that you're bringing in this massive tax hike in the worst economy the province has faced in 80 years, with hundreds of thousands of job losses in the same environment.

We've asked about the increased tax costs for everyday needs: no answer. We've asked about the increased costs for sports and recreation activities: no answer; silence from your backbenchers. We've asked about the increased tax costs for a young person purchasing a first home and the potential of 21,000 jobs lost in the construction and renovation industries: no answer; more silence from your backbenchers. We've asked about the increased tax costs on family vacations. What do we get? A laugh and a shrug from Dalton McGuinty.

Minister, do you have any intention of facing Ontarians, giving them the real facts, or are you content with this bankrupt approach of ignoring Ontarians and their concerns? Is that your approach?

Hon. Dwight Duncan: The only thing that's bankrupt is the integrity of the opposition party. Let me say again: Those goods and services that are currently not taxed under the PST will be affected by the new single sales tax. That list is readily available to the member opposite. I should tell him that we've been meeting with the same groups, working on transition rules, and we have been working with the Canada Revenue Agency on the very same rules in terms of implementation.

This is the right approach. This is the proper approach. That's why groups as diverse as the Canadian Manufacturers and Exporters, the chamber of commerce, a number of consumer groups and the Daily Bread Food Bank have said that our tax policy represents a bold step forward for Ontario that will lower taxes for 93% of Ontarians.

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

Mr. Robert W. Runciman: I don't think we can miss the irony of the member of a government that has broken so many solemn promises to the voters of this province in their five and a half years in office—I think it's an understatement to say that Dalton McGuinty has a problem keeping promises. The two largest tax grabs in the province's history are the most expensive examples.

Minister, what is it that makes the Premier and his backbench yes-men and -women so proud of a tax increase, providing a very one-sided view, nothing about what it will really cost seniors and hard-working families and the jobs that are on the line? If you're so proud of

this and the tax shift that's going to occur here, why won't you be upfront about the downsides of this new tax: the cost to seniors and hard-working families, the thousands of jobs on the line and the impact on the underground economy?

Hon. Dwight Duncan: I think that why we're proud of it, in spite of the attempts by the opposition to paint it another way, is that this represents a tax cut for Ontarians. Ninety-three per cent of Ontarians will get a permanent tax cut. Average families with an income of \$80,000 will see a 10% cut. The first \$36,000 of everyone's income will be cut 17%. Ninety thousand more people will no longer pay personal tax. Seven hundred and twenty-five thousand additional lower-income Ontarians would benefit from the Ontario tax reduction. A single parent on social assistance with two children will save over \$1,200 under our plan. A single parent earning \$25,000 with one child will save over \$1,100 on our plan.

That member and his party used to support this. His federal colleagues do. This is the right and the bold move for Ontario to build jobs and build—

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

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GREEN POWER GENERATION

Mr. Robert W. Runciman: Back to the Deputy Premier: Thanks to the mismanagement of Dalton McGuinty, Ontario families and seniors are about to become the victims of one of the largest tax hikes in Ontario's history. The Premier likes to say Ontarians are willing to pay more for things like gas and green energy, but unfortunately he doesn't tell them how much more he's going to force them to pay. He prefers to camouflage the impact and bamboozle taxpayers.

Deputy Premier, this long weekend, when families head out for a much-deserved holiday, they're going to be going to the gas pumps, taking their boats to the marina to gas up. Next summer, will your McGuinty sales tax cause an increase to already unstable gas prices, and if so, how much?

Hon. George Smitherman: I want to say to the honourable member that I resent somewhat that he's already taken this long weekend away from Ontarians and he's fast-forwarded to some scenario, which is to concoct something that's more than a year from now.

But on the issue of green energy, as the honourable member has raised the question, I do want to make a couple of points. Firstly, we've taken seriously the role model of the Conservative opposition critic, who himself stated a 40% reduction in electricity use through behavioural alteration in the home. Today in the province of Ontario, we have launched time-of-use pricing that will see one million Ontarians enjoy the advantage, for 60% of all of the hours in the week, to have reduced electricity costs.

We're trying to make the commodity of electricity one where people use it wisely and take advantage of all

opportunities to use less of it, and especially to use it in less expensive periods, an opportunity for savings for consumers in the province of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: To date, I would suggest the minister's been less than upfront about the impact on Energy Star appliances, energy audits, energy-efficient renovations and energy bills: They're all going to increase more than they have, thanks to this upcoming sales tax. We also know that energy bills are going to shoot up as much as \$1,200 per year as a result of this tax-and-grab, disguised as green energy.

The minister doesn't have, apparently, the fortitude to say that, but London Economics has indicated as much. The Premier has refused to bring forward this kind of important information for Ontarians despite the fact that we're going to be voting on the legislation later today—the information that our critic has asked for on numerous occasions.

Minister, if what you say is in fact accurate, that people are prepared to pay more for this, do you not feel any obligation, any responsibility to disclose just how much you're going to make them pay?

Hon. George Smitherman: I think that if the honourable member and his party, in commissioning a purpose-built study, had decided to pay a little more for it, the company might have actually looked to give some credit to the consumers in the province of Ontario for the opportunities that the Green Energy Act represents to actually lower the amount of electricity they use. The Conservative critic Mr. Yakabuski, on the day that the bill was introduced, to great credit—and I've invited him to come to talk to school groups in my riding—mentioned that in his own household, they've reduced their use by 40%. He's the poster child for electricity conservation in the province.

Our projections are that a 15% to 20% reduction in electricity use is possible on the part of the people in the province of Ontario. We want to give them the tools that allow them to transition their homes and their businesses, institutions like this one, to lower electricity use overall. This is the way to protect consumers against the risk of rising prices: to use less electricity—and that's what the Green Energy Act helps to create.

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

Mr. Robert W. Runciman: Mr. Yakabuski is not only the poster boy for green energy, he's also the poster boy for honesty and integrity, and giving the people of this province the honest and true facts about the real impacts of what you're doing here.

Yasir Naqvi, who's the MPP for Ottawa Centre—and I'm quoting a story related to him in the Ottawa Citizen where they said he is "misleading" in respect to the harmonized sales tax. Minister, no matter how—

The Speaker (Hon. Steve Peters): I'm going to ask the honourable member to withdraw that comment, notwithstanding it was a quote, please.

Mr. Robert W. Runciman: I withdraw, Speaker.

Minister, no matter how hard your members try to push this sales tax policy, they can't get around the fact that they really are withholding the real, true facts related to this or ignoring them. You can't fool all of the people all of the time. We've heard that often enough. Why do you and your caucus take pride in refusing to give—

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

Hon. George Smitherman: It's fantastic that the honourable member has made such laudatory statements about his colleague. We would agree. We think that 40% reductions in a person's energy conservation is a story that should be told and we're grateful that the critic has been telling that. Here's a quote he had from the Green Energy Act third reading leadoff: "Let me begin by making it very clear that we in the Progressive Conservative Party on this side of the House are very much in favour of, and in the greatest possible way promote, the improvement, the enhancement, the growth and the necessity of green energy in the province of Ontario." So we're glad to see that support.

But there's another piece to it too, which is creating a culture of conservation. Our introduction today of time-of-use pricing will give people the tools that they need to transition electricity use to times of the day when it's actually cheaper than what people are paying now. This is a good opportunity, and we're delighted that the Leader of the Opposition and his critic are such strong supporters of this element of the legislation.

AUTOMOTIVE INDUSTRY

Ms. Andrea Horwath: My question is to the Acting Premier. Right about now the last pickup truck is rolling off the assembly line at GM's Oshawa truck plant. It marks not only the end of an era but also the end of GM's long run as Canada's largest automaker. This government played a role in the sad demise we are seeing today. It doled out \$235 million to GM without securing the production of the Sierra Hybrid pickup truck, notwithstanding the fact that the engineering work was actually done in Oshawa.

Having already betrayed GM workers once by not securing the Sierra Hybrid pickup truck for Oshawa, will this government continue to betray them by failing to negotiate job guarantees for GM's current multi-billion dollar aid package?

Hon. George Smitherman: To the Minister of Economic Development.

Hon. Michael Bryant: The reality is that the Premier of Ontario has played more of a role in supporting the auto industry in Ontario than any other politician has ever played in the history of Ontario, period—none of which is to suggest that this is not a really brutally tough time, obviously, for those people who are being affected by the wicked drop in demand that has taken place globally when it comes to auto and truck sales.

This government is endeavouring to do everything it can to support this auto manufacturing industry consist-

ently throughout the tenure of the McGuinty government, and from the moment that the industry was in the critical insolvency trouble that it is in now, it was Dalton McGuinty who stood up and said, "We'll be there for the auto industry as long as we take care of the"—

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

Ms. Andrea Horwath: Today's plant closing means the elimination of 2,600 jobs. Another 1,500 will disappear next year, when GM's Windsor transmission plant closes. That will bring the company's Ontario workforce well below 16,000.

This minister should know that the original agreement with GM called for the company to repay \$235 million if its Ontario workforce fell below 16,000. What is this government going to do to make sure GM lives up to its job and production commitments?

Hon. Michael Bryant: The member can't stand up and say on the one hand that the government has to do everything it can to support the industry, and then on the other hand say, "Let's stick it to the company as best we can." We're going to work with the company. We have to work with the company in order to see a future that is a profitable future. That's what we are going to do. If the member is suggesting—I don't know, I'd like to hear what the member is suggesting. We are going to make sure that the taxpayers in fact receive the best deal that they can, as they have over the past.

This government has made the investments necessary, and will continue to make the investments necessary, in the taxpayers' interest to grow the economy, and in the case of the auto industry, to support an industry like no other government is doing right now in North America—the only subnational jurisdiction in the world which is making these investments, and our support for that industry is unequivocal and will continue to be so.

I'd like to hear the leader of the third party stand up and—

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

1050

Ms. Andrea Horwath: New Democrats have supported, and always will support, the financial assistance for Ontario's auto sector. But unlike this government, we believe that it must come with ironclad job and product guarantees. The \$235 million given to GM in 2005 didn't include ironclad job guarantees, and we are now seeing the end result of that. Even the new GM-Suzuki operation in Ingersoll is producing only one SUV a month, if the media reports are to be believed.

With so much more at stake right now, has this government actually learned from its mistakes, or will it condemn Ontario's auto sector to further job losses and little return for the investment we're making?

Hon. Michael Bryant: It is absolutely the case that the government's investment on behalf of the taxpayers has to be in the interest of the taxpayers, but it also has to be the right deal. There's no question about it, and I don't disagree with the member.

It is also the case that the government needs to find a way, as best as possible, to provide support to the industry. If in fact it is the case that General Motors is not in a position to provide the kind of production that the governments of Ontario and Canada insist upon, then, yes, you're absolutely right, we will act in the taxpayers' interest.

However, we are more confident, on this side of the House, that we are going to be able to act in the taxpayers' interest and ensure that there is, as best as possible, the appropriate level of production here in Ontario so that General Motors and its workers and suppliers, and all of those communities that are affected, which is all of Ontario, have that bright and prosperous future.

EXECUTIVE COMPENSATION

Ms. Andrea Horwath: My next question is to the Minister of Finance. Yesterday, the Premier made crystal clear his opposition to my bill calling for a cap on executive compensation. This morning, we may be finding out why he was so opposed. It may have something to do with the company he keeps.

My question is simple: Has the government sought advice on the issue of capping executive compensation, and if so, from whom?

Hon. Dwight Duncan: The one thing that our government is intent on doing is protecting the footprint of the auto industry in Ontario. The member opposite wants to pretend that there's an easy way out of this. The member opposite wants to pretend that there haven't been more jobs lost in Michigan, Indiana and Indianapolis.

In terms of executive compensation, a number of parts of the arrangements in the Chrysler situation—and the General Motors deal, if we're able to come to one—will address those kinds of questions as well.

But let's all understand the enormous difficulty that this major employer and major contributor to our GDP is going through. Let's all resolve to work together to get a deal with GM, to protect the jobs and pensions of the workers here in Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, this morning's *Globe and Mail* paints a picture of how this government comes up with its economic policy. It would appear that the person really calling the shots at the finance ministry doesn't even sit in this House. No, he works at TD Bank, and he reports directly to a CEO who raked in more than \$22 million in pay over the last two years.

Why is this government putting the interests of corporate executives ahead of the interests of everyone else?

Hon. Dwight Duncan: We have a group of 12 economists who regularly provide advice to the government, including Jim Stanford from the CAW, who has provided a lot of very good advice to me individually, and with whom I communicate regularly.

Unlike New Democrats, I don't have all the answers. We reach for advice from all kinds of people, from CAW economists to bank economists, from the director of the

food bank to the directors of some of our largest companies.

To the member opposite, I'll continue to seek their advice, and I will continue to seek the advice—

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

Ms. Andrea Horwath: We shouldn't be surprised by any of this. Executives responsible for the poor decisions that have left large companies on the brink will continue to be handsomely compensated through the public purse while hard-working Ontarians are left to worry about the everyday essentials, worry about disappearing pensions, worry about getting slapped with an 8% tax increase that's going to cost them more every single day, all because well-heeled executives say so.

What will it take before this government finally says no to self-serving corporate executives and yes to the other 99% of Ontarians?

Hon. Dwight Duncan: That is sad. Let me say this: I don't believe Don Drummond is self-serving. I think Don Drummond provides good advice, some of which we take and some of which we don't.

We offered that member a full briefing from our ministry on the state of the economy prior to the budget, and she said no. She refused to take it. To the leader of the third party, I will continue to take advice from Mr. Drummond. By the way, the Canadian banks are not losing money; in fact, they're a symbol of success at a time when world banks are collapsing.

I ask our members in Toronto—more than 300,000 new jobs have been created in financial services in the last five years. No, no, to the leader of the NDP—

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

TAXATION

Mr. Ted Arnott: My question is for the Minister of Tourism. With the price of a holiday set to go up 8% next year because of the Dalton sales tax, when will this minister start speaking up for Ontario families, travellers and visitors to the province of Ontario?

Hon. Monique M. Smith: I appreciate the question. Certainly, I've been working closely with our partners in tourism across the province. We've been out talking to them about our new regional structure that we're proposing. We've been talking to them about the new marketing fees that will be flowing to them as a result of our single sales tax and will benefit the entire tourism industry, as we have far greater resources to market the different regions and all of the great attractions that we have across the province.

I'm looking forward to the feedback that's coming back to us. We've had a number of consultations. We were in Gravenhurst just two days ago. We were in Sudbury, Thunder Bay, Kenora and Fort Frances. We've been across the province. We'll continue to work with our stakeholders to ensure that their views are reflected in the development of the regions and in the way that our regional marketing organizations will function.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Ted Arnott: The Victoria Day holiday weekend, the traditional beginning of the summer tourism season in Ontario, is upon us. I'm hearing that the Dalton sales tax will grab over \$100 million from the pockets of tourists, making it harder for us to demonstrate good value which, traditionally, has been one of our marketing strengths. The \$40 million the minister referred to that she's promising the industry is actually less than they're now collecting in destination marketing fees.

What a message to send our tourists next year: Welcome to Ontario, where you get to pay a brand new 8% tax on accommodation, attractions, spas and the price of gas. The campground association tells us that the new 8% sales tax will hit campsites, guest fees, boat rentals, dock slips, boat launch, boat storage, heating and air conditioning—the list goes on and on.

Again, I ask the minister, why is she sitting back as her Minister of Finance prepares to pillage the potential of tourism in the province of Ontario?

Hon. Monique M. Smith: I'm certainly not sitting back. I've been meeting with my partners in tourism across the province. My representatives have been out in the field. We've had a variety of meetings across the province, talking to them about the regions, about the new funding that's coming their way and how that's going to benefit them. We are committed to working with the industry to ensure that we are providing the best marketing possible.

The new single sales tax, should the budget pass, will also of course increase the savings to our businesses by \$500 million, in paperwork costs. We are also cutting taxes for small businesses. As you know as my critic, small businesses are the backbone of the tourism industry. We are helping them create jobs, and we're helping them to grow even stronger. The corporate income tax rate for small businesses will be cut by 18%. This is a real benefit to tourist operators across the province.

I look forward to hearing more from them. We are being very proactive, working with our partners, to ensure that our tourism industry is the strongest it can possibly—

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

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PENSION PLANS

Mr. Paul Miller: My question is to the Minister of Finance. Men and women in Ontario who have worked for decades for profitable companies are facing the prospect of living out their retirement in poverty because the government is walking away from its commitment to backstop pension shortfalls through its pension benefits guarantee fund.

This morning, the NDP proposed an amendment to the budget bill that would have ensured continued government protection of pension funds through repayable loans to the fund when claims exceed assets. Why did the McGuinty government vote against this amendment?

Hon. Dwight Duncan: What was particularly unfortunate happened in 1992, when the NDP exempted companies from contributing into the pension benefits guarantee fund. That was really unfortunate.

There's no doubt that a number of pension funds are in difficulty, the largest of which is the General Motors pension fund. Our government is working with the government of the United States, with the government of Canada, with the CAW, with General Motors of Canada Ltd. and with the UAW to try and resolve and keep General Motors viable and keep a footprint of that industry in Ontario. That is the best way we can protect those pensions and those workers.

But don't underestimate the problems that arose out of that party's blindness to the importance of paying for these kinds of pensions, and why they let General Motors out of that—

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

Mr. Paul Miller: Well, there have been three governments since then.

Yesterday, the finance minister shared his strategy for dealing with his own retirement savings plan. He said, "I just don't look."

Most men and women in Ontario don't have the luxury of turning a blind eye to their financial future. Workers at General Motors, Chrysler, Nortel and AbitibiBowater have given decades of their lives to their work, and now their pensions are at risk, through no fault of their own.

When will the minister get his head out of the sand and assure Ontario workers that the government will stand up for them by committing to provide bridge financing when claims exceed assets in the pension benefits guarantee fund in Ontario, and do it now?

Hon. Dwight Duncan: The member opposite proposes to exempt these companies or their successors from paying their obligations, and asks the taxpayers to fill in the gap. We don't think that's adequate. We don't think that anybody should walk away from this. Frankly, the member opposite doesn't understand the depth of the problem.

They joke about it, and he makes a joke about what I talked about yesterday in terms of pension adequacy and in terms of our call for a national review of pension adequacy, because the reality is tens of thousands, millions, of Ontarians don't have a pension.

Interjections.

The Speaker (Hon. Steve Peters): Order.

Hon. Dwight Duncan: They laugh and they joke, but I think the people—

Interjections.

Hon. Dwight Duncan: It's incredible that they make fun of Ontarians who are worried about their futures.

SCHOOL BOARDS

Mr. Rick Johnson: My question is for the Minister of Education. As a former president of the Ontario Public School Boards' Association and chair of the Trillium

Lakelands District School Board, I'm very interested in the recently introduced legislation that aims to modernize school board governance.

I've long been intrigued by the current legislation in the Ed. Act that outlines a long list of responsibilities—everything from putting up fences to buying milk. However, the most important goal of Ontario parents and educators, student achievement, is never mentioned. I'm therefore pleased that this legislation, if passed, would clarify the mandate of school boards to emphasize their responsibility for student achievement.

I also understand that the governance bill will require individual trustees to support decisions reached by their boards. Some of my constituents wonder if this will stifle the voices of elected trustees. I'd like the minister to answer the concerns of my constituents.

Hon. Kathleen O. Wynne: I want to just acknowledge the work of the member for Haliburton–Kawartha Lakes–Brock, the work he did on governance as the chair of the Trillium Lakelands board and as the president of OPSBA. Thank you very much.

Nothing in the governance legislation would curtail the ability of individual trustees to speak about matters in an open fashion, to have opinions and to state those opinions clearly for their constituents and during meetings. The clause I think that folks are worrying about has language about supporting the implementation of decisions reached by the board, which is quite a different matter. Once a decision has been reached by the board, what we're saying is, individual trustees must honour and support the implementation of board decisions and not move to have a different set of rules in their ward that isn't consistent with what's going on across the board. So it's more about supporting the implementation of a decision that's been made by the board than about having an opinion and expressing that opinion.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rick Johnson: I know that this government has a history of working with school boards to support achievement across the province. During visits to schools in my riding of Haliburton–Kawartha Lakes–Brock, I've seen the progress that can be achieved when there is a culture of respect between all partners in our publicly funded education system: smaller class sizes, more educators, higher test scores.

In light of this, I know there are concerns in some quarters about other aspects of this legislation, specifically, the requirement that directors advise their board if it is or is planning to conduct itself or reach decisions which are contrary to provincial legislation, and that in the event that the board decides to proceed in contravention, the director will be obligated to report this to the minister. Although I don't share their concerns, I know that some might say that this might erode the powers of boards and put directors in a vulnerable situation. I'm interested to know how the minister would address these concerns.

Hon. Kathleen O. Wynne: In fact, directors have always been expected to advise their boards when their actions are noncompliant with provincial legislation. That

has always been the case. What we're doing in the legislation is just being clear about some confusion that there has been on this point. Boards will only be required to act in compliance with provincial directives that are backed up by legislation, and that makes eminent sense. As the member alluded, this isn't new. There's still considerable scope for boards to make local decisions based on local needs.

In terms of directors, this provision makes it clearer as to what they should do in these situations when it appears that a board is not going to act in compliance with legislation. Directors who draw noncompliant actions to the attention of the ministry through me, the minister, will in fact be backed up by legislation. So in fact, it's a protection that makes it clear exactly what they are expected to do.

HOSPITAL SERVICES

Mr. Ted Chudleigh: My question is for the Minister of Energy and Infrastructure. A Toronto Star article printed yesterday describes how citizens of Milton are fed up with the lack of health care infrastructure that should have accompanied the economic and population growth. All fingers are pointing to the province, since it was this government that mandated Milton to grow in Places to Grow legislation from 2005.

A Ministry of Health spokesman is recorded as saying that the new proposed Oakville hospital will ease the strain on Milton District Hospital. However, there are a couple of problems with that statement: First and most obviously, the planned Oakville Trafalgar Memorial Hospital is nothing more than a field; construction remains delayed. Secondly, even when that hospital is finished, the relief in Milton will not be significant. Wait-time statistics in all surrounding hospitals are way above provincial averages. So the new hospital in Oakville will not only serve overflow from Milton but Mississauga, Burlington, Brampton and even Hamilton.

Milton needs an expanded hospital. Will you tell the people of Milton when they can expect an expanded hospital?

Hon. George Smitherman: I know the community of Milton. I can't confess to know it as the honourable member does; I believe he goes there somewhat more frequently than me. But I also know that the growth in Milton has not all occurred in the last week or two, as the minister's question does suggest. The growth there has been ongoing, and this is a pattern that has occurred in other places in Ontario as well.

We really were delighted in a recent visit to meet with Mayor Krantz and also to meet with the folks who created the Friends of Milton Hospital. This is a community-related effort to build a profile and community support towards the construction of a new facility that nobody disagrees is required. That's why we have advanced planning money to that hospital to get moving forward on it. We'll be looking for opportunities in the context of our capital budgets to move this project forward, recognizing

that there are many, many projects in the province that are very worthwhile and must be considered.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Chudleigh: The report went in last September, 2008. It has been sitting gathering dust since that time. It's time that report was released and the next phase of the planning take place.

The case for Milton becomes more convincing when you compare it to other high-growth areas such as in the Vaughan region, where there is high growth, but in the hospitals that surround Vaughan, the wait times are not nearly as bad as in the hospitals that surround Milton. I only use the comparison to demonstrate the unique situation that Milton is in as the fastest-growing community in North America.

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Minister, given these facts, will you stop the delays, make some decisions and help the people of Halton by expanding the Milton District Hospital?

Hon. George Smitherman: The one thing we can be grateful for from the question is that, unlike the member for Niagara West—Glanbrook—he says we're spending too much on infrastructure. It's true we have a lot under way with projects on the hospital side at Credit Valley, Hamilton Health Sciences—Hamilton General, Hamilton Health Sciences—Henderson General, Kingston General, London Health Sciences Centre, St. Joseph's Health Care, Montfort Hospital, Niagara Health System, North Bay Regional, Ottawa Hospital Regional Cancer Centre, Quinte Health Care, Rouge Valley Health System, Royal Victoria Hospital, Runnymede Healthcare, Sarnia Bluewater, Sault Area, St. Joe's London, Sudbury, Sunnybrook Health Sciences, Toronto Rehab, Trillium Health Centre and Woodstock General. There's not a government in the history of the province of Ontario that has gotten on with the task of building new hospital infrastructure—we know Milton has needs, and the people of Milton can count on this government to deliver on those. They know that that honourable member has best been known for his silence on this matter.

AUTOMOBILE INSURANCE

M^{me} France Gélinas: Ma question est pour le ministre des Finances.

Recommendation number 22 contained in the Financial Services Commission of Ontario's auto insurance review would slash insurance payouts for serious car crashes, which means it would impoverish the victims and enrich the insurance industry. The medical and rehab costs are now capped at \$100,000. The recommendation is to lower the cap for a lifetime to \$25,000. The cap for med rehab was \$25,000 about 20 years ago, but in the last 20 years costs have risen. Mortality rates have declined. Public sector rehab services have been decimated. Factoring in inflation, reducing the cap in 2009 to \$25,000 is inhumane.

Will the Minister of Finance stand in this House today and make it clear that he will reject this wrong-headed recommendation?

Hon. Dwight Duncan: As honourable members will know, our government for the first time launched a five-year review of auto insurance policy. Over the course of the last year, we have been receiving input from a variety of stakeholders, including accident victims. We expect final recommendations on that report by the fall, and at that point in time, once we've received feedback to all the recommendations, we will be in a position to make final determinations on what we will do.

The Speaker (Hon. Steve Peters): Supplementary.

M^{me} France Gélinas: The Financial Services Commission of Ontario tabled its report on March 31. People have until the end of this month to make recommendations. I want the minister to take into account the fact that a cut of 85% in health care for injured motorists and zero percent reduction in car insurance premiums is not a good deal. It would seriously damage the quality of rehab services provided to accident victims. The insurance industry is saying that they are not making money. Well, a 7.5% return in 2008, I agree, is not the 15% they're used to, but it's a good return on investment. A hundred thousand dollars is not a lot of money to buy a prosthesis, a wheelchair, modifications to your home, pay for rehab services, supplies etc. This cap needs to go up, not down.

I repeat: Will the minister state today in this House that he will reject this wrong-headed recommendation?

Hon. Dwight Duncan: I would remind the member opposite that since we took office, auto insurance premiums are down 8.16%. We have the most comprehensive no-fault benefits of any province in Canada. We've fostered a more competitive marketplace for auto insurance. As a result, there are now approximately 20,000 drivers in the Facility Association, down from 204,000 in 2003.

The member opposite and her party have a rather checkered history on this issue. I would advise the member opposite that she shouldn't necessarily be advocating for increasing premium costs, which is what it sounds like she's going to do. She's going to pretend that you can keep increasing benefit after benefit and then not reduce rates. It's a fine balance to walk. As we do on all policies, this government will find the right balance that will be fair to consumers and fair to those accident victims.

STUDENT SUMMER JOBS

Mr. Bas Balkissoon: My question is to the Minister of Training, Colleges and Universities. Recently, I've heard from many students in my community concerned about how the current economic climate is affecting them. Students are worried that the summer jobs they have come to rely on will not be available to them this summer.

Summer jobs are an important part of a student's learning process. The invaluable work experience they gain serves them well in all aspects of life. Ontario needs a highly skilled, highly educated workforce in order to be economically competitive. Students are the workforce of

our future, and they need summer jobs to help support their education and training costs. Let's not forget that businesses also need government help in these tough economic times if they are going to hire students.

To the minister, what are you doing to ensure that students have access to important opportunities through summer jobs?

Hon. John Milloy: I thank the honourable member for the question. He raises a very important issue. In the tough economic times, as we head into the summer months, we want to provide as much support as possible to Ontario students. That's why I'm very pleased that our recent budget contained a 57% increase to the Ontario summer jobs strategy, bringing spending this summer to nearly \$90 million. This expansion will mean that over 100,000 young people will benefit from support for summer employment opportunities. That's an increase of 27,000 students over last year, and this increase will continue next summer as well.

As I say, we recognize the economic hardships that are being faced by students. That's why we're very pleased to be able to offer this additional support.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bas Balkissoon: I know that many young people in my community will be pleased with this news.

There are many businesses in my community that benefit from hiring students, but during these difficult times some may be reluctant to hire. The Ontario Restaurant Hotel and Motel Association indicates that most small- and medium-sized hospitality operators could benefit from additional assistance that will allow them to hire on more young people, but some may be reluctant to do so because of increasing their labour costs.

Job creation is essential at a time like this, but, Minister, some young people need help in applying for jobs. This may be the first summer that a young person is looking for a job, and they'll need all the help with the basics of applying, from getting their resumé together to knowing where to look for employment.

To the minister, how do you plan on expanding summer job opportunities for both youth and businesses?

Hon. John Milloy: I'm pleased to inform the member and the House that the summer jobs strategy has a number of components. First, we're increasing the number of government jobs. These are jobs through a number of government ministries, both office jobs and jobs outdoors, such as the forest rangers program. Second, to address directly the first part of the honourable member's question, we're expanding the \$2-an-hour wage subsidy we provide to private companies to help them create more summer jobs. Third, we're expanding the program that helps students start their own summer business. Finally, my ministry is expanding our Employment Ontario summer jobs service so that if a student needs help with a resumé, interview skills or job search, they're able to receive that additional assistance.

As I said in my previous answer, through this strategy we hope to find jobs for 100,000 students—

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

AUTOMOBILE INSURANCE

Mr. Robert W. Runciman: My question is to the Minister of Finance. Our finance critic, Mr. Sterling, and I recently met with representatives of the Alliance of Community Medical and Rehabilitation Providers, who apprised us of concerns they have related to regulatory changes to auto insurance that you're currently considering and apparently plan to make a decision on by the end of June. In their view, the changes will reduce protection for victims in automobile accidents and shift the cost and work burdens onto publicly funded services.

Minister, do you share those concerns, and if not, why not?

Hon. Dwight Duncan: The Leader of the Opposition is correct. We have engaged in a dialogue over the course of the last year with a variety of stakeholders in the insurance industry, as well as consumers—as we said we would, the first five-year review that's been undertaken in order to set the regulatory framework moving forward.

As I indicated in an earlier question to the third party, we do in fact have to find a balance. But what I can say to the member is, since we first changed auto insurance regulation legislation, premiums have come down by 8.16%; under his party and their government, they went up more than 10% per year. We are working through the recommendations we have received from a variety of stakeholders, and we'll find the right balance to both protect those accident victims who rely on their insurance and consumers who pay the premium. And I look forward to hearing more from other stakeholders before the conclusion of the consultation period.

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The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: I'll just touch on two concerns: the reduction of the basic accident benefit from \$100,000 to \$25,000 with no premium reduction, and the lack of public awareness about these changes. I would suggest that most Ontarians are completely unaware. The alliance pointed out that many of the 60,000 people, on average, injured every year in auto accidents in Ontario are seriously hurt and require months, and sometimes years, of rehabilitation, and contends that the proposed benefit reduction will only provide a fraction of what victims will need to put their lives back together.

Minister, will you consider extending your consultation deadline, to consult broadly and give the public an opportunity to know about these proposals?

Hon. Dwight Duncan: No. Governments do have to take decisions. We've had a very extensive and protracted consultation. I, in fact, have met with the group the member opposite referred to.

It would be nice to remind Ontario consumers, however, that in the last three years that that member and his party were in office, insurance premiums went up 43%. Here is what the Insurance Bureau of Canada says: Ontario has seen aggregate savings of \$4.5 billion since 2003, which represents “the largest premium reduction ever seen in Canada.”

We are working through and have had extensive consultations. We have to take decisions. We're going to take those decisions and we'll debate our choices here in this House and right across Ontario. But what we know is this: We won't see the kinds of premium increases that he and his party foisted on Ontario consumers when they were in—

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

FOREST INDUSTRY

Mr. Howard Hampton: A question to the Acting Premier: Yesterday, in estimates committee, the Minister of Economic Development gave a thoughtful rationale for the McGuinty government's contribution of \$1.25 billion to the financial restructuring of Chrysler. Minister Bryant said that if Ontario failed to advance the \$1.25 billion while the US government was advancing money to Chrysler, then Chrysler plants in Windsor and Brampton would close production, move to the United States and thousands of good jobs would be lost in Windsor and Brampton.

AbitibiBowater is also undergoing financial restructuring and 4,000 good jobs are at risk in communities like Thunder Bay, yet the McGuinty Liberals have not advanced one penny in that financial restructuring. My question: Why is the McGuinty government completely missing in action in the financial restructuring of AbitibiBowater, where 4,000 good jobs—

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

Hon. George Smitherman: To the Minister of Natural Resources.

Hon. Donna H. Cansfield: I'm pleased to respond to the member's question. We're very concerned, obviously, about AbitibiBowater and the restructuring that they're undergoing, and we recognize and realize that this is going to be very complex. AbitibiBowater is a worldwide company. It owes some \$8.8 billion and has some 40 pension plans worldwide. It has some very significant challenges, in that the production of pulp, primarily, has plummeted in the world, and they control 43% of that particular market, which no longer exists.

As they're going through these challenges, as we have in the past, we will continue to work with Abitibi. We have provided significant dollars—about \$156 million—to Abitibi during the process prior to their bankruptcy filing, and as they go through these challenges, we'll be there to work with them, and we've made that indication.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Howard Hampton: I understood the rationale given by Minister Bryant. I recognize that car purchases have plummeted and that the production of vehicles has plummeted in North America. I recognize, though, that if Ontario does not advance the \$1.25 billion to Chrysler, thousands of good jobs will be lost in Brampton and Windsor.

The Quebec government has advanced \$100 million of debtor-in-possession financing in the financial restruc-

turing of AbitibiBowater. This means that the Quebec government will be at the table and will be in a very powerful position when decisions are made on which mills to close, which mills to sell and which mills to keep. I don't think Quebec will be advocating to keep mills in Ontario open.

My question again: Quebec is there; Ontario is there in auto restructuring. Why is the McGuinty government completely missing in action when it comes to—

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

Hon. Donna H. Cansfield: In fact, there are about 2,000 jobs with AbitibiBowater in northern Ontario. There's no question that there are residual jobs as well. The fact of the matter is, they are going through restructuring. We have provided some \$22 million to the Fort Frances-Rainy River biomass plant. There's no question that we have been working with them as they go through that. We are prepared to continue to do that. They have their challenges, they have debts that they must meet, and they have been provided extraordinary amounts of money by this province through energy rebates, direct dollars in grants and direct dollars in terms of helping them prior to the restructuring requirements.

We've been there all along for Abitibi. We know that they still have some water rights that we have to deal with. Again, we're more than prepared to work with them. The challenges are that they are in CCAA—

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

HEALTHY LIVING

Ms. Sophia Aggelonitis: My question is for the Minister of Health Promotion. In May 2008, federal, provincial and territorial ministers responsible for sport, physical activity and recreation set Canada's first-ever national physical activity targets for children and youth aged five to 19. One of the targets is to increase the proportion of children and youth who participate in 90 minutes of moderate to vigorous physical activity by seven percentage points over the next six years.

In fact, Hamiltonians have taken this to heart. I recently had the opportunity to participate in the opening of the Les Chater YMCA on Hamilton Mountain. This wonderful facility, and facilities like this all across the city and province, will play an important role in meeting these targets.

What is the government doing to ensure that we are on the right track when it comes to supporting Ontario's children and youth to lead healthy, active lives?

Hon. Margaret R. Best: First of all, I would like to thank the member from Hamilton Mountain for her work as she continues to further health promotion activities throughout the province. I also want to say that I was very pleased to have attended the Les Chater YMCA opening with the member.

The McGuinty government continues its investment in Ontario's children and youth. We are also investing in our newcomer families and our off-reserve aboriginal communities in furthering our goal of building a healthier Ontario.

We have recently partnered with the Public Health Agency of Canada to deliver \$3.4 million over three years towards projects that promote physical activity and healthy eating among targeted groups.

To date, the McGuinty government has invested \$1.9 million in—

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

Ms. Sophia Aggelonitis: Ontario has a comprehensive approach to increase everyone's access to sport and physical activity. I know that the Public Health Agency of Canada is an important partner in this goal. I believe that we must remain committed to new physical activity and healthy living projects that create new opportunities and remove barriers for participation in healthy living.

Is the bilateral agreement signed by the Minister of Health Promotion and our federal counterparts consistent with the goals of the McGuinty government's strategy to promote health and fitness for Ontarians?

Hon. Margaret R. Best: I'll continue: The federal government is investing \$1.5 million in this project, and we are hopeful that this is only the first of many agreements to come. We will continue to partner with our federal counterparts in delivering healthy eating and active living projects for all Ontarians. We will build on our partnerships with organizations such as the Big Brothers and Big Sisters of Canada, the YMCA and the Ontario Federation of Indian Friendship Centres to promote overall wellness and physical activity, which are essential ingredients to building strong, healthy children and youth. Friendship centre participants and communities will increase healthy eating and physical activity levels through the urban aboriginal healthy living program.

Our government has already invested \$32 million in supporting our communities and increasing physical activity province-wide. This year, the investment is a further testament of our commitment to continuing to move forward in supporting Ontarians—

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

1130

INTERNATIONAL TRADE

Mrs. Elizabeth Witmer: My question is to the Acting Premier. Could you tell us about the urgency of the announcement made by the Premier this morning?

Hon. George Smitherman: Yes, I'm very pleased to tell the honourable member that the urgency of the matter that was announced by the Premier is about the economic circumstances for the people of the province of Ontario.

Since we came to office, our Premier has led a variety of efforts to enhance the trade connections between Ontario and jurisdictions in growing economies around the world. One of those really extraordinary opportunities is in our relationship with India. Canada and India enjoy very, very strong relations, elements of culture and connection that are extraordinary. Our population here is so intensely positively impacted by people who have come

from India to enrich our land, and they bring with them the skill set to build business relationships.

Today, the Premier of the province of Ontario was talking about a trade mission to India, which will enhance economic opportunities for the people of the province of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Elizabeth Witmer: Well, I understand this is all going to happen in December, and I find it passing strange that this government changed the time of question period from early afternoon to 10:30, ostensibly so ministers and the Premier could go out and make announcements. Now recently, in the last five days, the Premier has twice made announcements during question period.

I ask you today: Do you want to move question period back to the afternoon in order that we can accommodate and make sure the Premier and ministers are here?

The Speaker (Hon. Steve Peters): I would just remind the honourable member regarding references to members in attendance or not.

Minister?

Hon. George Smitherman: But I do think if the honourable member just wanted to swivel around a little bit in her seat, she'd get a pretty quick answer to the—

Interjections.

The Speaker (Hon. Steve Peters): And I would just remind the minister that that response is not helpful either.

Hon. George Smitherman: The Ontario trade mission is focused on clean, green solutions in India. We had an opportunity recently with the Canada India Foundation to stage a two-day conference here in the province of Ontario, that our government helped to sponsor, which brought leading individuals from India looking at the opportunities to build trade connections in the context of the emerging green economy.

As more people make it into the middle class in India, the pressure over electricity demand grows and offers a wide array of opportunities for stronger business relationships and for some of the people operating in the green energy sector here to enjoy the opportunity to sell their products into this bold market that is emerging in India.

This is what our Premier is up to, working hard today to make sure there's enhanced employment for people—

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

HOSPITAL SERVICES

M^{me} France Gélinas: Ma question est pour le ministre de la Santé et des Soins de longue durée.

Strathroy and Area Concerned Citizens are in the gallery today with petitions from their entire community. They are angry about the recent service cuts at Strathroy Middlesex General Hospital. Two nurses were eliminated from the breast screening program. For women in that area, that means a loss of a community base, replaced by long wait times and long travel times.

We know that early detection is crucial to increasing breast cancer survivor rates. Why is the McGuinty gov-

ernment cutting essential, community-based services for breast cancer screening in the Strathroy area?

Hon. David Caplan: I can't agree with the member opposite. In fact, the investments in Strathroy Middlesex General Hospital recently include more than a \$5-million increase in base funding since 2003-04—that's a 30% increase in funding to this hospital; over \$55 million toward the South West Local Health Integration Network over a three-year, local aging-at-home strategy; \$90,000—73 general surgeries. That's an addition of almost \$4.2 million dollars in total funding the hospital has received since 2004 to reduce wait times. That's over 1,600 more procedures.

There's considerably more, but the member really needs to get her facts straight.

The Speaker (Hon. Steve Peters): The time for question period has ended.

DEFERRED VOTES

GREEN ENERGY AND GREEN ECONOMY ACT, 2009

LOI DE 2009 SUR L'ÉNERGIE VERTE ET L'ÉCONOMIE VERTE

Deferred vote on the motion for third reading of Bill 150, An Act to enact the Green Energy Act, 2009 and to build a green economy, to repeal the Energy Conservation Leadership Act, 2006 and the Energy Efficiency Act and to amend other statutes / Projet de loi 150, Loi édictant la Loi de 2009 sur l'énergie verte et visant à développer une économie verte, abrogeant la Loi de 2006 sur le leadership en matière de conservation de l'énergie et la Loi sur le rendement énergétique et modifiant d'autres lois.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1135 to 1140.

The Speaker (Hon. Steve Peters): Mr. Smitherman has moved third reading of Bill 150.

All those in favour will please rise one a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Mitchell, Carol
Albanese, Laura	Fonseca, Peter	Moridi, Reza
Arthurs, Wayne	Gerretsen, John	Pendergast, Leeanna
Balkisssoon, Bas	Gélinas, France	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Ramal, Khalil
Bentley, Christopher	Horwath, Andrea	Ramsay, David
Broten, Laurel C.	Hoy, Pat	Rinaldi, Lou
Brown, Michael A.	Jaczek, Helena	Ruprecht, Tony
Brownell, Jim	Jeffrey, Linda	Sandals, Liz
Bryant, Michael	Johnson, Rick	Smith, Monique
Cansfield, Donna H.	Kular, Kuldip	Smitherman, George
Caplan, David	Lalonde, Jean-Marc	Sousa, Charles
Carroll, Aileen	Leal, Jeff	Tabuns, Peter
Chan, Michael	Levac, Dave	Takhar, Harinder S.
Colle, Mike	Marchese, Rosario	Van Bommel, Maria
Delaney, Bob	McMeekin, Ted	Watson, Jim
Dickson, Joe	McNeely, Phil	Wilkinson, John
Dombrowsky, Leona	Meilleur, Madeleine	Wynne, Kathleen O.
Duguid, Brad	Miller, Paul	Zimmer, David
Duncan, Dwight	Milloy, John	

The Speaker (Hon. Steve Peters): All those opposed?

Nays	
Arnott, Ted	Munro, Julia
Bailey, Robert	Ouellette, Jerry J.
Chudleigh, Ted	Runciman, Robert W.
Hardeman, Ernie	Shurman, Peter
Miller, Norm	Sterling, Norman W.
	Wilson, Jim
	Witmer, Elizabeth
	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 13.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

TOBACCO DAMAGES AND HEALTH CARE COSTS RECOVERY ACT, 2009

LOI DE 2009 SUR LE RECOUVREMENT DU MONTANT DES DOMMAGES ET DU COÛT DES SOINS DE SANTÉ IMPUTABLES AU TABAC

Deferred vote on the motion for third reading of Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002 / Projet de loi 155, Loi autorisant la province à recouvrer le montant des dommages et du coût des soins de santé engagés en raison des maladies liées au tabac et à apporter une modification complémentaire à la Loi de 2002 sur la prescription des actions.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1144 to 1149.

The Speaker (Hon. Steve Peters): Mr. Bentley has moved third reading of Bill 155. All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes	
Aggelonitis, Sophia	Fonseca, Peter
Albanese, Laura	Gerretsen, John
Arnott, Ted	Gélinas, France
Arthurs, Wayne	Gravelle, Michael
Bailey, Robert	Hardeman, Ernie
Balkissoon, Bas	Horwath, Andrea
Bartolucci, Rick	Hoy, Pat
Bentley, Christopher	Jaczek, Helena
Broten, Laurel C.	Jeffrey, Linda
Brown, Michael A.	Johnson, Rick
Brownell, Jim	Kular, Kuldeep
Bryant, Michael	Lalonde, Jean-Marc
Cansfield, Donna H.	Leal, Jeff
Caplan, David	Levac, Dave
Carroll, Aileen	Marchese, Rosario
Chan, Michael	McMeekin, Ted
Chudleigh, Ted	McNeely, Phil
Colle, Mike	Meilleur, Madeleine
Delaney, Bob	Miller, Norm
Dickson, Joe	Miller, Paul
DiNovo, Cheri	Milloy, John
	Pendergast, Leeanna
	Phillips, Gerry
	Ramal, Khalil
	Ramsay, David
	Rinaldi, Lou
	Runciman, Robert W.
	Ruprecht, Tony
	Sandals, Liz
	Shurman, Peter
	Smith, Monique
	Smitherman, George
	Sousa, Charles
	Sterling, Norman W.
	Tabuns, Peter
	Takhar, Harinder S.
	Van Bommel, Maria
	Watson, Jim
	Wilkinson, John
	Wilson, Jim
	Witmer, Elizabeth
	Wynne, Kathleen O.

Dombrowsky, Leona	Mitchell, Carol
Duguid, Brad	Moridi, Reza
Duncan, Dwight	Munro, Julia
Flynn, Kevin Daniel	Ouellette, Jerry J.

Yakabuski, John Zimmer, David

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 73; the nays are 0.

The Speaker (Hon. Steve Peters): I declare the motion passed.

Be it resolved in that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Speaker (Hon. Steve Peters): This House stands recessed until 1 p.m. this afternoon.

The House recessed from 1152 to 1300.

INTRODUCTION OF VISITORS

Hon. Gerry Phillips: I appreciate the opportunity to introduce—I have a wonderful page here called Grace Lee, and her father, Jason Lee, is here in the public gallery.

MEMBERS' STATEMENTS

TECUMSETH NORTH ELEMENTARY SCHOOL

Mr. Jim Wilson: My statement is directed to Premier McGuinty, and it concerns the possible closure of Tecumseth North Elementary School near Beeton.

I'm on the side of the parents and students at Tecumseth North, who were led to believe by this Premier that rural schools would not be closed under his watch. In fact, it was the Premier who said in the last election, "Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them." This was nothing more than an empty promise made by a promise-breaking Premier.

Tecumseth North is an important part of our rural community. As Lee Anne Rivett put it in a letter to the Alliston Herald:

"I fail to understand how closing this school could possibly be beneficial to the children. The atmosphere and spirit inside the walls is nothing but a legacy. The warmth of learning can be felt throughout the school. It is an enriched environment in which I'm proud my children are part of."

There's more. At a recent public meeting, concerned parent Kerri-Lynne Hill said it just perfectly when she said, "Tecumseth North isn't just a school, it's the basis of our community. These kids don't live in subdivisions—they live on farms. The school is where they make their friends."

Dalton McGuinty has every tool necessary to keep Tecumseth North open, and I'm urging him to keep his promise: Save this school and keep other rural schools open, as he said he would.

PROFESSIONAL HOCKEY FRANCHISE

Mr. Paul Miller: I'm a man on a mission: I want NHL hockey back in Hamilton. I want to thank the members for granting permission for me to wear the Hockey Night in Hamilton jersey in this House today.

Hamilton is a great location for an NHL team. Within an hour's commute are hockey fans in the Golden Horsehoe, Toronto to Niagara Falls; fans from Brantford, Cambridge, Kitchener-Waterloo areas; and an hour and a half away are Woodstock and London hockey fans.

Hamilton has an international airport, major highway access, GO Transit access, which stands to be improved with Metrolinx and the Pan Am Games.

And just think about the dream of having the NHL closer to many young hockey players in the Hamilton region. Kids who could not get to Toronto or Buffalo to see their hockey heroes would have the chance to catch a glimpse, get an autograph or even get to a game.

And the jobs that would be created—refitting the Coliseum with Hamilton-produced steel products; local businesses would see new customers and new businesses would start up.

Hockey is a significant part of our culture and history. The Hamilton Tigers were an NHL team from 1920-25.

Fan support is proven. Recently, season ticket sales for a proposed NHL franchise exceeded 13,000.

My NDP colleagues and I look forward to working with Hamilton city council and the province to bring an NHL franchise to Hamilton.

TOWN OF HAWKESBURY VILLE DE HAWKESBURY

Mr. Jean-Marc Lalonde: It is my pleasure to share with you and the members of this House the celebration of the 150th anniversary of the town of Hawkesbury.

La ville de Hawkesbury, ainsi que le comité organisateur, ont présenté la programmation des activités à l'occasion des fêtes du 150^e de Hawkesbury. Les organisateurs se sont fixé comme objectif premier que ces fêtes soient célébrées dans un esprit de rassemblement et qu'elles demeurent accessibles pour tous. Pour l'occasion, le grand spectacle du 150^e anniversaire, L'écho du Long Sault, sera le grand coup d'envoi des festivités avec la participation des gens locaux.

Durant ces festivités, la participation, la beauté, la créativité, la force et la richesse de sa population, par ses actions, vont façonner de mille manières la ville et son histoire.

I encourage all members of this House and their families to visit the beautiful and lively town of Hawkesbury, where the sun rises in Ontario.

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Robert Bailey: It will come as no surprise to anyone on this side of the House that now the Workplace

Safety and Insurance Board is admitting they're in a financial mess. In a release earlier this month, the WSIB quietly announced that the unfunded liability of the board—that is, the difference between assets and liabilities—has reached \$11.5 billion for this year. That is up from \$8.1 billion last year—an almost 40% increase in one year.

The chairman of the WSIB, Mr. Steve Mahoney, also waved the white flag in regard to the board's solemn commitment to eliminate the unfunded liability by 2014. They are now admitting it can't be done. This was their cornerstone commitment to the workers of Ontario; now they admit it can't be done.

When we were debating Bill 119, we warned the government that this was going to happen, and they continued to express confidence in the board of the WSIB. During the Bill 119 debate, we called for the provincial auditor to be called in to do a complete audit of the board. I would like to know, given the financial mess that the WSIB is in, does the government still have confidence in the board and its senior management? Will they do the right thing and call in the Provincial Auditor?

ASSOCIATION CANADIENNE- FRANÇAISE DE L'ONTARIO

Mr. Khalil Ramal: It's my pleasure to bring good news to the House from my city of London. The Association canadienne-française de l'Ontario, an active organization that offers numerous services, was awarded \$105,000 by the Ontario Trillium Foundation to aid their small business development project. Since its establishment, over 10 small businesses have profited from their services. Minister Matthews, Minister Bentley and I, alongside with Yacouba Traoré, presented the grant, knowing it will serve the community at large.

The London-Sarnia branch of the ACFO has been serving the Ontario francophone community for 26 years. They have committed to bringing francophone affairs and issues to the forefront, ensuring that their community is never neglected. We are lucky to have this organization in the community, as it serves as a central hub for many essential services including employment, skills and newcomer development.

I would like to express my appreciation to ACFO for serving Ontario francophones like myself. If it was not for such agencies, many people from my riding would not have established a stable and successful life. As well, I would like to make notable mention of the Trillium Foundation, as they have been an asset to the people of Ontario.

SHERWOOD HIGH SCHOOL POVERTY EVENT

Ms. Sophia Aggelonitis: On Tuesday, May 4, I had the opportunity to visit with students from Sherwood high school in my riding of Hamilton Mountain as they showed support for people living in poverty. They did

this in a very unique way. They spent the night outside and slept on a football field. Even though the temperature went down to 4 degrees that night, they were not deterred. The next morning, they woke up at sunrise, had breakfast and went to class without a shower or other conveniences.

I was able to visit with these students that evening. Not only did they demonstrate superb organizational skills in planning their camp-out, but they also showed their compassion and their ability to put themselves in others' shoes. Sherwood principal Randy Gallant and teacher Mike Murkovich also deserve great recognition for their contributions to this event.

Students at Sherwood demonstrated that Hamilton's community spirit is alive and well in people of all ages. These students sent the message that poverty is one of the key issues that needs to be addressed in our city and in the province, and I'm fully committed to helping them in any way I can. I'm very proud of them.

GENERAL MOTORS TRUCK PLANT

Mr. Jerry J. Ouellette: Today marks the end of an era. At approximately 11 a.m., the last truck to be produced in Oshawa will run off the GM line. Well over 2,600 workers will have left today and will never return again to the GM plant in south Oshawa.

In 44 years, the truck plant has produced over 10 million trucks, vans and school buses. In 2000, a record 323,034 vehicles were produced in that plant. In 1965, when the plant first opened, both John Gordon and James Roche were both president and George Burt was the UAW regional director.

1310

The truck plant has won numerous J.D. Power Awards for its world-renowned quality, yet times have caught up with us, haven't they? Oshawa, the region of Durham and the province of Ontario were the big winners with all the truck plant's contributions, both in vehicles and every other aspect of life. Over the years, General Motors and its workers have contributed millions to the United Way, local libraries, schools, Boy Scouts, Girl Guides and many more volunteer organizations and charities throughout our province.

Once again, even in closing, General Motors and its workers are giving. You see, the very last truck that will come off the line today will be raffled off and those profits will be going to Toronto's Sick Kids. Yes, it is the end of an era.

CULTURAL FESTIVALS

Mr. Tony Ruprecht: As Canadians, we are fortunate to be living in a country that embraces the many cultures of the world. Cultural festivals are an integral part of the Canadian social fabric. They foster fellowship among immigrants and their communities and offer a wonderful opportunity to celebrate our nation's rich multicultural history and heritage.

In the next week, the dynamic Portuguese community will be celebrating a number of important events. The president of the Azores, Mr. Carlos César, will be in Toronto to kick off Azores Day in my riding. The president of Casa dos Açores, Mr. Carlos Botelho, tells me that this will be only the second time in its long history that Azores Day will be declared outside of the Azores. College Street will be closed off after 12 noon at Dufferin Street on May 30 and we expect over 20,000 Azorean Canadians to celebrate.

The week of June 1 will see spectacular performances, and the week highlights the Portugal Day parade. Portugal Week chairman Jose Eustaquio expects over 50,000 people to attend the largest Portuguese parade in North America. All of you are invited to witness the excitement and the enthusiasm of Portuguese Canadians.

A special tribute should go to the many Portuguese clubs and organizations which dedicate their efforts to pass on to the children the love of language and family tradition, while at the same time making a remarkable contribution to the betterment of life in Canada. Certainly they deserve our high respect and our gratitude.

INTERNATIONAL DAY AGAINST HOMOPHOBIA

Mrs. Linda Jeffrey: I rise today to acknowledge International Day Against Homophobia, which will be marked this Sunday, May 17. The theme for this year is "Homosexuality Knows No Borders."

I believe this nation's strength is derived from its multiculturalism. Ontario is a province that prides itself on its diversity and where sexual orientation is seen as a basic right. However, when we welcome new Ontarians and embrace their right to protect their culture and practise their religion, we sometimes forget that with all the good in what they add to the mosaic of our society they often bring with them certain mores and prejudices.

Ontario and Canada are not immune to homophobia. We cannot sit smugly in this chamber, proud of our Charter of Rights and Freedoms, without acknowledging that there is still more work to be done. Just as we export our model for peace and tolerance to the world, so too must we work within our borders to promote the growth of harmonious relationships among people, regardless of their sexual orientation.

Pierre Elliott Trudeau once said, "The state has no business in the bedrooms of the nation," but for so many around the world the state does not stop at the bedroom door. Restrictions on travel, ownership and the most basic human desire of starting a family have turned gays and lesbians around this globe into less-than-second-class citizens.

I'm proud that our great province of Ontario has and will continue to open its doors to the world without conditions and without exception. Today I invite everyone here to celebrate International Day Against Homophobia and help put an end to discrimination based on sexual orientation.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Ms. Sophia Aggelonitis: I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill as amended:

Bill 162, An Act respecting the budget measures and other matters/Projet de loi 162, Loi concernant les mesures budgétaires et d'autres questions.

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

Report adopted.

Pursuant to the order of the House dated Tuesday, April 21, 2009, the bill is ordered for third reading.

STATEMENTS BY THE MINISTRY AND RESPONSES

HUMANITARIAN CRISIS IN SRI LANKA

CRISE HUMANITAIRE AU SRI LANKA

Hon. Dalton McGuinty: I rise in the House today to express the shared concern Ontarians feel over the humanitarian crisis in Sri Lanka. To quote a spokesperson for the UN, “The large-scale killing of civilians over the weekend, including the deaths of more than 100 children, shows that that bloodbath has become a reality.” The UN tells us now that the number of Sri Lankan civilians killed in recent months is well into the thousands. We’re not talking here about government troops or separatist rebels; we’re talking about thousands of innocent civilians—innocent men, women and children.

Ce conflit, cette tragédie, pèse lourd sur les Canadiens et Canadiennes de descendance tamoule.

For the thousands of Ontarians of Tamil descent who gathered on the front lawn of Queen’s Park yesterday and for others in the Tamil community who could not make it here, this is a personal tragedy. Those victims way over there in Sri Lanka are their mothers, their fathers, their brothers, their sisters, their uncles, their aunts, their nephews, their nieces, their cousins and their friends.

All Ontarians should know that in our province and in our communities, Canadians of Tamil descent are waiting anxiously every day for news about their loved ones. They are desperate to know what’s happening, but there’s hardly any information to satisfy them, let alone comfort them. They are worried for the safety of their family and worried for the safety of their friends. Thousands of civilians have been caught in the crossfire of this conflict, and that means that the horrors that have occurred in northern Sri Lanka are felt acutely here at home.

As you may know, my daughter worked as an aid worker in Sri Lanka for close to a year. From her, I have learned that Sri Lanka is a beautiful country with warm and caring people, but there is conflict there. I know what it’s like to wait by the phone when you’ve heard that there was violence in that area and you can’t get the details, so I have some very, very modest understanding of the fear and anxiety felt by our Tamil community.

Nous vivons dans la meilleure province du meilleur pays au monde. Notre province vit dans la paix et ne connaît pas la guerre. Nous vivons dans une province où chacun de nous a le droit de faire connaître ses inquiétudes et de protester pacifiquement et dans le respect des lois.

We live in the greatest province in the best country in the world. Ours is a province that is peaceful and free from war. Ours is a province where each of us have the right to voice our concerns and protest peacefully and lawfully. And just as the tragedy unfolding in Sri Lanka cannot excuse breaking the law here, neither could breaking our laws excuse our silence on this tragedy. That’s why I’m making this statement today.

When innocent civilians die in northern Sri Lanka, it’s not just a matter of concern to the Tamils in Sri Lanka; it’s not just a matter of concern to Tamils in Canada; it’s a matter of concern to all of us.

Yesterday, there was a demonstration on the front lawn of Queen’s Park. Many thousands gathered there. It was one of the largest and most peaceful demonstrations our Legislature has ever witnessed. There were families there, children, parents and grandparents, and I could see concern, anxiety, worry and fear. Many words were spoken and many of those I did not understand, but what I heard from the people out there could be summed up in two words: Help us.

The members of the Tamil community here in Ontario are part of our Ontario family, and we see those innocent civilians who are being injured and killed in northern Sri Lanka as part of our extended family.

Because of the diversity of our people in Ontario, we are connected in a real way to every region, every culture and every faith, everywhere. We are blessed with great diversity. That is our privilege, and with that privilege comes a responsibility to stand up and speak out when human rights are being abused, wherever that might occur. So today, on behalf of Ontarians, I urge the federal government and the UN to take what steps they can to bring this conflict to a peaceful end.

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J’encourage le gouvernement fédéral et les Nations Unies à continuer d’exercer des pressions sur toutes les parties impliquées pour que l’on puisse en arriver à un règlement pacifique de ce conflit.

Again, I call for journalists, aid workers and international observers to be allowed to enter into northern Sri Lanka.

The loss of innocent lives is never acceptable, and Canadians of Tamil descent deserve the support of their government to keep their families safe. Ontario is com-

mitted to the promotion, protection and advancement of human rights, where all people are valued and treated with dignity.

Finally, on behalf of Ontarians, my thoughts and my heart go out to all those caught in this terrible conflict and to all those here who are yearning for peace in Sri Lanka.

Interruption.

The Speaker (Hon. Steve Peters): I would just remind all our visitors who are joining us today that we certainly welcome you to observe the proceedings but ask that you not participate in the proceedings. Thank you.

Responses? The leader of Her Majesty's loyal opposition.

Applause.

Mr. Robert W. Runciman: I would suggest you hold your applause.

On behalf of the Progressive Conservative caucus, I'm pleased to have this opportunity to express our appreciation and understanding of the concerns that so many Canadians of Tamil origin have with respect to the situation in Sri Lanka today and the continuing loss of life. We share those concerns. It is unconscionable that innocents are being caught in the crossfire between factions and lives are being lost.

The number of Ontarians assembled on the lawn at Queen's Park yesterday was a testament to the depth of concern within the Canadian Tamil community. It was also a testament to the freedoms afforded in this great country: freedom of speech, the freedom of assembly. These are freedoms that, regrettably, are not afforded in many countries throughout the world, and I suspect many of the people on the lawn came to Canada because of those rights. They are freedoms that should be respected and valued, not abused. Unfortunately, over the past week, they were abused and laws were broken, the most egregious of those the blockade of the Gardiner Expressway, a major artery and an economic lifeline through the city of Toronto.

The Progressive Conservative caucus, unlike the McGuinty Liberal government, is strongly supportive of equal application of the rule of law. The law cannot treat one Ontarian differently than another based on the group to which they belong. Regrettably, we've seen that democratic and historic principle eroded in Caledonia under the government's current approach, and undoubtedly, in our view, the government's indifference to lawlessness in their continuing efforts to appease lawbreakers in that region encouraged the actions that occurred this past Sunday.

The blockade of the Gardiner was without doubt counterproductive. Ontarians are generous and understanding people and undoubtedly concerned over the loss of innocent life, be it in Darfur, the Congo or Sri Lanka. But they are not supportive of in-your-face abuse of our laws and the public promotion of an internationally recognized terrorist organization.

With rights go responsibilities, and one of the most important of those responsibilities is to obey the laws of

the country you live in. The Progressive Conservative member for Newmarket-Aurora, Frank Klees, has met with Tamil community representatives and has written the Prime Minister relaying concerns we share with many in the Tamil community. We will continue to support your lawful efforts to have those concerns heard and heeded.

In closing, I want to reference an article in today's Toronto Star that indicates the Liberal caucus is now getting engaged in this issue because they could lose seats in the next provincial election. The Star story quotes an unnamed Liberal MPP as saying, "If we're not careful, there are at least five ridings we could lose if the Tamils go over to the NDP."

If that's the real motivation behind the fine words and the resolution, we would be disappointed but not surprised. The Liberal Party consistently portrays itself as the defender of the downtrodden, but as we discovered in the nannygate affair, protecting Liberal interests always takes priority.

I can assure you that the Progressive Conservative caucus is always prepared to speak out on wrongdoings and suffering wherever they occur, and we will always do it for the right reasons: our concern for our fellow man and woman.

The Speaker (Hon. Steve Peters): Responses?

Mr. Peter Tabuns: Ontario New Democrats join with the Tamil Canadian community and all other concerned Canadians who believe in standing up for human rights in reiterating our unequivocal condemnation of the mounting civilian casualties in Sri Lanka due to the recently intensified fighting. More than a quarter of a million people have been affected, and there appears to be no end in sight to this humanitarian crisis. The United Nations estimates that more than 6,500 civilians have been killed in the past three months alone, with casualties mounting each and every day.

Canada cannot wait any longer to take strong and immediate action to address this worsening situation. That's why our leader, Andrea Horwath, has twice written to Prime Minister Harper asking for positive Canadian intervention.

Faced with the daily uncertainty of knowing whether their loved ones in Sri Lanka are dead or alive, and what kind of danger they are in, members of Canada's Tamil Canadian community, a vital part of this community right here and of this country, alongside numerous allies from the broader community, have attempted to draw increased attention to the situation through a variety of orderly demonstrations. They are to be commended for the largely peaceful nature of their very well coordinated efforts. They have stood for their families, their sisters and brothers around the world, and they stood because they know that people's lives are in the balance. New Democrats join with them to call on the government of Canada to add its voice to the growing international community calling for an immediate ceasefire by the Sri Lankan government so that the humanitarian conditions can be addressed. New Democrats will continue to call

on our federal government to apply diplomatic pressure on the Sri Lankan President to end the conflict with work with the UN Security Council toward a lasting peace process.

Despite the ongoing protests that have raised awareness of the situation, the Harper government has been mostly silent. That government should be demanding that the embargo on food and medicine for humanitarian aid be lifted and non-governmental organizations be given assistance to those who require assistance. Additionally, the region where the fighting is taking place must be opened up to international observers and the media so that the entire world can see what is happening. New Democrats also call on all levels of government to help bereaved Tamil Canadians with adequate support services and counselling in their own language.

No more innocent lives can be lost in Sri Lanka. There must be no further bloodshed. Members of this Legislature must take a united stand to send a clear message, that Canada is on the side of peace and of human rights, and we must exert pressure at the international stage to bring this terrible conflict to an end once and for all. New Democrats here at Queen's Park and on Parliament Hill will continue to deliver this message until there is peace and justice throughout Sri Lanka.

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PETITIONS

ELMVALE DISTRICT HIGH SCHOOL

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas Elmvale District High School is an important part of the community of Elmvale and surrounding area; and

"Whereas the school is widely recognized as having high educational standards and is well-known for producing exceptional graduates who have gone on to work as professionals in health care, agriculture, community safety, the trades and many other fields that give back to the community; and

"Whereas Dalton McGuinty promised during the 2007 election that he would keep rural schools open when he declared that 'Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them'; and

"Whereas Dalton McGuinty found \$12 million to keep school swimming pools open in Toronto but hasn't found any money to keep an actual rural school open in Elmvale;

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

"That the Minister of Education support the citizens of Elmvale and flow funding to the local school board so that Elmvale District High School can remain open to serve the vibrant community of Elmvale and surrounding area."

I want to thank Mrs. Marian Currie of Elmvale for sending that to me.

CEMETERIES

Mr. Jim Brownell: I have a petition signed by a number of folks from Ottawa, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"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."

As I agree with the petition, I shall sign it and send it to the clerks' table.

PENSION PLANS

Mr. Ted Chudleigh: I have this petition to the Legislative Assembly of Ontario, which is signed by thousands of people.

"Whereas Ontarians are currently denied full discretionary access to their locked-in retirement accounts (LIRAs, LIRFs, LIFs); and

"Whereas the monies within these locked-in accounts have already been earned as deferred salary, i.e., they are not government handouts or bailouts; and

"Whereas Ontario pensioners have already demonstrated throughout life that they are quite capable of prudent financial management, given that they have raised families, bought and sold homes and automobiles, managed investments, paid their taxes, operated businesses, among other successes; and

"Whereas similar legislation passed in Saskatchewan in 2002 has been successful and has demonstrated the wisdom and prudence of retirees; and

"Whereas a quick and immediate unlocking of pension funds would act as a significant and timely stimulus to the economy during the current recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to support into law the private member's bill recently tabled by Mr. Ted Chudleigh, MPP Halton, allowing all Ontario pensioners, at age 55, full discretionary access to all monies accrued within their locked-in retirement accounts."

I agree with this petition, obviously, I sign my name and pass it to Rabeb on her last day. And I look forward to the debate this afternoon and the passage of this bill.

HOSPITAL SERVICES

Ms. Cheri DiNovo: This is a petition to protect hospital services for the citizens of Strathroy-Caradoc.

“Whereas Strathroy Middlesex General Hospital is facing a budget deficit that has caused cuts to complex continuing care, rehab and palliative care beds, forcing patients to move to long-term-care facilities out of town and not of their choice;

“Whereas the hospital has also been forced to cut physiotherapy and social work, and is facing additional cuts to other needed health care services;

“Whereas our community members have worked, paid our taxes and fundraised since 1914 to build and improve our local hospital and its services, and it is wrong to force people to lose these needed services;

“Whereas our hospitals provide public services and should be democratic, open and accountable;

“Whereas the Ontario government is required to provide reasonable access to necessary hospital services and ran the last election campaign on protecting our public health care, not on removing hospital and health services out of small and rural communities;

“Therefore, be it resolved that the provincial government fund our hospital adequately, stop the cuts, and restore democratic hospital boards with full public access to information about hospital finances and levels of programs and services.”

I couldn't agree more, and I give it to Lara to be delivered. I will sign it as well.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly. I would like very much to thank Kelly LePage of Ashcroft Crescent in Mississauga for having collected the signatures on this petition. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

“That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I'm pleased to sign and certainly support this petition and to ask page Michael to carry it for me.

CHILD CUSTODY

Mr. Jim Brownell: I have a petition, and I would like to thank Cheryl and Bob Tapley, spokespersons for the Seaway Grands Support Group in Cornwall who have worked hard to get signatures and help in the petition I'm about to read.

“To the Legislative Assembly of Ontario:

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

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

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

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

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

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

As I agree with this petition, I shall sign it and send it to the clerks’ table.

PRIVATE MEMBERS’ PUBLIC BUSINESS

WORKPLACE SAFETY AND INSURANCE AMENDMENT ACT (FIREFIGHTERS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA SÉCURITÉ PROFESSIONNELLE ET L’ASSURANCE CONTRE LES ACCIDENTS DU TRAVAIL (POMPIERS)

Mr. Arnott moved second reading of the following bill:

Bill 169, An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to firefighters / Projet de loi 169, Loi modifiant la Loi de 1997 sur la sécurité

professionnelle et l'assurance contre les accidents du travail en ce qui a trait aux pompiers.

The Speaker (Hon. Steve Peters): Mr. Arnott has moved second reading of Bill 169. Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Ted Arnott: I'm very pleased to have this opportunity this afternoon to lead off the debate on my Bill 169, An Act to amend the Workplace Safety and Insurance Act, 1997, with respect to firefighters.

I wish to begin my remarks this afternoon by introducing a number of people who I believe are with us here today in the visitors' gallery: Chief Brad Patton and Tom Mulvey of the Centre Wellington township fire service; Jim Richards from the Clearview fire department, representing the Fire Fighters Association of Ontario; Bill Burns from the Paris fire department, representing the FFAO as well; Darren Storey, representing the FFAO; Mark Pankhurst from the Simcoe county fire chiefs council administration group; Lim Richards from Creemore; David Ford from the Halton Hills fire service; Gord Cash from Halton Hills as well; and Armando Cabral from Halton Hills. Welcome today.

When I was just a boy about 10 years old, growing up in the village of Arthur, my hometown, during a nasty January ice storm on a Saturday night our house caught fire. I have a vivid memory of my mother opening the door to our basement and closing it quickly, after she saw the smoke and the fire, and calmly but insistently declaring that we all had to get out fast. We called the Arthur fire department from a neighbour's house, and our local volunteer firemen were on the scene within minutes. While our house was severely damaged on the first floor, and of course the basement, where the fire had originated, the second and third floors suffered only smoke damage, and our house was saved. Our house was saved because our community-minded, resourceful and courageous firefighters, volunteers all, had left their own homes and families on a stormy Saturday night in January to respond to the call.

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Perhaps this is just one of the reasons that I've wanted to respond to their call for my help from time to time in this House. In 1994, I introduced an amendment to the Highway Traffic Act to allow volunteer firefighters to use flashing green lights on their personal vehicles while responding to emergencies. To his credit, Premier Bob Rae supported the bill, and it became one of the few private members' bills to be passed into law.

In 1998, in my second term in office, I introduced legislation that allowed rural municipalities to support their firefighters to the greatest extent possible when it came to workers' compensation coverage. In time, the Minister of Labour of the day, the Honourable Jim Flaherty, introduced an identical bill, and that government bill passed into law, giving municipalities the option to purchase the highest level of workers' compensation coverage possible for their volunteer firefighters, irrespective of their earnings at their full-time jobs.

In 2002, Mr. Speaker, you will recall that at the request of a local fire chief in Wellington county, my friend

Doug Smith, I began to seek a legislative solution to protect two-hatter or double-hatter firefighters. Typically, double-hatters are firefighters who work full-time for a city department but may live in a small town nearby, and on their time off they want to use their skills and talents to protect their neighbours in their hometowns. I continue to maintain that public safety in small-town Ontario is strengthened by the presence of two-hatters on our volunteer fire departments. And like Justice George Adams, I believe that if two-hatters are threatened or forced to quit as volunteers, legal steps should be taken by the government of Ontario to uphold their right and their freedom to serve on their local volunteer fire departments.

But that ground is well-trod, and today there is another issue that volunteer firefighters need us to address: the presumptive legislation, as they call it. What does this mean? In simple terms, it means that if a firefighter gets a certain kind of cancer or, say, has a heart attack after a fire call, it is presumed that the illness arose because of their work as firefighters, and they don't have to prove it. As such, they are eligible for workers' compensation benefits.

You will recall that we passed presumptive legislation for firefighters in May 2007, two years ago this very month. All parties—indeed, all members—gave their consent, and Bill 221 was given first, second and third readings, and passed into law in one day; an outstanding example of all-party co-operation. There was only one problem with Bill 221: It only covered full-time firefighters. Volunteer and part-time firefighters were completely excluded.

The government at the time gave vague assurances that consultations would be undertaken with the volunteer firefighters, including the Firefighters Association of Ontario. We were assured that the consultations would occur and something would be done—and it must be done for our volunteer firefighters and their families, but especially for the surviving family of a Stittsville volunteer firefighter. He served his community for over 25 years as a volunteer firefighter, but in September 2007 he was diagnosed with acute myelogenous leukemia. Tragically, he passed away on January 9, 2008.

There is no doubt in my mind that every single day his family continues to grieve his loss. Their loss is compounded by the knowledge that because he was a volunteer, he was not covered under Bill 221, even though, as his wife wrote to the Minister of Labour earlier this year, "Volunteers face the same hazards and exposures as their full-time career peers," and even though acute myelogenous leukemia is one of the cancers covered under Bill 221 for full-time firefighters.

I want to express my thanks to my colleague Norm Sterling, MPP for Carleton–Mississippi Mills, for bringing this issue to my attention. I know that he is very concerned about this family and wants to see this issue addressed as much as I do. Clearly this House must act and correct this unfairness in Ontario's fire service, for as the volunteers would tell you, a firefighter is a firefighter is a firefighter, and I could not agree more. As Dave

Thomson, president of the Firefighters Association of Ontario, said in a letter to the Minister of Labour last fall, "Career firefighters and volunteer firefighters fight the same fires, respond to the same emergencies, in their jurisdiction to protect their communities, because that is what is expected of them. Volunteers are on call 24/7, where the career work shift periods. This puts the volunteer at "a higher risk, in some cases, to the exposure of the eight already identified types of cancer."

These points are reinforced by the comments of the Ontario fire chiefs' association. In a letter that was sent to the Minister of Labour in June of 2007, the Ontario fire chiefs' association pointed out four main reasons why all classifications of firefighters should be treated equally when it comes to occupational disease. They point out: "Many volunteer firefighters during" the course of "their careers respond to as many or more fires than full-time firefighters due to their availability to respond to all calls, 24/7. In addition, the chemicals used in modern agricultural businesses and the location of industries in rural areas" sometimes "means that rural volunteers also face the potential for significant exposure to carcinogenic substances.

"The second reason for equality is that the province's own legislation, the Fire Protection and Prevention Act, 1997, contains the following definition: "Firefighter" means a fire chief and any other person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes a volunteer firefighter."

The third reason they point out is that "34% of all Ontario fire departments are composite fire departments" in that "they are composed of a mixture of full-time and volunteer firefighters. In many of these fire departments the full-time and volunteer firefighters are fighting the same major fires side by side. Given that these firefighters are facing identical risks and that they are working for the same employer," they should not be treated differently when it comes to workers' compensation.

"The fourth point" that they "raise is the fact that many full-time firefighters actually started their careers as volunteer firefighters. Their years of exposure start from the beginning of their career as a firefighter, and applying the same regulations will make it" much "easier to recognize this situation."

Of course I should point out that the Ontario Association of Fire Chiefs represents fire chiefs from all across the province, including big-city fire departments as well as small-town departments that tend to be staffed by volunteers. So they speak to this issue, I think, in a way that encompasses all the issues in the fire service, and I think we should certainly listen to what they have to say on this matter.

I wish to also inform the House that the need for bringing in presumptive legislation to support the volunteer fire service has been supported by a significant number of municipalities in the province of Ontario. I'd like to list some of them for you.

The city of Ottawa passed two resolutions in November of 2008. The corporation of the township of

Otonabee-South Monaghan passed a resolution in March of 2009. The corporation of the united townships of Head, Clara and Maria passed a resolution in April this year. The township of Asphodel-Norwood passed a resolution in April of this year; the township of Wilmot, in April of this year of well; the corporation of the town of Tecumseh recently, in April; the township of Ryerson, the municipality of Northern Bruce Peninsula, the township of East Zorra-Tavistock, the corporation of the municipality of Leamington, the township of Sioux Narrows-Nestor Falls, the town of Kirkland Lake, the corporation of the township of Morley, and the township of Pickle Lake have all passed resolutions, actually in the last few weeks, to draw attention to this issue and to urge the Minister of Labour to get moving on this commitment that the government made two years ago after the passage of Bill 221, to ensure that steps were taken to allow volunteer firefighters to have the same coverage of presumptive legislation.

Recently, in my riding of Wellington-Halton Hills, I received word from two municipalities which have also passed similar resolutions: the township of Puslinch, in the southern part of Wellington county, as well as the township of Centre Wellington.

So I think it's fair to say that a significant number of municipal councils across the province, including some cities as well as small towns, are trying to put forward their best efforts to get the government moving on this.

I said in jest, when I introduced the bill, that what we're trying to do by introducing Bill 169 is to light a fire under the Minister of Labour. I would say to him, in the spirit of co-operation, that I would hope he will do what he can to bring this issue forward and take action. I certainly hope that by bringing this bill forward, it enhances the level of awareness in this House of the issue. I would ask all members to give consideration to the points I've made and the points that are being made by fire services across the province of Ontario. I look forward to the debate, but I would certainly hope that we will have support from all sides of the House and we can see passage of this bill this afternoon.

1350

The Acting Speaker (Mr. Jim Wilson): I, too, would like to welcome the firefighters to Queen's Park today, in particular the firefighters who are here from my riding in Clearview township.

Further debate?

Ms. Cheri DiNovo: It's a pleasure and a privilege to rise to speak on behalf of this bill. Certainly, we in the New Democratic Party support this bill wholeheartedly. This is a no-brainer, really. This is something the government promised to do two years ago and hasn't done.

In fact, Bill 111, which our leader, Andrea Horwath, brought forward quite a while ago, in which presumptive legislation was first outlined—that is, protection for front-line workers, particularly firefighters, when they run into a fire or a place that's dangerous, that certain cancers and diseases should be attributed to their work duties and to their workplace—we were supportive of that too.

One of the sadder days in the House, actually, one of the most partisan days in this House, was when the government brought forward their own legislation, Bill 221, without even a thank you to Ms. Horwath, who originated that legislation. Usually, in the spirit of camaraderie and generosity, the government will at least acknowledge if somebody else brings forward the bill that they copy. In school it's called plagiarism, but here it's called government. They sometimes thank the person. This wasn't the case there. It was a profoundly sad and joyous day at the same time, that her bill was finally made law yet she was not acknowledged for her hard work.

However, having said that, the differences between Bill 111 and Bill 221 are exactly what the member from Wellington–Halton Hills is trying to correct today. In Bill 111, Ms. Horwath had the stipulation that all firefighters, whether they're paid or volunteer, should be covered. I mean, please. For those who are watching this at home, where is the logic in covering only those who are paid for their work and not those who do the same valuable, life-saving work but aren't paid for it? This makes no sense. Yet the government's stalling; the government hasn't acted. It takes a private member from the opposition party, a private member's bill, which we all know doesn't have a great chance of success, to bring the issue forward just to get some action on the government side, for something that's so clearly obvious and clearly necessary. So kudos to the member from Wellington–Halton Hills for doing the necessary, but shame on the government for not doing this in the first place.

Hopefully this bill rectifies it; hopefully all the members support it. But I have to say to those watching that just because all members support it, it does not mean it's going to have a life as a bill, because we all know there are many ways of killing a good effort in this place, killing a good private member's bill. One is by voting it down here. The other is by voting it through here and then killing it at committee. So our hope is that this bill is not killed here, but supported through to committee and then actually supported.

There's another, new way of killing a bill that we discovered recently, which is to get it through committee and then not give it royal assent. So our plea, really, from the New Democratic Party to the government is to do the right thing. Don't just pay this lip service: Bring it in yourselves, pass it and give kudos to the member where kudos are due for doing what should be done. Let's get on with the reality of protecting those who protect us. That's what we're talking about here: protecting those who protect us.

I know in my former life as a minister with the United Church that if we were ever in difficulty—we ran a drop-in dinner program for those who had addiction and mental health issues, so we were sometimes dealing with people who were a risk to themselves and others. If we ever felt the need for support from our public servants, we would dial 911. Guess who always arrived there first? It was the firefighters, always. Whether it was a police matter or a paramedic matter, it was the firefighters. It

was just enough, usually, that the firefighters came to the door that the situation was resolved. I know how efficient and effective they are. I have had a number of firefighters in my congregation and I have a number of firefighters in my constituency. They are always the ones to call and they are always the ones who arrive first.

The question is, if you are in one of those municipalities where they're not paid, should we protect them or not? That's really the question being put forward here today, and the answer is very simple. There's one answer: Absolutely. Of course. No-brainer.

If we don't think this happens to affect people's lives, by the way, there are a couple of examples here that are very telling because it does affect real people's lives. The fact that this was not in Bill 221 and the fact that it's still not in the legislation really causes people grief.

We have a couple of examples. Gene Morand, a 40-year veteran of the Tecumseh fire department, passed away more than two years ago from kidney cancer caused by exposure to toxins on the job. Morand's WSIB compensation claim has never been settled, according to his widow, Mary Ellen, and son, Larry. Windsor firefighter Doug Diet has been trying to help the family expedite Morand's WSIB claim, but because this government has been dragging its heels on including comprehensive WSIB coverage for all firefighters, this family has found no relief.

How is it that a man who spends 40 years fighting fires for the Tecumseh fire department and succumbs to a fatal occupational disease is not covered? This is outrageous. This situation continues.

I remember my first settlement charge when I was out in Huron-Bruce county, and we had volunteer firefighters, amazing men—they were all men at that point—who volunteered their time. We did fundraising for them as a church and as a community just to help pay to get the job done. I can't imagine, if one of those were to end up the way Gene did and his family, that this legislation would not cover them. This is so patently unfair. It's silly. It makes no sense. So we have to wonder, what is the government thinking here?

Certainly, we lag behind other legislation, and I'm going to give some examples. Manitoba, Alberta, Saskatchewan, British Columbia and Nova Scotia all have better legislation around this issue than we do; all don't have to go through what Morand's family had to go through in battling WSIB at the worst possible time. Imagine: You've lost your loved one. He succumbed to a disease that he contracted on the job saving lives, and then, not only do you have to deal with that—the grief, the funeral, making ends meet—but you also have to fight with bureaucrats at WSIB to somehow get some recompense for what happened. This is a terrible, terrible burden that this government is placing on the shoulders of bereaved families.

Thank goodness that the member from Wellington–Halton Hills came forward with this. Certainly, it's needed, and it's needed only because the government hasn't done what it should do with its own legislation.

Ontario's heroic firefighters deserve far greater than this. They absolutely do. The fact that volunteers are not covered by the same legislation that covers those who are paid for their work is, to most people watching this program and listening to this, absolutely outrageous.

To close, I would just appeal to the government: Please, pass this on second reading. But don't stop there, because we know that that's simply another way of sloughing it off on some days. We want to see it go to committee. We want to see it get through committee. Even better yet—because, let's face it, it's not going to come to pass in the House unless the government brings it in—bring it in. Bring in an amendment to your own legislation that will cover volunteer firefighters and when you do, please, in the spirit of generosity and camaraderie, get out of the partisan House we all live in and give thanks to the member from Wellington–Halton Hills for actually pointing out where your own legislation was remiss. Give thanks to him.

1400

Pass the bill here today. Pass it through committee. Bring it in if you have to, and please, finally give kudos where kudos are due, to the person who really caught the loophole in your own legislation, closed the loophole, and finally, at the end of the day, because this isn't just about paper here; it actually looks after the lives of those who look after our lives.

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

Mr. Khalil Ramal: First, I want to thank all the firefighters who are with us here in the gallery. I recognize their work and their efforts, especially in the countryside and rural areas and in the small communities where I know, for sure, many, many fire halls cannot be operated and cannot exist without those volunteers who work and the firefighters in those small towns. I get the chance to speak with them on many different occasions, especially when I travel with our ministry to celebrate volunteer awards. We see a lot of firefighters, volunteers, get awards for their dedication and for their service to their communities.

I think the member from Wellington–Halton Hills raised a very important issue, but I want to tell the members and the firefighters that it's important to us because we recognize the efforts and the hazards that firefighters face on a regular basis. Also, everybody remembers in this House that on May 4, 2007, we allowed presumptive legislation to pass for the firefighters across the province of Ontario. I think it got a lot of support from both sides of the House, and it's important legislation because that one was a recognition of the efforts and of the work of the firefighters in this beautiful province of Ontario.

I talked to AMO, I talked to many different stakeholders and to the Minister of Labour about this issue several times. He said to me, and he said publicly to the firefighters in one of his speeches, "With respect to presumptive legislation, I know that an expansion to cover volunteer and part-time firefighters and fire investigators is on the mind of every firefighter and volunteer in the

whole province of Ontario. So I want to assure you that the issue of looking at the expansion of the presumption to volunteer and part-time firefighters and fire investigators is an active file in my ministry."

Also, he's talking about WSIB and about many different issues—to study it very well, to expand the presumptive legislation to include the firefighters, the volunteers and also the part-timers and the investigators, who work very hard in the province of Ontario to make sure our communities are safe, also that their families are well respected, and also to relieve people from anxiety about maybe contracting a disease or maybe dying on the job for the things they love and for the things they believe strongly in: their duty and obligation to support and help the province of Ontario, things I believe strongly, too. As elected officials, it is our obligation and duty to protect you and make sure that you live in a safe environment, and also that your family has peace of mind if something happens to you.

Mr. Speaker, thank you again for allowing me to speak. That's why, to the honourable member from Wellington–Halton Hills, it's unnecessary to support your bill, because the minister is working on it and hopefully does not need a bill. That's an important issue. We don't have to have a bill because the minister is working on expanding to include all the firefighters, whether volunteers or part-timers or the investigators. So that's why, if I don't support your bill, it doesn't mean I'm not supporting firefighters; I'm supporting expansion.

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

Mr. Ernie Hardeman: I, too, want to welcome the firefighters that we have with us today to be part of this debate, and I want to congratulate the member from Wellington–Halton Hills for bringing forward this important bill to support our volunteer firefighters.

The member from Wellington–Halton Hills has been a champion for firefighters for many years. In 1994, he introduced legislation to allow volunteer firefighters to use flashing green lights in their personal vehicles while responding to emergencies. That bill was passed into law. I went to many a fire with the green light flashing in my windshield, and I want to thank him for that.

In 1998, he introduced Bill 75, the Emergency Volunteers Protection Act, to ensure that municipalities could support their firefighters to the greatest possible extent with workers' compensation, which meant that they could buy compensation so if someone, in their part-time activity, was going to get hurt, they would get paid at the highest level that compensation could pay out. I too was protected with that for a number of years as a volunteer.

He introduced legislation to support the two-hatter firefighters and had been a supporter of professional firefighters who also chose to volunteer in their local department and help in their own local community.

As the member of Wellington–Halton Hills mentioned in his remarks two years ago, this Legislature unanimously passed Bill 221, The Workplace Safety and Insurance Amendment Act (Presumptions for Firefighters),

2007. That legislation, as was mentioned, ensured that firefighters who became ill received the workers' compensation benefits that they were entitled to. Previously, firefighters had to prove their illness or injury was job-related; now it's up to the WSIB to prove that it isn't.

Bill 169, introduced by my colleague from Wellington-Halton Hills, would extend that same coverage to volunteer firefighters, and I'm very pleased to say that I will be supporting this bill—not "if" I'm supporting this bill; I will be supporting this bill—because I believe that volunteer firefighters deserve that protection.

Two years ago, when Bill 221 was introduced, my colleague the member from Simcoe-Grey—the member now sitting in the chair—asked for unanimous consent to immediately move second and third reading on the bill, because we all believed it was the right thing to do. One day and the firefighters had the protection they needed: May 3, 2007, the bill got first, second and third reading; May 4, 2007, the bill received royal assent. That may very well be a record in this place.

I want to commend the member from Hamilton Centre, who originally introduced that bill as a private member's bill in 2006, and it was mentioned by my colleague. It is due to her hard work and dedication that professional firefighters have that protection today.

Unfortunately, volunteer firefighters do not have that same support if they become ill. When the government introduced Bill 221, it should have covered all firefighters. The bill we are debating today shouldn't have been necessary.

The risk to firefighters of being injured on call or exposed to a chemical that is going to cause long-term health problems is the same, regardless of who you are working for or how much you are being paid for the job. As a former volunteer firefighter, I know that when you go on the fire call, you don't always know what type of situation you're going to be walking into. You don't know what plastics are in the home or what gases will be produced when the furniture burns. For industrial or commercial buildings, the risk of hazardous chemicals and gases can be even higher. You don't have the time or ability to analyze what might be in the building. Professional or volunteer, firefighters have the same job to do and they face the same risk.

Firefighters wear breathing apparatus to protect them, but there is still always the risk. A firefighter may not even know that the apparatus has failed and that they have been exposed to hazardous chemicals. It is difficult to know exactly what firefighters have been exposed to and to prove the long-term effects on their health, but we know there is a relationship. We also know that when a firefighter or former firefighter gets sick, it's the worst time to put them and their families through the bureaucratic struggle to get the support that they deserve. This bill would ensure that firefighters who develop certain types of illness like cancers and heart disease would be able to collect workers' compensation benefits without fighting through the red tape.

Volunteer firefighters put their health and their lives on the line the same way a full-time firefighter does.

They are giving to their community, and they deserve their community's support. Our rural communities and small towns depend on volunteer firefighters to protect our families and our homes. In small towns, we just simply can't afford to have a full-time fire department, and so we rely on people who believe in giving back to their community and doing their part. These people give of their time and themselves, and they should not have to suffer because of it.

I hope that all members in this House will support this bill and that the government will take steps to move forward quickly to ensure that all our firefighters have the support they deserve.

Again, I want to congratulate the member from Wellington-Halton Hills for bringing this important bill forward and thank him for his continuous support for the firefighters.

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

Mrs. Linda Jeffrey: I'm pleased to join the debate and indicate my support for the bill. I believe our government recognizes the hazardous, life-threatening work that our firefighters do, and volunteer firefighters are particularly important for smaller communities across Ontario.

Since I've been here, I believe we've taken two really important steps to ensure that firefighters and their families are treated with dignity and compassion, the first one being, as was spoken about earlier, the presumptive legislation having been passed in 2007. I would be remiss if I didn't mention residential fire sprinklers, something that was brought through in June 2008, when we changed the building code to require residential sprinklers in condominiums and new apartments higher than three storeys. Ultimately, I'd like to see them in three storeys and lower, but that's another day's task for me. I believe that, ultimately, if you make a safer work environment, it's going to protect Ontarians and firefighters. That's what I'd like to see.

1410

I know that the Ministry of Labour has been consulting with fire sector professionals on how to include volunteer and part-time firefighters in the new legislation that they're working on. I know they consult with fire sector stakeholders who talk about fire and life safety issues, and I know that they play an invaluable role in advising those committees. But I believe it's important and our responsibility as government to create a safer work environment for all firefighters and all Ontarians in this province. I don't believe fire safety should be a partisan issue. For that reason, I will be supporting the member from Wellington-Halton Hills and Bill 169.

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

Mr. Robert Bailey: It's a pleasure for me to speak in favour of the bill from my colleague, the member for Wellington-Halton Hills. This member has served in this Legislature for almost 19 years, and I've admired his commitment to his rural communities and his understanding of how rural municipal governments work. In

particular, the member for Wellington–Halton Hills has long been a champion of volunteer firefighters and understands how important volunteer firefighters are for our rural communities.

As I said, volunteer firefighters are important to many of our rural communities. Communities that can't afford to have a full-time firefighting force rely on volunteer forces, and we have to make sure that we take care of those. They courageously protect our communities, and this legislation will increase their protection.

This bill, if passed by the Legislature, will give volunteer firefighters the exact same protections that full-time firefighters have. Two years ago, this Legislature passed Bill 221, which improved compensation coverage for firefighters who develop certain illnesses like cancer or heart disease. The point of Bill 221 made it possible to presume that those diseases were work-related; as such, it allowed firefighters who developed these awful diseases to collect workplace compensation claims.

As the Minister of Labour said when he introduced Bill 221, "Firefighters protect us. In turn, we must protect them." There was no distinction made between full-time firefighters and volunteer firefighters. What the member from Wellington–Halton Hills' bill does is extend that same protection to volunteer firefighters. I think it is time that we correct this mistake, and I applaud the member from Wellington–Halton Hills for taking this initiative.

In Ontario, we have a proud tradition of all three parties supporting and promoting safe and healthy workplaces. We may differ from time to time on how we make our workplaces safe, but we all understand and take seriously our responsibility to protect Ontario workers. I see this bill as taking an important step in offering protection to workers who, every day, take risks for their communities. This won't make it any safer to be a firefighter, but it will allow volunteer firefighters who develop a workplace illness to collect workers' compensation benefits for themselves and their families. This bill would allow volunteer firefighters to be treated fairly and with respect when they do contract an occupational illness. These are personal tragedies, but I believe we have a responsibility to ensure they get the support that they deserve.

Many of us in this Legislature, myself included, have in the past been volunteer firefighters in another life. A few years ago, I was proud to be a member of the Oil Springs volunteer firefighters. I know at first hand how important their job is and how they do it only out of a desire to help the community and their friends and families. You can possibly get called out at all hours and you have to deal with all kinds of terrible situations that require a great deal of training. Volunteer firefighters make our rural communities safer.

As the member for Wellington–Halton Hills said, he has received many letters from different municipalities supporting this. Volunteer firefighters have long been proud to have Mr. Arnott as a strong advocate on their behalf. Volunteer firefighters have already waited two years, and two years is too long for the same full-time coverage that firefighters have.

I would like to just sum up some of the attributes of the member from Wellington–Halton Hills in the past. In 1994, he introduced legislation to allow volunteer firefighters to use the flashing green lights in their personal vehicles while responding to emergencies. That bill was passed into law. In 1998, he introduced legislation to ensure municipalities could support their volunteer firefighters to the greatest possible extent. Following his lead, the government later passed an identical law into legislation. In 2002, he introduced legislation to support the two-hatter firefighters. Typically, two-hatter firefighters work full-time for city departments and also may wish to volunteer in nearby small municipalities, where they may happen to live. He continues to stand up for the two-hatters' right to volunteer.

Volunteer firefighters need and deserve to see this legislation passed. To quote Mr. Arnott, "They protect our communities courageously and they keep us safe, often at great risk to their own health." If passed into law, Mr. Arnott's bill would cover volunteer firefighters with the same presumptive workers' compensation coverage that full-time firefighters rely upon.

As I said, in my past life, I was also fortunate to sit as a member of municipal council on the Enniskillen-Petrolia fire management board, which had many decisions to make for our rural fire department. It gave me a deep appreciation of the financial resources and training that volunteer firefighters and departments need and require.

In our rural communities, we just don't have the tax base to support full-time forces like the larger urban areas. When you have a limited number of taxpayers, the only option is a volunteer force. Even with volunteer forces, they don't come free. Your call volume changes from year to year and you have to be able to respond. Rural municipalities recognize that and accept that when they go the volunteer route.

I would like to close on that and say again that I, as a number of our members on this side of the House, intend to support this. I would encourage the rest of the House to also support it is when the time comes for a vote.

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

Mr. Dave Levac: I appreciate the opportunity to speak to Bill 169, An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to firefighters, as submitted by Mr. Arnott as a private member's bill, giving first reading April 21, 2009. I have a copy of the bill in my hand.

I do want to bring some clarity and comments to the table that basically speak to some of the assumptions that were made. The previous, first presumptive legislation, as a private member's bill that was introduced, as was referenced by the member from the NDP, if it was passed, would have required legislative reachback into 1918, making sure that all members would have had their coverage from 1918 and their subsequent relatives all the way through. That was pointed out and clarified in the government's bill. The complexities of the workplace don't apply to the firefighting; the complexities of the

workplace apply to the volunteer's place of work. We do know most of the firefighters have other jobs that they are performing tasks for. Quite frankly, that's a complexity that needs to be taken into consideration.

Do I support presumptive legislation for volunteers? Absolutely. As a matter of fact, I've been on the record indicating that I support presumptive legislation for volunteers and for part-timers. When the Minister of Labour at that time, now Speaker, indicated that the discussions would be ongoing, the member who's proposing the bill indicated that we gave vague assurances. I beg to differ that the "vague assurances" implied or impugns the intent of the government not to proceed with the legislation.

He also indicated to us that he was happy to introduce the bill, and I understand why he's done so: to put a fire under the feet of the government. In terms of legislation itself, it's another way of reminding the government that we've made the commitment to do presumptive legislation. The Minister of Labour attended the Fire Chiefs Association annual general meeting and made the same commitment again, that we're working on it. I'm told that there are ongoing discussions trying to work out how, when, what—the complexities. That's going on.

I thank the member for bringing that to our attention and I will suggest to him that the time on task is one of the issues that was discussed and will continue to be dialogued. There's a dialogue with the Minister of Labour and the Minister of Community Safety and Correctional Services going on. I myself attended the chiefs' meeting and made the commitment that I believe those firefighters deserve presumptive legislation. So I'm going to tell you right off the bat that I believe we're headed in the right direction, and I thank the member for his work.

1420

I would never demean any member's work in this House or in their constituency as anything other than stellar. The day has to pass where we use our verbal attacks to say that somebody is not doing anything. Quite frankly, I admire the member's work on behalf of his constituency but also in the particular area of firefighters, where he's landed. I think he, too, knows that I have done so myself. I will say to you, standing in my place, that I am 100% in favour of presumptive legislation for part-time firefighters and anyone else who puts themselves in the line of duty, where they could get a presumed cancer as a result of the work that they do.

So I want to thank the member for his work and make the commitment to support it.

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

Mr. Ted Chudleigh: I think there are a few seconds left on the clock—yes, there are.

I would just like to support the member's bill. Quite frankly, I can't imagine walking into a burning house that has fumes in it, where we know not what they are. Those can cause immediate problems, they can cause intermediate problems, and they can cause long-term problems. We have people in our society and in our communities

who volunteer for this kind of work, and I think that the very least that we can do as a society, as a government within a province, is to protect those people and make sure that they and their loved ones are protected from the services they give us over time. So I'm pleased to support this bill, and I look forward to its passage.

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

Mr. Vic Dhillon: I'm glad to have the opportunity to stand today in the House and join the debate on the member for Wellington–Halton Hills' private member's Bill 169, An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to firefighters.

Our government recognizes the hazardous, life-threatening work that firefighters do. This is definitely not an easy job. These men and women risk their lives to make sure that every citizen in this province remains safe. We have taken steps to ensure that firefighters and their families are treated with dignity and compassion.

Volunteer firefighters are crucial for fire services in many of Ontario's smaller communities. As the member may recall, legislation was passed on May 4, 2007, to allow presumptive legislation for firefighters under the Workplace Safety and Insurance Act by regulation. At the time, it was announced that consultations would occur with fire sector stakeholders to determine how legislation would apply to volunteer and part-time firefighters. Ministry officials have been meeting with fire sector stakeholders to discuss the situation. There have been good discussions about expanding the legislation beyond full-time firefighters. I have also had the opportunity to speak with several stakeholders about this matter.

With respect to the presumptive legislation, I know that an expansion to cover volunteer and part-time firefighters and fire investigators is on many people's minds. This is evident based on the letters the Ministry of Labour receives from firefighters and municipal councils. I want to assure you that the issue of looking at the expansion of the presumption to volunteer and part-time firefighters and fire investigators is an active file within the ministry. The Ministry of Labour has consulted with fire sector stakeholders regarding how to include volunteer and part-time firefighters and fire investigators in the presumptive legislation by regulation.

This private member's bill is unnecessary legislation. Once the government has determined how the volunteer and part-time firefighters and fire investigators are to be covered by the presumption for occupational disease and heart injury, a regulation can be brought forward. I—

The Acting Speaker (Mr. Jim Wilson): Thank you. Sorry, the member's time has expired.

The honourable member for Wellington–Halton Hills, Mr. Arnott, you have up to two minutes for your response.

Mr. Ted Arnott: Thank you very much, Mr. Speaker, for giving me the chance to respond to some of the comments that have been made this afternoon with respect to Bill 169.

I certainly wish to express my thanks to the member for Parkdale–High Park for her comments and her support of the bill.

I want to thank my colleague the member for London–Fanshawe, who said that the minister supports the principle of what I’m advocating, and I’m appreciative of that. Although he didn’t definitively say he was going to support it, I hope he still will.

The member for Oxford, who served as a volunteer firefighter in his own community for a long time before he was elected here, was thorough and thoughtful as always. I appreciate his support.

I want to thank the member for Brampton–Springdale for her expression of support on Bill 169 today and commend her as well for her work in terms of supporting the fire service with her sprinkler bill.

The member for Sarnia–Lambton, who was also a volunteer firefighter before being elected at the Legislature, and also a municipal councillor, understands this issue well from a lot of different angles, as well as being a very effective critic for the Minister of Labour. I was pleased to hear his contribution.

I want to thank the member for Brant for his support as well. You have the principle of the bill, and I really do appreciate that.

To speak to the member for Brampton West, who is the Minister of Labour’s parliamentary assistant, as I understand it, he said that there is an active file in the minister’s office with respect to this issue. I would hope so, because there is a commitment on the part of the government to deal with this matter. Certainly I would have thought that the minister’s parliamentary assistant would want to express support in principle for this legislation. He said at the end that it’s unnecessary, but I would argue that it is necessary to bring this issue to the floor of the Legislature, have this discussion and encourage the government to get moving on it.

Once again, I want to express my appreciation to our firefighters who are here today for their indications of interest and support, and again publicly thank them for everything they do to keep us safe and protect us, often at risk to themselves. We do appreciate their presence here today and the good work that they do to keep our communities safe.

Thank you again, Mr. Speaker. I appreciate your indulgence.

The Acting Speaker (Mr. Jim Wilson): Thank you. Just for the viewers at home and our guests in the galleries today, we will vote on Mr. Arnott’s bill in about 100 minutes’ time.

PENSION BENEFITS AMENDMENT ACT (UNLOCKING PENSION FUNDS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE (DÉBLOCAGE DES FONDS DE RETRAITE)

Mr. Chudleigh moved second reading of the following bill:

Bill 116, An Act to amend the Pension Benefits Act to allow transfers of locked-in pension funds to registered retirement income funds / Projet de loi 116, Loi modifiant la Loi sur les régimes de retraite pour permettre le transfert de fonds de retraite immobilisés à des fonds enregistrés de revenu de retraite.

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

Mr. Ted Chudleigh: Thank you very much, Mr. Speaker. I’m pleased to rise in the Legislature today to introduce this bill. I think it’s a bill that’s long overdue.

Bill 116 aims primarily to give seniors and all retirees the independence that they deserve. For too long, the government has controlled the hard-earned pension monies of Ontarians, rationing out pension income like parents giving allowance to their children. During these trying economic times, seniors need financial flexibility, not financial shackles. In the inflationary cycle which most economists would agree is coming down the road, in particular, we will need flexibility in handling our investments. That flexibility will not be there in locked-in retirement accounts.

Considering that retirees have generally shown fiscal wisdom and prudence throughout their lives, through the sound management of their accounts and investments, as owners of homes and automobiles, as parents and grandparents, through community involvement and as valued employees and employers, it is just not right that they are treated with such disrespect in their golden years. It is time we start treating seniors like adults.

Secondly, Bill 116 aims to provide a financial stimulus to our reeling economy. An immediate unlocking of pension funds could put significant money in the hands of thousands of consumers. This is not a bailout or a grant; the money already exists. It exists as deferred salary and would not cost taxpayers anything.

Finally, Bill 116 aims to level the playing field for all Ontarians by giving everyone the same access to their own money. As it stands, there are exemptions for certain individuals from these inhibitive and insulting rules. As well, there is an unfair situation across Canada as citizens of Saskatchewan enjoy greater freedom than those in Ontario, for instance.

Unlocking pensions means respect for seniors, a boost for the economy and a step towards fairness for Ontario and all its citizens. It is an optimistic idea that places faith in the individual above the heavy hand of government. In that sense, Bill 116 is about freedom, plain and simple.

1430

The history of locked-in pensions is an interesting one. Beginning in the mid-1980s, Ontario began to reform pension law so that Ontarians who terminated their employment before the age of retirement were able to have increased control over their accrued pension benefits. Before then, benefits remained in particular pension plans until the age of retirement, so a retiree could have several pension plans. It made more sense to have them

under one roof, when you consider the fact that most Ontarians will have several jobs over the course of their career.

The current system, which places accrued benefits in locked-in retirement accounts as a sort of pension RRSP, makes sense for people who want to manage their money centrally while saving tax-free for the future. However, when locked-in retirement account holders are forced at retirement to transfer funds into LIFs, LRIFs or life annuities, they should have the freedom to cash in some or all of their locked-in retirement accounts.

Currently, new locked-in life income fund holders can access 50% of their assets, but must leave the rest in a locked-in account. The 50% regulation is recent, implemented as part of the Liberal government's budget in 2009. In 2006, the leader of the NDP introduced Bill 175, which would have allowed for 100% withdrawal at the age of 55. However, the bill never reached second reading.

During the 2007 election campaign, PC leader John Tory pledged to unlock pensions. His plan was to allow a 50% withdrawal at the age of 55 and the remaining amount—a 50% withdrawal—at age 65.

In their 2008 budget, the federal government amended the law surrounding federally regulated locked-in pensions, allowing for access of up to 25% before the most recent change in the last budget that increased that 25% and took it up to 50%. So if your pension is regulated federally, you get to withdraw 50% of that on retirement or at age 65.

In October 2008, I introduced Bill 116, which would allow for a 100% withdrawal at retirement or, at the earliest, age 55, and now here we are.

During this time of economic turmoil, the timing couldn't be better for this bill. Money in locked-in pensions is dwindling with the markets, and people are frightened that their savings are continuing to evaporate. There are anywhere from 500,000 to two million people in Ontario who are unable to access their locked-in pension accounts in some form. StatsCanada does not release these figures and neither do banks, which hold many of those accounts, and the tremendous variation of half a million to two million is an estimate based on some of the experience we've had in other provinces that have unlocked these, particularly Saskatchewan.

The accrued benefits within those accounts would total hundreds of millions of dollars. According to Professor Jack Mintz, an estimated one million Canadians have life income funds. One province allows more access to locked-in retirement than Ontario, that being Saskatchewan. In Saskatchewan, you can withdraw 100% of the locked-in retirement funds and put it into a self-managed account—withdraw the money totally. You're totally open and flexible as to what you can do. Alberta and Manitoba allow you to withdraw 50%.

Currently, Ontarians may not receive the sum of their locked-in pensions until age 90. The average lifespan of a Canadian living in Ontario is just under 80, so not many people are going to see their locked-in pensions under the current rules and regulations.

Ontarians may be partially exempt from locked-in rules if they are experiencing significant financial hardship or are diagnosed with a terminal illness. Yet in a three-year period, approximately 30,000 applications for various or partial withdrawals on the grounds of financial hardship were made and only 52 of those were denied. So, basically, of the 30,000 applications only 52 were denied; it seems to me that that is, in practical terms, the unlocking of these pensions. I wonder why instead of putting people through the hoops, the red tape and the experience of a nanny state looking after other people's money for them, the government wouldn't support this which is sensibly in their best interests. There are also expenses involved: \$50 to \$100 for the application process, all of which could be done away with with 100% unlocking of these pension plans.

Seniors who are 65 and over currently represent about 13% of the population of Ontario, or about 1.7 million people. The Ministry of Finance predicts that by 2031 that number will reach 22%, or 3.6 million people. Those numbers, in the next 20 years, are going to just about double. So the amount of money that is going to be locked in in these accounts will escalate greatly in the next few years.

Unlocking pensions would cost the Ontario taxpayer zero dollars. This is not government money, this is money that belongs to the pensioners, this is money that is part of a deferred income. This money was put into a locked-in retirement account by the employer or by the employee over the course of their working life and for that reason this is deferred income. It was earned by these individuals, it was earned by these retirees, and they should have access to the money that they have earned through the sweat of their brow.

There is only one argument against unlocking pensions: that retiree will blow all the money at once, become poorer and live off the public dime. There is no evidence to suggest that this has been the case. There is no evidence in Saskatchewan. There has not been one case that has been brought to my attention anywhere in Canada where these pensions have been unlocked for individuals under various circumstances where that money has been foolishly spent. In the exuberance of youth, perhaps when you're 35 or 40 years old, you might imagine that a senior might blow all their money somewhere; they might take it to the casino and blow it. But I can tell you by the time you get to 55 or 60 and you're starting to seriously plan for your retirement, you understand how valuable those funds are and how carefully you have to manage them in order to preserve them for the future. As I pointed out before, the seniors have the ability to do that.

The trend in the private sector is clearly springing away from defined benefit plans and towards defined contribution plans. The DC plans carry risks that the DB plans do not and are not guaranteed for life. Defined contribution plan members must transfer pension benefits into a locked-in retirement account when terminating their employment.

In conclusion, I know that there is support for Bill 116 in this House, from many members on all sides of this House. I imagine that the government side may have been told not to support this legislation because they have legislation in front of the House that allows for 50% unlocking. They're probably suggesting that that 50% is an adequate level. To those members I say this: To give our seniors only half of their rights as individuals is not fair, to allow our seniors only half of their own money is not right and to treat our seniors like half children and half adults is still insulting and unwarranted.

I ask all members of the House to think about this in their own retirement, the seniors they know and respect, and to ask themselves this: Do I trust Ontario seniors? Do I believe in their wisdom? Do I respect their rights and their self-determination? If your answer is yes, then please support my bill, Bill 116, and vote yes on this bill.

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

1440

Ms. Cheri DiNovo: Let me start by telling a story. When my daughter and I were down in Florida, we had a cab from our hotel to the airport when we were coming back the last time. The cab driver looked to be a gentleman at least in his 80s. Just to make conversation, I said, "You look like you should be on the beach, not driving a cab," and he launched into this story. The story was a common one, certainly across the States and certainly now across Canada as well—more so in the States because of their lack of a social security net. He said that he used to have a small business. He said that in the current economic downturn, the small business went bust. He said that because he doesn't have any retirement funds and he doesn't have any pension plan, he either drives or he doesn't eat. And he was, in fact, in his mid-80s.

We, my friends, are sitting on a powder keg in Canada and in Ontario. Sixty-five per cent of Ontarians don't have any kind of pension other than the Canada pension plan. Thank goodness we have the Canada pension plan. That will at least keep us in poverty. It won't actually pay the rent and feed us. It will maybe do one or the other, and then we can use food banks. Sixty-five per cent of Ontarians—this is a huge issue, and it's going to get worse. We're all of that certain age, and I know that we in this chamber don't have a pension plan either. Most of us are on the freedom 95 plan, as I call it. We're going to be here until we're 95 because we can't afford to quit. That's the reality.

Mr. Lou Rinaldi: If we get re-elected.

Ms. Cheri DiNovo: If we get re-elected; exactly. This is not unknown to even the people in this House. But let me say that this is not true of all Ontarians; this is just true of the majority of Ontarians. There are those few extremely lucky Ontarians, and I'm thinking of people like Tom Parkinson, the public servant who retired on the public dime with almost \$5 million in his back pocket. Our leader, Andrea Horwath, has brought forward a bill to cap public servants' salaries at \$500,000. Hey, talk

about a no-brainer. Your tax dollars are going to pay bureaucrats over \$500,000 who then get to walk away with millions in their pockets instead of paying for a pension plan for everyone else. That's what we're talking about in the New Democratic Party. We think it's absolutely unconscionable that we're looking at this ticking time bomb of people coming up to retirement, unable to work anymore and destined, let's face it, for complete and utter abject poverty, because that's what's going to happen to the majority of Ontarians unless this government does something.

The government wants Ottawa to do something. This is the standard response from this government. This government blames Ottawa. Quite frankly, one of the better-run pension plans has been the CPP. So there's a conversation to be had, but it doesn't absent this government from doing what they need to do and what other provinces have done, and that is to bring in some pre-emptive legislation to protect our seniors.

They have done something historic. What they've done today, in fact, in finance committee is government members rejected a proposed NDP amendment that would have ensured that the government back up the province's pension benefits guarantee fund. What does this do? This guarantees that when you work all your life at GM, Chrysler, Nortel or AbitibiBowater, to mention just a few, and you pay into a pension plan, even if the company goes belly up—which, let's face it, is not unheard of these days—the government will step in and guarantee your pension plan, at least to \$1,000 a month. This is where I may disagree a little bit with my friend from Halton because we think it's the government's responsibility to step up to the plate here. We think it's their responsibility to look after those workers who have worked sometimes 30 years, paying into a pension plan, and if their company goes belly up, the government should be there—it used to be there; it should be there—to at least guarantee \$1,000 a month. This is not a great deal of money. This is not even guaranteeing all that they perhaps did put in and are entitled to. This is just \$1,000. We in the NDP think that it should go up to \$2,500 eventually. That's what we believe.

Really, there's no excuse for inaction on this file. This file is going to affect us all. Quite frankly, I don't even get the economy behind this, because if the government isn't paying out in some kind of decent pension plan, the government is going to be paying out in welfare or food banks or shelters or health care or some other way, because we're also talking about people who are going to lose benefits. They're going to lose benefits as well when they retire. This is a false economy. You save a few pesos here; you're going to pay way more there, when this entire baby boom generation hits retirement and lives in poverty. Poverty costs.

I've said before in this House, and I'll say it again, that studies have shown that to keep someone homeless on the streets of BC—the study was done in Vancouver; probably the same in Toronto; done in New York—costs about \$45,000 to \$55,000 a year. That's \$45,000 to

\$55,000 to keep someone homeless. That's health care costs, that's policing, that's shelters, that's food banks and all the other little incidentals. It's been proven.

So the question is, are we going to pay it out that way? Or are we going to pay it out with some degree of dignity so that our seniors actually get some money that they can live on, so that they are not absolutely condemned to poverty? It doesn't cost the taxpayer any more; in fact, it probably costs them less to have a dignified pension guarantee fund than it does to pay in all of those other ways, so certainly we support that. Again, we're talking about 65% of the population that doesn't even have a pension fund, never mind those who have paid into one, whose company has gone bankrupt so that expands it as well.

Let's be very clear, for those who are younger and watching, have switched over from Oprah for some strange reason to watch us pontificate here in this place. Let's be very clear about what CPP does pay: "Not much" is the simple answer. If you have to rely on what you're going to get from the federal government, you're going to get probably around \$1,000 a month, maximum—\$1,000 a month. And that's not even speaking to those women who spent their lives at home or weren't working in a job where they paid in.

What does \$1,000 a month get you in Toronto? Well, talk to those who receive Ontario disability, ODSP. Poverty is what it gets you. It barely pays the rent, it means that you'll probably have to go to a food bank to supplement your income or work under the table, which of course is going to happen more and more, especially with this government's new retrograde tax. You have to, because you can't survive on it.

Then there are the rest of us who are more middle-class in income, who invested in casino capitalism—who invested in RSPs. The Minister of Finance today admitted that he did say to the press yesterday that he didn't even want to look at his RSP statements lately. He knows what the market has done. He knows that if you look at your statement, for those who squirreled some money away, boy oh boy, you're lucky if you didn't lose at least 30% of it. That's what we've relegated our seniors to. Now maybe you can ride that out if you're younger, but you can't ride that out if you're in your late 50s and in your 60s. You're going to have to take out that money, worth 30% less than when you put it in.

We cannot count on RSPs, we cannot count on casino capitalism, to pay for a dignified retirement for our seniors. We have to rely on the government, and not just the federal government, on both levels of government, on the provincial government as well, particularly in this economy where you can't rely on your company because your company might not be there when you retire.

The member mentioned that we had brought in a bill. We bring in these bills; they bring in these bills. We keep trying, in this case, just to give seniors access to their own money.

We think seniors deserve more than just access to their own money. We think seniors deserve a dignified retire-

ment. We think seniors who have worked all their lives in one way or another, whether for a company, out there in the workforce, or as is the case with many women, part-time, at home, deserve not to live in poverty when they hit the age that they can't work any more.

Increasingly, this is happening with companies that are not investing in pension plans for their employees. They're expensive. They cost a lot of money. So it's got to come back to the government. This is one of those social security nets that we in the New Democratic Party have fought for, are partly responsible for across Canada, and are still fighting for, just like medicare. We're still fighting for basic dignity for those, in this case, seniors, so that they don't live in poverty just because they can't work.

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This is a question of human rights. It's a question of dignity. It truly, truly is a question, for the members, of accessing their very own money. But it's also incumbent upon the government to do the right thing. Don't wait for the federal government. That's just a way of pushing off the inevitable. Do something. Do something now. Other provinces already have. It wouldn't be difficult. Companies over a certain size and, quite frankly—

Mr. Khalil Ramal: Which provinces?

Ms. Cheri DiNovo: The member asks which provinces. Okay, I'm going to dig it out. I've got a minute left. Here's the problem. BC, western Canada, Alberta all have proposals coming forward on a provincial level that are going to put some money into a pension plan. Really, in part, it would require companies over a certain size to have pension plans that have some meat on their bones.

We're asking the government to act not only on this bill but on the whole thorny issue of pensions and a dignified retirement for all Ontarians.

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

Mr. Khalil Ramal: I'm pleased to stand up and engage in the debate on Bill 116, presented by the member from Halton. It's a bill to allow retirees to have access to locked-in funds.

I know it's an important issue for all of us across the province, even for us; we have no pension in this place, but we have some kind of RSP investments. Yesterday, most of us went to a luncheon put on to allow the people who manage our funds, our RSPs, to tell us about our funds, what happened to them. Sadly, as everybody knows, we lost a lot of it. You were there. Almost everybody was there. We listened to the whole story about the pension fund which we have had since we got elected in 2003, and some of us in 2007.

Interjection.

Mr. Khalil Ramal: Not pension, just RSPs. I called them pensions—RSPs. As you know, as has been said many different times, only 35% from across the province of Ontario have a pension, and the majority of 65% don't have that pension. This issue has been raised many different times in this House, and our Premier has said many different times, and the public has said, that the pension

benefits guarantee fund has not been properly managed since 1981. That's why we have to open that debate, that dialogue, to find some kind of adequacy for this fund and manage it properly, because many people depend on it.

That's why our Premier asked the federal government to come forward in an open national debate about pensions, as the member from Parkdale–High Park mentioned earlier. This issue is not just provincial; it's federal-provincial jurisdiction. All of us are responsible to look after the pensioners across the province of Ontario, whether you work for a company or work for a small business person or a person who runs his or her own business.

I think it's our obligation to create some kind of protection mechanism for people across the province of Ontario, so when they get old and cannot work they have something to rely on and something to support them in their daily lives.

I want to tell the member from Halton that we are the government who opened the funds from zero to 25% in our 2007 budget, and also in this year's budget, 2009, we unlocked it from 25% to 50%. I think that's huge progress.

If we look at other provinces, we sit in the middle between all the provinces, because in some provinces, like Quebec, which is the second-biggest province after Ontario, you cannot have access to any percentage of your locked-in fund. Other provinces, like Alberta, have 50% like Ontario. So many jurisdictions like to see some kind of protection for seniors. They cannot allow people to unlock their pension at the age of 55. The life expectancy right now in the province of Ontario is almost 75 years of age for males and 80 for females, so it's still between about 20 and 25 years of life expectancy. If this person or that person unlocks and has access to the whole fund, what's going to happen if they lose it, in certain circumstances? They cannot go back and depend on Ontario Works or disability or some sort of support from the government. This is a protection mechanism for people across the province of Ontario, and I know for sure that it's our duty and obligation to protect our seniors.

In this 2009 budget, we implemented many different rules and regulations to allow pensioners to have some kind of support—the 20% of occupancy cost, up to \$625 per person for seniors if they live in their homes. All these mechanisms are put in place to support seniors to live in comfort.

I know it's a difficult time for all of us. Whether we're seniors, middle-aged or young people, we are facing economic difficulties and challenges in our economy, not just in Ontario, not just in Canada, not just in North America but around the globe. So I think strongly that it's our responsibility as a province and as Canadians. The federal and provincial governments should have some kind of summit to discuss the very important issue of pensions for all people, without any exception.

It's been mentioned many different times that we thought companies like GM or Chrysler were too big to fail, and they're failing. Now there are big questions about their pensions. Nortel is a huge company; it basic-

ally dominated the whole earth. What happened? They've almost gone bankrupt.

I think it's important for all of us to open that discussion with the federal government, because pensions are the jurisdiction of the federal government, and have an honest and sincere discussion. I believe we have a responsibility, as elected officials, to protect the people who work very hard in their lifetime. They expect from us, when they get old, when they are retired, that they have some kind of protection and support.

I'm wondering if the member from Halton's bill can achieve the goal. I don't feel it can achieve the goal. We did what we could do. We opened it up from zero to 25% last term, and we opened it in this budget from 25 to 50%. I think the 50% level is very important for all of us. But the most important thing—I echo the member from Parkdale–High Park—should be a pension for all of us, some kind of protection mechanism for all the people who live in the province of Ontario.

I'm looking forward to hearing many speakers speak on this file. I think it's important, and I'm looking forward to continuing the debate and listening to all the speakers from both sides of the house. Thank you for allowing me to speak.

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

Mr. Ted Arnott: I'm pleased to have the chance this afternoon to speak to second reading of Bill 116, An Act to amend the Pension Benefits Act to allow transfers of locked-in pension funds to registered retirement income funds.

We know that this bill was introduced in the Legislature by the member for Halton on October 23, 2008. I want to commend the member for Halton for bringing forward this bill. He's an outstanding member in this Legislature. I know he is very proud of the fact that his grandfather, Tom Kennedy, served in this place and became a long-serving Minister of Agriculture as well as Premier of Ontario. Ted Chudleigh carries on his fine tradition here with his service as a member of provincial Parliament.

Ted Chudleigh is a strong and forceful advocate for his views, and when there's a big issue in his riding, you can count on him to bring it forward in this Legislature. Most recently, I heard him talking this week about the Milton hospital: the urgency of that issue and the need for the government to respond to it. He deserves enormous credit for the work he does, and he deserves credit for bringing forward Bill 116.

This bill is intended to allow pensioners to open up locked-in retirement accounts, and I want to express support for the principle of this legislation. We know that beginning in the mid-1980s, Ontario began to reform pension laws so that Ontarians who terminated their employment before the age of retirement were able to have increased control over their accrued pension benefits. I am also aware that before then, benefits remained in particular pension plans until the age of retirement.

This makes more sense, as we consider the fact that most Ontarians will have several jobs over the course of

their careers, and we know that's increasingly a trend in today's society. The current system, which places accrued benefits into LIRAs, locked-in retirement accounts, as a sort of pension RRSP makes sense for people who want to manage their money centrally while saving tax-free for the future. However, when LIRA holders are forced at retirement to transfer funds into life income funds, locked-in life income funds or life annuities, they should have the freedom to cash in some or all of their LIRAs. Certainly, new life income fund holders can access 25% of their assets but must leave the rest locked in. The 25% regulation, I'm told, is recent and was implemented in January 2008 as part of the Liberal government's budget in 2007. Before then, life income fund holders had no access to their pension money at the point of transfer.

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It has already been pointed out that during the 2007 election campaign, included in our party's platform was a popular measure to allow pensioners to unlock their pensions. John Tory's plan was to allow pensioners to have a 50% withdrawal at age 55 and the remainder at age 65. We're also aware that in the 2008 federal budget the government of Canada amended the law surrounding federally regulated locked-in pensions, allowing for access of up to 50%. So it seems there's a trend in Ontario and in Canada today to allow pensioners more access to their locked-in retirement accounts, based on the belief that it is their money that they have earned and that they have saved through the years, and that it's highly paternalistic for the state to dictate to them that they can't have access to it.

Again, Mr. Chudleigh introduced this legislation last fall, and it's receiving second reading today. Mr. Chudleigh, the member for Halton, has made the argument this afternoon that during this time of economic turmoil, the timing for this sort of legislation couldn't be better, because money in locked-in pensions is dwindling with the markets and people are frightened that their savings could evaporate. In fact, if we allowed greater access to those savings, in many cases it might be a stimulus to the economy of Ontario. That's a point that has been made as well, and I think it's a good point.

I have heard from a number of people outside of my riding, but in neighbouring ridings close to mine, who have expressed support for this idea for some time. I think it's important that we have this debate. I hope that the government members will support the principle of this legislation; I don't know why they wouldn't. I would hope that they would allow the bill to be sent to a legislative committee so we could have public hearings on the bill and have further discussion on the issue, because I think there is a strong movement afoot in the province of Ontario to promote this idea. I think we're right to be giving it consideration and I think it's essential that we respond to the will of the people in this regard and give them the opportunity to have this discussion and ensure that the discussion takes place at a standing committee of the Legislature. I assume the member would want that to happen.

I know that we're coming toward the end of a legislative session, it would appear, where there are rumours the government might prorogue. We don't know that for sure—the government hasn't given a firm indication in that regard—but certainly there are a significant number of private members' bills right now that are before committee. There's a logjam, I think, in every committee in terms of private members' bills, so I would hope that the government, if it does prorogue, will designate private members' bills as a priority for carryover to the next session. I think that there's nothing stopping them from doing this, and I certainly would encourage them, assuming this bill passes, as well as Bill 169, the one that I led off in debate earlier—that those bills would be kept alive going forward into the next session. I would encourage the government to give consideration in that regard.

I look forward to the remainder of the debate, but again, I would commend and applaud the member for Halton for bringing forward this particular piece of legislation and encourage all members to support it.

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

Mr. Wayne Arthurs: I appreciate the opportunity to speak to Bill 116, presented by Mr. Chudleigh from the riding of Halton. I've heard some of the comments before and I certainly find them interesting.

We as a government, during the past three years now or thereabouts, have moved on the locked-in pension funds—the LIFs, locked-in funds—from no capacity to access those, first in the 2007 budget under the directorship of then-Minister Sorbara, from zero to 25%; and more recently under the direction of Minister Duncan in this particular budget year, yet to be passed, although one would hope that now that the committee has finished its work and it's back before this Legislature for third reading, with the will of the Legislature, it will see approval and that that percentage would then move from 25% up to 50% of those locked-in funds being accessible.

I've heard the generalized comments about treating people like children and being paternalistic, and I find it odd that when there was the opportunity for another government of another day to take some initiative in this regard, that didn't occur. It has been under our watch, over two successive mandates now, that we have looked carefully at this, have looked at what other jurisdictions are doing and have taken action to move from no access to those funds to access to half of those funds, at the same time recognizing that these funds were intended, are intended, to provide an income stream to those pensioners, to those seniors. Pensions are set up in a fashion that provides an ongoing income stream. This provides a balance, a blend, between providing a higher direct degree of control of those dollars for the pensioner to choose how they would use those and retaining the opportunity and necessity for some of those to be part of a fixed stream of income.

We draw upon the examples in other jurisdictions because, obviously, it's often valuable for us, within the context of 10 provinces and the federal government, to look to others to see what they're doing or not doing,

what their experience has been and what their success or lack thereof has been. When we look at this particular issue in that regard, what we see is that the federal government, as was just pointed out by an earlier speaker, moved to the 50% level in 2008. We believe it's an appropriate action for the largest of the provinces population-wise, and presumably then with the largest group of seniors, and presumably then with the largest structures of locked-in funds in pension, to emulate in effect what the federal government is currently doing, so that in managing those there's some consistency there in approach. We'll use some of their experience in evaluating the success of our own.

The example that has been used of the one province, and only one province, that has allowed for 100% unlocking is Saskatchewan. I'm not aware of their situation. I'm not going to take any exception to what the member from Halton said in respect to—he's not aware, nor am I, of any cases where that provision has been abused. But Saskatchewan is a province of less than a million people and Ontario is a province of some 13 million people. In a matter of scale, at the very least, we have to be a little more cognizant, take a little more judicious approach to this particular matter.

There are only, currently—because we're not including Ontario yet, until such time as the budget is dealt with here by this Legislative Assembly—two provinces at the 50% level, those being Alberta and Manitoba, and the federal government. There are two provinces that are only at 25% of the unlocking provision, being—sorry, one in addition to Ontario, currently. Those would be New Brunswick and, as we stand here today, Ontario. There are four that remain in a situation where those funds are fully locked in. So when one looks across the breadth of the country, only one jurisdiction has taken the actions that are proposed by this bill; three—two plus the federal government—are at the 50% level, to where Ontario will likely be moving; and the balance are at 25% or less of the amount.

So I think we've got the right approach, the right balance, to doing this in providing both appropriate access for seniors to funds and at the same time protecting them in the context of an ongoing revenue stream in the form of a pension benefit.

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

Mr. Peter Shurman: I've gotten used to this place enough to know that when we debate any individual bill, we can do it quite circuitously and listen to an awful lot of factual material that may not be particularly pertinent to what we're debating. So while I hear debate on this bill ranging to what the province should create by way of pensions and how we should increase amounts that people receive, and while I may agree with those things, I want us to focus a little bit on what we are talking about today.

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I'm standing here in support of my colleague from Halton and his Bill 116, which talks about the unlocking of pension plans. But what I'm really doing is, I'm

speaking on behalf of seniors, who have been the builders of our province. This bill, to me, is really about something that, as members know, is near and dear to my heart, and that is nanny-statism. The question here for me is whether or not we as legislators are prepared to grant adults of retirement age and beyond the ability to control their own destinies and to make their own decisions.

I don't think that, if you take a look at the broad landscape, anybody who has been in control of funds that they're not in control of now has done such a wonderful job that we could say that not having them in control has been beneficial. Everybody has lost over the last little while, and it is that very fact that has put us here today, talking about whether or not we want to unlock these funds.

Recent market fluctuations are more than enough reason to support Bill 116. It isn't only the smart thing to do, for me; it is the right thing to do, and the reason, primarily, is that there's no cost to anyone to do this. This is not a burden on the government, it's not a burden on anyone else and it acknowledges something that is endemic to being a senior who has a pension. As my colleague from Parkdale—High Park pointed out, we're somewhere in the 60% to 70% range of all Ontarians at this point who have no pension at all. So the assumption at least has to be that the 30%-plus of people who do have locked-in pensions have them either because they contributed along with the company or a company contributed on their behalf; or maybe they made their own contributions and wound up with locked-in funds and now find themselves beset with what those funds are kicking out or what their other sources of income might be in non-registered investments, so as to compromise their lifestyle at a point where perhaps they have five, 10, 20 or maybe at most 25 years left, if you take the average life span to be somewhere in the 80 or low 80s range.

Unlocking pensions will empower seniors to take control of their lives and to determine their own future. Ontario always seems to be lagging behind other provinces. For once, we need to be the leaders of a new policy. It's almost as if we're putting our foot into cold water to see if it's okay because we've done a little bit and a little bit is okay, but maybe not a lot. It doesn't seem right to me.

As my colleagues have pointed out, there are three provinces that allow more access to locked-in accounts as of this date than Ontario. Saskatchewan, at a full 100%, seems to be doing quite well right now; Alberta is at 50% and Manitoba is at 50%. The federal government, for goodness' sake, allows 50% access, so I have to ask the question: What's wrong with us? I've heard from various colleagues on the Liberal side. I've heard all kinds of data that, while not pertinent to the bill, is pertinent to how we treat our seniors and what wonderful things we're doing for them. There are seniors out there who have no business having to decide between food and medicine, and yet those same seniors are doing that.

This is by no means a bailout. There are anywhere between 500,000 and two million people in Ontario right

now who are unable to access locked-in pension accounts, and because of the way statistics are handled in this country, we don't even know what that number is; that's a wide range. The accrued benefits within those accounts total hundreds of millions of dollars. Think about what happens when you liberate those dollars. They get spent, for one thing. That's the problem: There's not enough money to spend. When you put that money into the economy, first of all, it becomes taxable, and secondly, it creates wealth in other areas as the distribution of all of those hundreds of millions of locked-up dollars—indeed, perhaps billions—goes into the economy.

With the way the pensions are administered, Ontarians may not receive the sum of their locked-in pensions until age 90. Fellow members, most of us don't make it to age 90, and we'd better bear that in mind, especially, as referenced earlier, due to the fact that we, in this chamber, are beset by some of the same problems that we're describing here today. With the average lifespan of a Canadian being just over 80, our seniors will be losing out on hundreds of thousands of dollars because this government will not give them control over their own money.

There is one argument against unlocking pensions: that retirees would blow all their money at once, become poor and live off the public purse. I have to say that if you have been prudent enough to keep it in reserve at this point, to work for a living all of that time to create this wealth, are you really the person who is going to go to a gambling casino the moment these funds are unlocked, blow them and then come begging for welfare? I don't think so.

There is no evidence to suggest this is the case at all, and when we take a look at other provinces like Saskatchewan where seniors are given more freedom, it shows that they are not likely to spend all their money at once or waste it on foolish purposes. I, for one, will be supporting Bill 116, and I urge my fellow members to do likewise.

The Acting Speaker (Mr. Jim Wilson): Further debate in the 10 seconds you have left?

The honourable member for Halton, Mr. Chudleigh, you have up to two minutes for your response.

Mr. Ted Chudleigh: I would like to thank the member for Parkdale–High Park for her passionate call for an examination of the pensions that are available in Ontario and for the support of this private member's bill.

I was disappointed in the member from London–Fanshawe when he suggested that he couldn't see his way clear to support this bill, that the 50% regulation that is in place now is fine. It's kind of like being half pregnant; it's not here and it's not there. I think the member for Pickering–Scarborough East indicated the same kind of support for the 50% level but not the whole thing—it's good enough for now.

That's disappointing, because I think our seniors in Ontario deserve better. I think they have proven their worth in this province. They have built this province. As the member for Thornhill pointed out, they are such a valuable part of our society, and they have made such

tremendous contributions to this province that they deserve much better than that—as did the member for Wellington–Halton Hills, who pledged his support.

I think that it's important that that member's comments be considered when thinking about how you might cast your vote on this particular bill. It's one that deserves support, because the seniors in this province have earned your support. They've earned your support over a lifetime of working in Ontario, building this province, making it the greatest province in Canada. Unfortunately, we have slipped into have-not status and we're losing some of that, but during our seniors' day, when they were the players in Ontario's economy, we were number one, and they deserve your support on this bill.

The Acting Speaker (Mr. Jim Wilson): The time for that ballot item has expired, and we will vote on Mr. Chudleigh's bill in about 50 minutes.

Orders of the day.

Mr. Jerry J. Ouellette: I move third reading of Bill 30, An Act to provide protection for minors participating in amateur sports.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Would you like to move second reading?

Mr. Jerry J. Ouellette: Maybe that was an intentional Freudian slip, Mr. Speaker, but we all try, right?

I move second reading of Bill 30, An Act to provide protection for minors participating in amateur sports.

The Acting Speaker (Mr. Jim Wilson): I'll have to try that myself some time.

PROTECTION OF MINORS IN AMATEUR SPORTS ACT, 2009 LOI DE 2009 SUR LA PROTECTION DES MINEURS PARTICIPANT À DES SPORTS AMATEURS

Mr. Ouellette moved second reading of the following bill:

Bill 30, An Act to provide protection for minors participating in amateur sports / Projet de loi 30, Loi visant à protéger les mineurs qui participent à des sports amateurs.

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

Mr. Jerry J. Ouellette: I have a series of prepared notes, but I think I'm just going to talk from the heart, as I try to do so many times. As the member from Brant knows—and if he hadn't caught us or mentioned anything, we might have been able to have a little bit of an interesting time if we had been able to get that first move through.

But as the member from Brant knows, we try to move forward in this Legislature, and we try to live by the premise that we need to look to the future through the eyes of the children of today when making decisions on

how things should operate. It's so important, and I have to tell you while we start on this that there are tens of thousands of volunteer coaches, refs, managers and trainers who volunteer in so many kids' sports out there and do such a fantastic job each and every day.

I have to tell you since my wife, Dianne—and my sons were old enough, Josh and Garrett, in order to play hockey, this coming fall will be the first time that I am not coaching.

Even as a minister, I still took the time to spend, because as the members here know, and the public at large don't really know, you spend so much time and are so focused on doing your job—and if any elected official if doing a job correctly, there's always something that can be done—sometimes the family just happens to slip by. So I made sure, even as a minister, that I was taking care and coaching those kids and to be there, to make sure the time was dedicated directly to my kids.

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If you think politics is a tough job, you want to try coaching the future NHLers. At least in the minds of some of the parents out there, those kids are going to the NHL and the difficulty—you try, because it's always the coach's fault. There was one person, Terry Kelly, who provided me with a book that essentially said you can always tell the first-born and the first playing in hockey in Canada because the coach will never be able to achieve the expectations of those parents, and how true that is.

But I have to tell you that it goes back to when I was much the age of my son Garrett right now. At the time we had a change in principals at the school, and I'm going to explain this. Members haven't heard this before. More or less all of us have a reason why we come to Queen's Park, and this is one of the key reasons that I'm here. In grade 6, when we had a change of principals, my father came to me and got into police mode. He was at the end his career, 33 years in policing; he was the chief of police in Thunder Bay. He said, "Whatever you do, I want you to stay away from that principal in that school." I looked at him and I said, "Why?" "Because I said so." So, when he goes into police mode, you just kind of back off and say, "Okay, Dad." About two years later I asked, "Why did you say that to me, Dad? Why did you tell me to stay away from that principal?" He said because he had arrested the principal for sexually molesting a 14-year-old boy at Continental Massage in downtown Oshawa. There was absolutely nothing he could do to eliminate that individual from his profession at that time. The only thing he could do was to make sure that I stayed away. When I was in grade 8, I thought that was wrong, and if I ever get a chance in my life to make something right, I'm going to try and rectify that situation.

Quite frankly, it took a little while. One of the results came when another colleague of ours introduced a pedophile bill that became the registry and then went Canada-wide as a result of the actions, because of what I initiated in the Ministry of Education, and it wasn't until another minister came in that we were actually able to get that

through. We move on in life. We've now addressed that issue, so we believe.

I'm coaching kids' hockey, novice, where I've got five-, six-, seven- and eight-year-olds on the team, and it's rep hockey. After a game, a parent came up to me and said, "See that referee out there? That person should not be around kids." I said, "Why do you say that?" He said, "I can't tell you why." I said, "Well, why would you say that?" "I'm telling you that that referee out there should not be around kids."

I listened and I tried to find out some details. First of all I found out that the individual worked as an emergency room nurse. I found out the individual's name and did a background check, as we would all expect our MPPs to do to check into these things. Lo and behold, I found out that this particular referee had multiple sex convictions, some of them very violent, from my understanding of it. The police told me at the time that that individual would never be around their kids.

So I started to check with Hockey Canada and the Ontario Minor Hockey Association. I said, "Well, how can this referee be out there?" You see, most people don't realize that you can start refereeing hockey at age 14, which effectively would mean this individual, who's a convicted sex offender, would be in the same change room as a 14-year-old and there would be no way to check or find out any background at all.

The same individual had been convicted of impersonating a police officer, I found out. Since then, fortunately, the individual has been deported out of the country, back to his country of origin, and has been removed from the system. But the concern I had was, how can this take place? How can I make sure? In hockey I teach my kids to respect the referees, respect the coaches and everybody else. If one of the those referees came up to one of my sons and said, "I want to talk to you for a sec," they certainly would have gone away because of what they're taught by the coach at that time, and who knows what would have happened?

So I started to check. I said, "We've got to fix this." I contacted the Ontario Minor Hockey Association to, lo and behold, find out that that's one association of about 12 to 15 in the province of Ontario in hockey alone. I contacted Hockey Canada and said, "Look, we have to do something about this." I'm sure many have heard about the Sheldon Kennedy case. He came forward about what took place at that particular time with hockey. We found out that some associations in the province of Ontario had a policy whereby individuals who manage, coach or train kids would have to have a background police check. It's called a vulnerable persons check.

Effectively, what a vulnerable persons check is, they go to the police department, ask for a report, that is then sealed and given, and those individuals would then submit it to the league. What this does is it tells not just if you're a convicted sex offender but also, for example, if you're a convicted drug dealer. Would you want convicted drug dealers dealing with kids—and all those sorts of things? That's up to the individual leagues to deter-

mine, to make sure that due diligence has taken place, to ensure that the kids are protected today to eliminate them. So there's a vulnerable persons check and a series of reviews to make sure that those areas are looked at in the best interests of the sport.

As we started checking and contacting—we dealt with the great work here at the Leg assembly done by Leg research—we wondered, why is it just hockey? What about the other sports? What about baseball, ringette, soccer, lacrosse, basketball and all the other amateur sports that take place in the province of Ontario? Lo and behold, we found out that there was no consistent policy through any of the associations or no requirement. A lot of those associations actually had no requirement at all for any background checks for the individuals to ensure that they're individuals who should be allowed to participate or be around kids in any way, shape or form.

All we have to do is look at some of the newspaper articles, recent ones, as a matter of fact. When I look at them, I can see the dates. This one right here is from May 4, where a 52-year-old individual was convicted on two counts of—well, we won't say it—sexual offence with a female under the age of 14. We go back to February—multiple convictions for making child pornography, where the individual coached hockey and soccer for a number of age groups. These are continuing on an ongoing basis because these associations have not taken it into consideration, to make sure that due diligence is done to find out whether these individuals, these convicted individuals, are removed and disallowed from participating in sports in the province.

I'm here today to try and gain the support of the government and the third party to make sure that we can move forward so that the protection of our youth continues.

There was some concern from some of the organizations that came forward—this isn't the first time that I've brought this forward—such that, "Well, it's going to be cost-prohibitive. We're going to lose a lot of volunteers because they don't want to do that." My immediate response to those individuals was, "Is that the sort of protection you want to provide? Are those the individuals that you actually want to be looking after kids?"

Quite frankly, there is no exception. If you don't want to go through that process because you've got something that you don't want people to know, then maybe you shouldn't be there. I know as a coach, as an individual who spends hundreds of hours every year coaching hockey, as I did this year—you take the time to be with the kids, to do it all, not only on the ice, but also the practices to prepare and everything else—that I want to make sure that I'm not painted with that same brush as the other coaches, not those who are doing a great job but the ones who aren't; that very, very small percentage, less than 1% of the individuals out there, who may paint all with a bad brush.

There are a lot of great individuals who spend thousands and thousands of hours working in the province. Myself, I'm the designated director for abuse for one of

the Ontario senior A hockey teams. It's just a matter of coming forward and spending the time to make sure that our youth in the province are protected.

That pretty well sums up all I have to say on this topic. I hope that if there are any questions that the members have, I would be more than happy to answer them to the best of my ability, because we've worked long and hard with a lot of associations to move this file forward, to get it back here on the floor once again.

I thank you, Mr. Speaker, and I hope to gain the whole support of the House.

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

Ms. Cheri DiNovo: Right off the top, I'll say that I'm going to support this bill. It's, again, kind of a no-brainer. I was actually quite shocked that this wasn't the case when I read the bill. I just assumed, because I haven't coached sports—my husband always did that—that this was the case.

As a minister in the United Church, I know we ask all of our Sunday school teachers, we ask all of our volunteers to do a CPIC check. Again, you want to know about difficulty recruiting volunteers? That's an area where it is difficult to recruit volunteers, and yet we still did that; it was our policy. It is a policy across most denominations, I think, to do that. So again, I mistakenly assumed that it was the case across the board with volunteers who coached sports.

I understand the initial response from some of those organizations about this: "We don't have enough volunteers as it is. It's expensive. It's \$60 a piece." But as the member mentioned, there are ways around that. Organizations that spend lots of money on other things can certainly help their volunteers, if they want to increase volunteerism, to pay those prices if the individual can't afford it.

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We do have some slight caveats in the New Democratic Party, because the vulnerable persons check, which can be quite far-ranging—and I think the member would agree on this. We'd like to see this go to committee because, certainly, somebody who has had a DUI and joined AA or overcome that—we don't want to catch with too big a net people who might be wonderful parents, wonderful coaches. What we want to do is focus in on those who are a potential threat to our children. So that's a question mark there. The other question mark, and you mentioned it yourself, is the fact that people often start coaching under 16, when there's not a check available. So this isn't really the silver bullet.

It still has to be—and I'm sure the member is aware of this—accompanied by all of those other good things that all organizations should do: (1) a reference check, (2) an interview, and (3) we certainly had this policy, and I know a number of institutions and organizations that deal with children do, where a child is not ever alone with a person, but that two people are always in the room etc. You can structure situations to avoid or minimize the potential for abuse. I know that this happens in schools

and it happens in churches, synagogues and mosques. It happens across the board, so it should happen in organized children's sports, as well.

Absolutely, this needs to go to committee. I hope it's given fulsome hearing there and people are allowed to depute just so that it can come back to us and be passed.

Again, I was quite astounded to find out, because of your bill, which is one of the very good reasons that private members' bills should be brought forward, that this wasn't the case already. I think most people watching would think, "Really? They don't do that already? Aren't they frightened of not only the abuse, but lawsuits etc.?"

Any organization that deals with children is literally self-destructive at this point, it seems to me, if it doesn't have a police check process in place and if it doesn't have, besides that process, a whole series of rules and regulations about the supervision of children. If they don't do that, they're certainly behind the curve, and they're certainly opening themselves up to a number of charges, never mind just of abuse.

I know that even where individuals can be—and this has been brought forward to me, for example, in the school system—falsely accused, if you don't have systems in place, there is no way of knowing. It's a "he said, she-said" or "she said, she said" or "he said, he said" situation. So you've got to have those systems, you've got to have the police checks etc.

The other thing that it gives me an opportunity to talk about is the fact that we need more being done across the board for our children. I have the dubious distinction of being the member of provincial Parliament of the riding where both Katelynn Sampson and Holly Jones resided, and so we have had more than our fair share of tragedy where young people are concerned.

This gives me a chance to say thank you to all of those volunteers who showed up the other night to do a butterfly walk for Holly. We go from the park where she was abducted and we walk to her mother's home. Her mother exemplifies somebody not only working through that nightmare, but actually going back to give something back to the community. It was a wonderful evening where all those folks who still suffer because of that rift in the fabric of our community write a message on a butterfly, walk it down to Holly's house, put it on the bush outside her parents' house and there meet and greet with Maria Jones and her husband. It's a phenomenal coming together of an entire community over this tragedy.

Maria has asked that primary prevention be put into public schools, and we have met with teachers' unions, and I've met with the education minister. So we're moving toward that day, and we're hopeful that this will be something that's on the resource list so that all teachers can avail themselves so the children come forward. Part of the problem, as we all know, with the abuse of children is that they don't tell anybody about it, that they suffer it. Certainly, when we've heard of the egregious cases in minor league hockey etc.—it has gone

on for years. Sometimes, only as adults do they come forward, way beyond the time limit when they can actually get some kind of satisfaction. So, certainly, what we want to do as well is have the kind of environment where children are not afraid to speak to those in authority in their lives—to their teachers, their coaches, their mentors, their parents—about what is actually happening, that they're not afraid and that they don't feel it's their problem, their responsibility, their shame, but they do stand up. We in the New Democratic Party absolutely support this. We would support anything that goes to keeping our children safer. I hope the government will as well take this forward. Again, it's a situation where I think it could be strengthened by the input of some folk in the community, some stakeholders. We certainly plan on voting for it. Thank you very much for bringing it forward.

The Acting Speaker (Mr. Dave Levac): Further debate?

Mr. Bob Delaney: It's a pleasure to stand up and debate this particular bill. To my colleague from Oshawa, across the aisle, may I say that in government sometimes we have a role imposed upon each of us, and when it comes to many debates, we may be adversaries by the definition of our role, but on this one my colleague from Oshawa and I are on the same side. I know him, not merely as my legislative colleague, but I can truthfully say this is a friend of mine. And by the way, he's a pretty good hockey player, so he knows whereof he speaks.

I have read through the bill, and I have read through some of the notes I asked my staff to prepare. On the whole, this is a good measure. This is the kind of start to an initiative that allows something, an idea like this, to get debated; to get, as the member for Parkdale—High Park said, the benefit of some deputations, some further discussions, where we can take the seed of a good idea, refine it and make it work.

Now, I want to bring up something that concerns me. As my colleague knows full well, I'm a goaltender. At my age and with the job I have, I can't play on a full team anymore. So every now and then, and occasionally regularly, I'll get called to come out, quite often by some of my friends who coach kids' teams. It could be the middle of the summer, it could be during a time when the House is in recess or it could be on really short notice, and they say, "Look, we're shy a goalie. Can you come out and play? We're going to have a practice, and we'd like there to be two goalkeepers."

Frankly, I enjoy it. But for me and for others like me who play either sporadically or semi-regularly—I have never had a police check; there's nothing to find—if I wanted to go out and play every now and then on a friend's team, would this impose that obligation on me? I don't know the answer to that, and that's something that would be prescribed in regulations. I'm not sure of the member's intent. Perhaps in his response he could provide me with some direction.

I also want to note that while this bill is admittedly to reduce risks from what the member admits is a small

fraction of 1%, I would just bring out the point that a criminal record check alone is not a solution to protect minors, which again is something that I'm sure he has addressed.

As well, he discusses a little bit about how one deals with the administrative burden and expense of doing it. Is that the obligation of the individual, or is it the obligation of the team? By bringing these issues forth, I am not indicating opposition to the motion; I'm merely indicating that I'm trying it on for size to see how well it would work.

Overall, I think the member's intent here is laudable. I'll tell him flat out that I'm going to stand up and vote for this. This is a good idea. This is the seed of something that the member looks at and says, "We're not doing this. Is there any reason we are not doing this, and should we do this?" I think that's where good legislation begins, and this is where a private member's bill, whether or not it proceeds any further, may subsequently come back either in a refined form or as government legislation. Should it come back as either of those or should it succeed in this incarnation, I'll be the first on my feet to applaud the member, who I think has done a good job here. On that note, I'll give my colleagues a little bit of time as well.

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

Mr. Peter Shurman: It's good to see so much support on all sides of the House for Bill 30 from my friend from Oshawa.

I once asked my mom when you stop worrying about your children, and I believe at the time she was about 85, which would have made me about 53. Her answer was, "I'll let you know." My mother has since gone to the next life and she never did let me know, so I guess that speaks to what the answer may be. The safety of our children should, and it always does, come first, regardless of the age of our children, but more especially, obviously, our younger children.

I speak not only as a member of provincial Parliament and not only as a colleague of the member who has introduced this legislation, or this would-be legislation, but as a veteran baseball dad and a veteran hockey dad, and also as a veteran Scouts dad where I was the Scout leader. I can tell you that I never had any background check requested of me as a Scout leader, and I probably had in my charge at the time—it was Cubs, actually, so it would have been 10-year-old boys, nine-year-old boys, about 30 of them, and I never requested any investigation into the background of the men who coached my children; as either baseball players or young hockey players.

But that was then and this is now. Things have changed, or maybe they haven't changed, but we know a little bit more about some of the things—the unsavoury things—that go on in those locker rooms. I think that, as the member from Parkdale—High Park said previously, it's quite surprising that legislation like this doesn't indeed already exist; it's a piece of legislation that needs to exist.

Bill 30 will protect children in every sport by having mandatory police background checks on all coaches, referees, trainers and on any other position that has interaction with children under age 18. As I said earlier and as I've said many times, I rail about nanny-statism. This is not nanny-statism; this is a bill that ensures the protection of people who are the most vulnerable people in our society.

Interjection.

Mr. Peter Shurman: My friend from London—Fanshawe wonders why I'm not talking about nanny-statism. That's because this isn't, but I'll let you know when we get to one that is.

The member from Oshawa has done extensive research; I know this for a fact. He's worked with Hockey Canada and with the Ontario Hockey Association to find out what, if any, consistency there is in organized sports with regard to checks. This member is a personal friend as well as a colleague. He is an amateur sports enthusiast and a great dad, an enthusiast on behalf of his children and on behalf of other children where sports are concerned, and he knows whereof he speaks.

Many organizations already have mandatory background checks for coaches, managers and trainers, but there is no provincial standard. We have to ask, why not? There are so many horror stories, usually a couple a year, that come out, and for every one that comes out you have to wonder if indeed there aren't 10 or 20 that never make their way out, because children, being the vulnerable human beings that they are, often the things that violate their privacy and violate them on some occasions—they are under threat that scares them so much that they never, ever tell. Even worse, there's no obligation for referees to have a vulnerable persons police check in many associations.

With all the nonsense that the government brings in, you would think that this would have been one of their priorities. We are just in final debate on third reading of Bill 157, which is about mandatory reporting in schools. It's about safe schools, and while our side of the House doesn't agree with the government side of the House on how this is being done, we do agree that it should be done. If we can be talking about this in the context of schools, where we're dealing with licensed professional adults who are authority figures in the lives of our children, why would we not be looking at adult authority figures about whom we know nothing?

Recalling again the people who coached my children, these were other guys just like me. I'm a good guy. They were probably all good guys, but you don't know, and that's why you want to know and that's why we're looking for checks behind the closed doors of a dressing room, most people here would understand, where parents are not allowed. When the kids get older, for the most part—we don't know what's happening when the kids are younger. We want to know and we find out too late.

Even though referees are not normally alone with players, there are many refs who are under 18 themselves. These people are not yet experienced in life and

they are capable of doing harm. This bill protects not just the players, but everyone involved. It protects officials, it protects parents and it protects the organizers of any of these leagues. My legislative assistant, Melissa Coxon, has been coaching ringette and hockey since she was in grade 9. In the league that she's involved with, she had to get a vulnerable persons police check in order to do so. That was good thinking on the part of the leagues where she works, but this is not mandatory, and as of today we should resolve, as members of provincial Parliament, that we're going to make it so. When children are getting community service hours for high school, which is how she had started coaching so young, we need to be sure that the children that they are coaching are safe. When my kids were young and playing sports, I wanted to know who they were interacting with but I never thought to ask because it wasn't top of mind.

On April 18, a former Toronto minor hockey coach was charged in relation to child pornography. What were the photos? Who and what was depicted? We don't know, but these are the types of people that we need to protect our children from, and that is why I support Bill 30.

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

Mr. Khalil Ramal: I'm pleased and honoured to enter the debate on this important topic and to talk on Bill 30, Protection of Minors In Amateur Sports Act, 2009.

Who doesn't support children? Who doesn't support minors in this society? I think it's our obligation to support them. I know the member from Oshawa has a great passion for minors and he has also often volunteered and coached hockey in his riding.

As you know and as all the members of this House know, we have a strong volunteer base in the province of Ontario. More than 5 million-strong people across the province of Ontario every year donate more than 800 million hours to support many different aspects of our economy and our communities, and most of them support sport activities, whether soccer, hockey or baseball, and various sport activities across the province of Ontario. Most of those sport people, the coaches or the minors, go in goodwill to learn and practise and be fit.

The parents send their kids to be coached by someone, and the most important thing is to make sure that someone is safe, is not going to abuse those kids, and we hear lots of different and scary stories about many different issues that happen while people are taking courses or practising soccer, hockey or whatever. So we hear a lot about sexual abuse, we have a lot of psychological abuse and we have a lot of physical abuse, and all this occurs while people are practising sports, when they're sent by their parents, and the parents, on goodwill, believe strongly that the person who donates that time should be a good person. But sadly, some people who go into this area, in their mind they want to go to abuse someone.

I think it's our obligation as a government, as elected officials, as people of this province, to protect the minors among us. That's why we are the first jurisdiction in Can-

ada to bring the sex offender registry act, which registered all the sex offenders across the province of Ontario. It's also to make sure, to all the people who practise sports, who participate in those events, that they are well-known to the public so that parents can be aware of certain people. I believe, as a result of that, we had about 97% compliance and we also have some kind of charges against the people who committed those crimes. When you are an adult, a certain age, and you go to coach a person who is five, four or 10 years of age and you try to abuse them, whatever abuse occurs—whether sexual, physical, psychological, whatever—is illegal and it's against the law; it's a crime. So it's our obligation to create some kind of protection and encourage the people to do more.

As many of my colleagues said before me, volunteerism is very important for all of us in the province of Ontario. So many people donate their skills, their time, their effort to support others, to give them some kind of support in the community centres. As you know, most of those activities happen because some volunteers want to do it, not because they get paid by the government or get paid by the city or by the federal government or by certain organizations. They do it because they believe in this cause. They believe they're obligated to support others, to create some kind of active community and to support the kids and give them a good education about the future, to give them the guidance they need, whether from playing or from being disciplined—because sport is not just about play or being active; it's also about discipline. You play with others, and they teach you how to be a part of the group and how you play as a group, not as an individual.

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I think it's very important for all of us. It's important for our government. It's important for our society to create some kinds of protections and some mechanism to protect vulnerable people among us. The member brings a very important issue to us, and I think I'm going to support his bill. This initiative is calling on all of us to support the children, the vulnerable people who are looking for our support, who are looking for protection.

Therefore, I want to commend the member and, hopefully, we'll continue in this direction and we'll continue to volunteer without any hesitation, and the parents can send their kids to sports activities everywhere without being scared of someone's coach or somebody and also be free of fears of any sexual, physical or psychological abuse that might occur as a result of sending their kids to those sports activities.

I will leave some time for my colleague from Brant to speak on this bill.

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

Mr. Ernie Hardeman: I'm pleased to rise and support Bill 30, Protection of Minors in Amateur Sports Act, which was introduced by my colleague from Oshawa. Not only am I pleased to stand and support the bill, I'm pleased to stand and say congratulations and

thank you to the member, not only for introducing the bill but for all the work he's done in coaching minor sports. Obviously it makes a difference not only for his children, but all the other children who he has worked with.

I've had the opportunity to sit beside him in this Legislature for a number of years. He has become a multi-tasker because, as he's listening to the speeches that are being made, he's also sitting there arranging the line up for tonight's hockey game for all the children who will be playing. And of course, he gets that done—the speeches are sometimes long-winded in this place—and he is preparing for the next tournament. I thank him for doing that because it's not everyone who would do it. But there are some people who are doing it for the wrong reasons, and that's why I think this bill is so important.

The goal of this bill is simple. It's one that I believe every member of this Legislature would agree with: It is to protect our children. Bill 30 would require coaches, referees, managers and officials to be subject to criminal background checks in order to participate in organized amateur sports with children under the age of 18.

Some amateur sports organizations require these checks but, unfortunately, not all organizations do. It isn't consistent as to who requires it and how much of that policy is enforced. The member in his presentation pointed out the fact that some organizations have concerns with this bill because they think it will reduce the number of volunteers. I wondered if maybe we put in for the same organizations that believe it's not appropriate to have these checks an obligation that they must notify the parents that their coaches are not subject to these checks. I'm sure they would all then want to do checks for their coaches to make sure that all our children were safe. All Ontario children should have that level of protection.

I know that most coaches are parents or people who want to give back to the community. These are people who care about our children and want to teach them the important lessons of team work and fair play that can be learned through organized sports.

Coaching is one of the most sincere forms of volunteering. It takes time, passion and knowledge and many hours of commitment, as I mentioned about my colleague. Volunteers are willing to give up their evenings, their weekends to ensure that our kids can play sports. Between games, practice and tournaments, I know that it's a big time commitment and, in the season of that sport, all their spare time goes into that. For many, it means rushing home from work to make the game or missing social activities. It means early mornings at the rink and standing in the rain.

As a parent, I know the pride of watching your children learn a new skill or watching them excel. I know how great it is to see them enjoying themselves and working together as a team. I know that because other people have coached. I was just telling my colleague that I have three boys and a girl. I have never had the opportunity to be coach for any of their teams, and I am now happy to say that I have four grandchildren. I'm looking forward to the day that I will volunteer, because as one

gets older, one realizes how one misses that part of life. When I hear other people talking about it and see them enjoying it, I realize how much I missed it.

But is it too much to ask that we ensure that they can pass a criminal check when these people do that? I'm sure that most people who are so sincere and willing to give that much to it would be happy to take that criminal check just to be assured that all the people they're working with and all the other people who are coaching their children are the proper people.

The example that the member mentioned about his father telling him to stay away from a certain person—I just don't think that that's an acceptable way of dealing with the situation of the adults who are coaching our children. I think we need to be sure that no child needs to get that warning, not knowing why it is. As parents, we want to make sure that we know our children are being looked after by safe people.

I just wanted to say we did have another bill that was brought in here by the member from Dufferin–Caledon. It was a bill respecting the criminal record checks for volunteers, and it would fit in with this, because I think it's very important that we don't have legislation that says you have to get a new criminal check for every team. We have to have it based on a certain length of time, I believe, that you get a criminal check and then you can volunteer for all these at the same time.

The father should be able to coach the son's hockey team in the winter and not have to get another criminal check to coach the daughter's soccer team in summertime. I think we need to make sure that it works seamlessly throughout the system, that people who are going to work with our children in minor sports will be able to do that, and we in society can be assured that our children are there for the enjoyment and can enjoy it in safety and come back out of there having enjoyed the experience and not live the rest of their life sorry that they were involved in that sport.

Thank you very much, the member from Oshawa, for introducing this legislation.

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

Mr. Dave Levac: First, thank you to my friends and colleagues from Mississauga–Streetsville and London–Fanshawe for providing me a few minutes to speak on Bill 30.

Across the floor to my friend from Oshawa, Jerry, I consider you a good friend and a person who is deserving of all the praise that's being heaped on you for the work that you've done, particularly on this issue but also the way in which you conduct yourself here and in your riding at home. You and I have shared a lot of conversations about the things that make the world go around. This is a big winner, and I appreciate very much that you've brought this to us and the research behind it.

As an educator for 25 years, a coach, a parent and, of course, an observer and a lover of children, who need our protection and help consistently and relentlessly, I think this legislation is another signal to the people out there

who may think of the ways in which they can hurt our children that we're going to track you down.

Quite frankly, we will never stop this scourge, but what we will do is we'll signal very loudly and very clearly that the people in this House are saying we've got to put our best foot forward and try to bring this to a stop. I can tell you from personal experience, without getting maudlin, that I've had to deal with this issue as a professional. It is not a joyride. I can tell you factually that it destroys, completely devastates kids, families, neighbourhoods, and indeed, anywhere you go, it's an extremely devastating issue.

You have my full and unequivocal support, and I will do whatever I can to make sure that we pass this legislation in some way or some fashion. I know there have been some questions raised, and I'm absolutely convinced that you'll take care of answering those. Working together, we will help be a very large part of the solution to this scourge that we have to put up with.

I can also share with you that under the circumstances that we're talking, it's very, very important that we signal to the parents that the gift of their children who are presented to those in positions of authority is indeed just that, the gift of that person, and we receive a gift in a way that shows respect. This kind of legislation will make it clear that we love and cherish and indeed support that beautiful gift. I thank you for bringing that legislation forward.

1600

The Acting Speaker (Mr. Jim Wilson): The honourable member for Oshawa, Mr. Ouellette, you have up to two minutes for your response.

Mr. Jerry J. Ouellette: I'd like to thank the members from Parkdale-High Park, Mississauga-Streetsville, Thornhill, London-Fanshawe, Oxford and Brant for their comments.

I'm going to try to answer a number of questions here.

First of all, there were some costing issues. The member from Parkdale-High Park mentioned \$60. You should check around or have your volunteers check around, because it doesn't necessarily have to be your local police department; it can be an outside police department. Quite frankly, I'll let you know something right now: There is a competition between police departments on this. Locally, they were charging \$10 when this was initiated, and then the price went up to \$20. But there was an agency that came forward that provided the service out of Nova Scotia, to do the exact same service, at \$15 a person for the Oshawa Minor Hockey Association.

I spoke with OPP individuals who said that they were willing to do this entire service. However, some of the police departments were viewing this as a revenue generator and were concerned that it was income for them that they were going to lose, so they opposed it at that level. That's something we need to be very cognizant of.

With the actual implementation of it, locally, what takes place is you go down to the department of your choice or you have an agency or a group come forward to provide the service for you. You would then take it to

your local team or organization, where you would submit it and where it is reviewed by that association to make sure it's implemented.

To the member for Mississauga-Streetsville, the way it works is that you would actually have it reviewed by the local association once you've received it. The other aspect of it is that, no, as an on-ice volunteer in your particular case—this is directed towards individuals who have official positions and who are in direct control and care of the youth. You as an on-ice volunteer coming in on an occasional basis would not be subject to mandatory review upon the opportunity to go out and help. It's only the coaches, managers, trainers and other individuals.

In closing, I'd just like to say that I spoke about the person I was told to stay away from when I was in grade 6. That individual went to jail 20 or 25 years later for the things he did to kids at the school I went to. I was never one who had any problems at that school; I must admit that. But as legislators, we must ensure that we do all we can to protect the kids of today.

The Acting Speaker (Mr. Jim Wilson): The time allocated for private members' public business hasn't quite expired yet. It will expire in about four minutes, so we'll do some other business.

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 133, An Act to amend various Acts in relation to certain family law matters and to repeal the Domestic Violence Protection Act, 2000 / Projet de loi 133, Loi modifiant diverses lois en ce qui concerne des questions de droit de la famille et abrogeant la Loi de 2000 sur la protection contre la violence familiale.

Bill 150, An Act to enact the Green Energy Act, 2009 and to build a green economy, to repeal the Energy Conservation Leadership Act, 2006 and the Energy Efficiency Act and to amend other statutes / Projet de loi 150, Loi édictant la Loi de 2009 sur l'énergie verte et visant à développer une économie verte, abrogeant la Loi de 2006 sur le leadership en matière de conservation de l'énergie et la Loi sur le rendement énergétique et modifiant d'autres lois.

Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002 / Projet de loi 155, Loi autorisant la province à recouvrer le montant des dommages et du coût des soins de santé engagés en raison des maladies liées au tabac et à apporter une

modification complémentaire à la Loi de 2002 sur la prescription des actions.

Bill 163, An Act to amend the Greater Toronto Transportation Authority Act, 2006 and to make consequential amendments to another Act / Projet de loi 163, Loi modifiant la Loi de 2006 sur la Régie des transports du grand Toronto et apportant des modifications corrélatives à une autre loi.

The Acting Speaker (Mr. Jim Wilson): Thank you. While we have a minute, perhaps honourable members would like to join me in once again thanking our pages as they're here for a couple of more minutes.

Applause.

The Acting Speaker (Mr. Jim Wilson): We will suspend the House until 4:05.

The House suspended proceedings from 1604 to 1605.

The Acting Speaker (Mr. Jim Wilson): Order. The time provided for private members' public business has expired.

WORKPLACE SAFETY
AND INSURANCE
AMENDMENT ACT
(FIREFIGHTERS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR LA SÉCURITÉ PROFESSIONNELLE
ET L'ASSURANCE CONTRE LES
ACCIDENTS DU TRAVAIL (POMPIERS)

The Acting Speaker (Mr. Jim Wilson): We will deal first with ballot item number 16, standing in the name of Mr. Arnott.

Mr. Arnott has moved second reading of Bill 169, An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to firefighters. Is it the pleasure of the House that the motion carry? I heard a no.

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

All those opposed will please say "nay."

In my opinion, the nays have it.

We'll vote on this ballot item after we vote on the next two.

PENSION BENEFITS AMENDMENT ACT
(UNLOCKING PENSION FUNDS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR LES RÉGIMES DE RETRAITE
(DÉBLOCAGE DES FONDS DE RETRAITE)

The Acting Speaker (Mr. Jim Wilson): Ballot item number 17.

Mr. Chudleigh has moved second reading of Bill 116, An Act to amend the Pension Benefits Act to allow transfers of locked-in pension funds to registered retirement income funds. Is it the pleasure of the House that the motion carry? I heard a no.

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

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

We'll vote on this item, again, after the next ballot item.

PROTECTION OF MINORS
IN AMATEUR SPORTS ACT, 2009
LOI DE 2009 SUR LA PROTECTION
DES MINEURS PARTICIPANT
À DES SPORTS AMATEURS

The Acting Speaker (Mr. Jim Wilson): Ballot item number 18.

Mr. Ouellette has moved second reading of Bill 30, An Act to provide protection for minors participating in amateur sports. Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Ouellette.

Mr. Jerry J. Ouellette: I would refer the bill to the social policy committee.

The Acting Speaker (Mr. Jim Wilson): Is it agreed that the bill be referred to the social policy committee? Agreed.

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

The division bells rang from 1608 to 1613.

PENSION BENEFITS AMENDMENT ACT
(UNLOCKING PENSION FUNDS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR LES RÉGIMES DE RETRAITE
(DÉBLOCAGE DES FONDS DE RETRAITE)

The Acting Speaker (Mr. Jim Wilson): We will first deal with ballot item number 17.

Mr. Chudleigh has moved second reading of Bill 116. All those in favour of the motion will please rise and remain standing until counted by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	Shurman, Peter
Chudleigh, Ted	Ouellette, Jerry J.	
DiNovo, Cheri	Pendergast, Leeanna	

The Acting Speaker (Mr. Jim Wilson): All those opposed to the motion will please rise and remain standing until counted by the Clerk.

Nays

Aggelonitis, Sophia	Delaney, Bob	Qaadri, Shafiq
Albanese, Laura	Dickson, Joe	Ramal, Khalil
Arthurs, Wayne	Flynn, Kevin Daniel	Ruprecht, Tony
Balkissoon, Bas	Jeffrey, Linda	Sandals, Liz
Berardinetti, Lorenzo	Kular, Kuldip	Sergio, Mario
Best, Margaret	Lalonde, Jean-Marc	Takhar, Harinder S.
Brotin, Laurel C.	Levac, Dave	Wynne, Kathleen O.
Brownell, Jim	Moridi, Reza	Zimmer, David
Colle, Mike	Phillips, Gerry	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 7; the nays are 26.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negatived.

The Acting Speaker (Mr. Jim Wilson): My apology for changing around the ballot items.

We will now open the doors for 30 seconds.

WORKPLACE SAFETY
AND INSURANCE
AMENDMENT ACT
(FIREFIGHTERS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR LA SÉCURITÉ PROFESSIONNELLE
ET L'ASSURANCE CONTRE LES
ACCIDENTS DU TRAVAIL (POMPIERS)

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item number 16, standing in the name of Mr. Arnott.

Mr. Arnott has moved second reading of Bill 169. All those in favour of the motion will please rise and remain standing until counted by the Clerk.

Ayes

Arnott, Ted
Brownell, Jim

Hardeman, Ernie
Jeffrey, Linda

Pendergast, Leeanna
Shurman, Peter

Chudleigh, Ted
DiNovo, Cheri

Lalonde, Jean-Marc
Ouellette, Jerry J.

The Acting Speaker (Mr. Jim Wilson): All those opposed to the motion will please rise and remain standing until counted by the Clerk.

Nays

Aggelonitis, Sophia	Delaney, Bob	Ramal, Khalil
Albanese, Laura	Dickson, Joe	Ruprecht, Tony
Arthurs, Wayne	Flynn, Kevin Daniel	Sandals, Liz
Balkissoon, Bas	Kular, Kuldip	Sergio, Mario
Berardinetti, Lorenzo	Levac, Dave	Takhar, Harinder S.
Best, Margaret	Moridi, Reza	Wynne, Kathleen O.
Broten, Laurel C.	Phillips, Gerry	Zimmer, David
Colle, Mike	Qaadri, Shafiq	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 10; the nays are 23.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negatived.

The Acting Speaker (Mr. Jim Wilson): All matters relating to private members' public business having been completed, I do now call orders of the day.

Hon. Gerry Phillips: I move adjournment of the House.

The Acting Speaker (Mr. Jim Wilson): Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, May 25, at 10:30 a.m.

The House adjourned at 1618.

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	
Arnott, Ted (PC)	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	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough-Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins-James Bay / Timmins-Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	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	
Bryant, Hon. / L'hon. Michael (LIB)	St. Paul's	Minister of Economic Development / Ministre du Développement économique
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, Hon. / L'hon. David (LIB)	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	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	
Crozier, Bruce (LIB)	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	
DiNovo, Cheri (NDP)	Parkdale-High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward-Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	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	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est-Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	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, Kuldeep (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	
Matthews, Hon. / L'hon. Deborah (LIB)	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	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough–Westdale	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales
McNeely, Phil (LIB)	Ottawa–Orléans	Premier / Premier ministre
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario Minister of Government Services / Ministre des Services gouvernementaux
Miller, Norm (PC)	Parry Sound–Muskoka	Minister of Community and Social Services / Ministre des Services sociaux et communautaires
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Minister Responsible for Francophone Affairs / Ministre délégué aux Affaires francophones
Milloy, Hon. / L'hon. John (LIB)	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 (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener-Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	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	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Government House Leader / Leader parlementaire du gouvernement 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
Takhar, Hon. / L'hon. Harinder S. (LIB)	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	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	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
Wynne, Hon. / L'hon. Kathleen O. (LIB)	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 Przedziecki

Standing Committee on Finance and Economic Affairs / Comité permanent des finances et des affaires économiques

Chair / Président: Pat Hoy
Vice-Chair / Vice-président: Jean-Marc Lalonde
Sophia Aggelonitis, Ted Arnott
Wayne Arthurs, Toby Barrett
Pat Hoy, Jean-Marc Lalonde
Leeanna Pendergast, Michael Prue
Charles Sousa
Committee Clerk / Greffier: William Short

Standing Committee on General Government / Comité permanent des affaires gouvernementales

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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 Orazietti
Joyce Savoline
Committee Clerk / Greffier: Trevor Day

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Chair / Présidente: Julia Munro
Vice-Chair / Vice-présidente: Lisa MacLeod
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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

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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
Michael Prue, Tony Ruprecht
Mario Sergio
Committee Clerk / Greffière: Sylwia Przedziecki

Standing Committee on Social Policy / Comité permanent de la politique sociale

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Vic Dhillon
Laurel C. Broten, Kim Craitor
Vic Dhillon, Cheri DiNovo
Helena Jaczek, Shafiq Qadri
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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