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Monday 30 November 2009

Lundi 30 novembre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 November 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 novembre 2009

The House met at 1030.

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

Prayers.

INTRODUCTION OF VISITORS

Mr. John O'Toole: I'd like to introduce the independent driving instructors and owners of the DriveTest centres in Ontario, who are here today in the visitors' gallery to draw to the minister's attention the dispute between Serco and the Ministry of Transportation. Welcome to the Ontario Legislature.

Mr. Charles Sousa: Today the Cement Association of Canada and the Canadian Ready Mixed Concrete Association and its members are visiting Queen's Park. I'd like to welcome our special guests to the Legislature and to acknowledge in the members' gallery the president and CEO of Holcim, which operates its main plant in Mississauga South. Welcome, Mr. Paul Ostrander.

Mr. Ernie Hardeman: I'm pleased to welcome Mark Anderson, president of the lakes and seaway business unit for Lafarge North America, who is here today as part of cement day. I want to thank him and the other cement industry representatives for coming to update us on their industry.

Hon. John Wilkinson: I am also delighted, because it's cement association day, to welcome Bram Vermeulen, the former CEO of St Marys Cement Group.

Today is the beginning of our first western wardens' day here at Queen's Park. We have many of our colleagues from counties in western Ontario here visiting today. I know members will want to introduce them. I'm joined by the member for Sarnia-Lambton hosting today, but I do want to make special mention of my good friend John Green, the mayor of Mapleton, who is here visiting today. I'll leave it to others to introduce their guests.

Mr. Randy Hillier: It's my pleasure today to introduce and welcome to the House Cheryl Hughes. Cheryl is the mother of page Olivia Hughes from Lanark-Frontenac-Lennox and Addington. Her grandmother, Betty Grant, is here as well to enjoy the proceedings in the House today.

Hon. Donna H. Cansfield: Connor Niedbala from Etobicoke Centre is page captain today. His parents are here to join him: Michelle and Brent Niedbala, in the members' gallery. I'd like to say "welcome."

Ms. Lisa MacLeod: I have a delegation here today representing a number of different organizations across

Ontario: The Association of Architectural Technologists is joined today by Aubrey LeBlanc; Lang Michner has two of its taxation lawyers here, Cindy Todgham Cherniak and Hartley Lefton; the Ontario Retirement Communities Association has Gord White; Revera Health Services has Jandy Beresford, Derrick Hoare and Larry Querin; Premier Homecare Services has Martha Lawrence; Chartwell Seniors Housing has Sheri Annabel; and condo board representatives Brenda Elworthy, Christine Hillyer, Fred Kirsh, Grace Woo, Guido Smit, James Priest, Jim McKinney, Marie Cafarelli, PamelaAnn Campbell, Prudence Woo, Ric Hillyer and Steve Zheng. I also have members here from the Public Sector Retirees Coalition: Barry King, Don and Audrey McLeod, Doug Priest, Jim Garchinski, Jim Priest, Paul Bailey, Phil Slack, Rick Metcalfe and Vic Dybenko. The Council on Aging Network of Ontario is here with Christine McMillan, Robert Ridsdale and Galen McMonagle. The Ontario Monument Builders Association is here: Doug King and Robert Youngs. Toronto Sports Medicine is here with Andrea Prieur, and the Ontario Camps Association with Aruna Ogala.

They all oppose the HST, and that's why they're here today.

Hon. Jim Watson: I'm delighted to welcome a resident of the great community of Ottawa, Michael McSweeney, vice-president of the Cement Association of Canada, but more importantly a former alderman of the city of Ottawa representing Canterbury ward. Welcome, Mr. McSweeney.

Mr. Ted Arnott: I'm very pleased to introduce the mayor of the township of Centre Wellington and the warden of Wellington county, Mayor Joanne Ross-Zuj, as well as the mayor of the township of Mapleton, John Green. Welcome to both of you.

Ms. Sophia Aggelonitis: It gives me great pleasure to introduce to the House my parents, Mary and Charlie Aggelonitis, and a family friend, Filomena Doucet.

Mr. Robert Bailey: It gives me great pleasure today in the House to introduce the warden of Lambton county, Mr. Jim Burns, and, accompanying him, Ron Van Horne, the chief administrative officer for Lambton.

Mr. Dave Levac: With the western wardens crew comes to us the chair of the western wardens, the mayor of Brant and a former MPP of this House, Mayor Ron Eddy. I think he should be greeted here as well, along with his CEO, Don Glassford.

Mr. John Yakabuski: On behalf of page Vanessa Van Decker, I'd like to welcome her mother, Maureen Madigan, who is joining us for the proceedings today.

Hon. Kathleen O. Wynne: I'd very much like to welcome the students of Gateway Public School to Queen's Park today, from the wonderful riding of Don Valley West.

Mr. Bill Murdoch: It's a pleasure for me to welcome the warden of Grey county, and also the mayor of West Grey. He happens to be sitting beside Ron Eddy, which will probably be a detriment to him right now. Anyway, I'm glad you're here, Warden.

Mr. David Zimmer: I'd like to introduce two guests who are visiting the Legislature today: from the Alzheimer Society of Ontario, David Harvey and Philip Cafery.

Mr. Jim Wilson: I'd like to introduce, in the members' west gallery, Tony Guergis, the warden of Simcoe county, and his delegation.

Mr. Norm Miller: I'd like to welcome representatives of CI Financial who are here in the Legislature today protesting the HST.

Mr. Ernie Hardeman: I too would like to recognize, in the members' gallery, the warden of the great county of Oxford, Paul Holbrough.

Hon. John Wilkinson: Just to ensure that we don't miss any of our friends from the western wardens, I'm delighted also to extend greetings to Linda Dean and Gord Montgomery from Dufferin; Graham Warwick from Elgin; Kevin Eccles, Gary Wood, Bob Pringle from Grey; and Albert Bannister from Middlesex county.

The Speaker (Hon. Steve Peters): For anybody feeling left out who wasn't introduced, welcome to everyone else.

ORAL QUESTIONS

TAXATION

Mr. Tim Hudak: My question is to the Deputy Premier. In 2007, you campaigned against tax increases. In fact, Premier McGuinty is quoted as saying, "We're not going to raise taxes." But just like you did in 2003, when you brought in the so-called health tax that attacked Ontario working families, you have now broken that promise in the 2007 election campaign with your massive, \$3-billion greedy HST tax grab.

I ask the Deputy Premier, why do you say things during the election and then do the opposite once you're in office?

Hon. Dwight Duncan: The government is bringing forward the largest tax cut package in Ontario history. Individuals and businesses will, overall, see a reduction in the taxes we collect of almost \$3.4 billion. That is why a range of groups, a range of industries, have supported this, everyone from the Daily Bread Food Bank, through to the Ontario Chamber of Commerce. This tax cut package, which was properly pointed out by Roger Martin in his recent work, will in fact lower taxes overall for some 93% of Ontarians.

Once we get past the phony rhetoric and the hyperbole, we can look at the real experts. We can look at what his own expert witness, Jack Mintz, said, which is that this package will create 600,000 jobs. Sir, this is about—

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

Mr. Tim Hudak: So I guess working families are supposed to believe that the HST is actually going to lower their taxes. Well, Minister, why don't you take that out to public hearings across the province of Ontario? I think the minister would get laughed out of the room.

Not only did Dalton McGuinty promise, during the 2007 campaign, not to increase taxes and now is increasing them with the HST, he also said that he was committed to open, public hearings.

Minister, your own budget says that you're counting on the HST to add \$3 billion in net revenue to your coffers. So, once again, you say one thing during the campaign and you do the opposite once in office.

I ask the minister: Do you lack credibility or are you simply not good to rely upon to keep your promises?

1040

Hon. Dwight Duncan: I think the Leader of the Opposition ought to read the lines below that: the ones that show the corporate tax cuts, the ones that show the personal tax cuts, the ones that show the doubling of property tax credits for seniors.

This tax package will cut taxes overall for 93% of Ontarians. It will create some 600,000 net new jobs. This is the right policy for Ontario. It's about our future. It's about more jobs for our children and grandchildren. It's the right package for the times.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: We remember Premier Dalton McGuinty, when he sat in this chair, said famously, "Public hearings"; those two words go together nicely if you believe in true democracy." Now that he is Premier, after six years we see an entirely different story.

Minister, this is the largest sales tax grab in the history of our province, and all you want to do is hold a few hours of public hearings at Queen's Park.

Minister, you have six months before you start to scoop this money out of the pockets of Ontario families and retirees. Why don't you set aside your time allocation, don't ram this bill through, and have open, free, public, province-wide hearings in Brantford, in North Bay, in Cornwall, in Sarnia? Why won't you face the taxpayers who are going to foot the bill?

Hon. Dwight Duncan: Oh, my goodness. This is rich, coming from that.

Let's look at the Conservative record—

Interjections.

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

Minister?

Hon. Dwight Duncan: Between 1999 and 2003, budget bills 14, 140, 152, 127, 45, 109, 198, 53: all budget bills, all time-allocated, none with public hearings. So I don't need that from that side of the House.

We have had more than 30 hours of debate in this House—

Interjections.

Hon. Dwight Duncan: We want the tax cuts for individuals to take effect on January 1. We have had 33 hours of debate in this House.

In order to protest the lack of hearings, they walked away from an hour of question period.

We will have adequate public hearings. We've had 33 hours of debate. This issue is well understood. We're moving forward with the—

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

TAXATION

Mr. Tim Hudak: A question again for the Deputy Premier: The finance minister should well know those bills he mentioned contained tax reductions for Ontario working families, tax reductions for middle-class families, tax reductions for Ontario businesses.

They are bringing forward and ramming through the House the biggest sales tax increase in the history of our province.

Minister, Ontario families know that your new HST will mean it'll cost more to put gas in their car, it'll cost them more to heat their home, it'll cost them more for natural gas for their appliances.

Minister, if this is such a good idea, can you name three products where we'll see prices actually come down under your HST tax grab?

Hon. Dwight Duncan: Personal taxes will come down. Corporate taxes will come down. Seniors' property tax credits—we'll reduce their taxes. The Ontario child benefit—we'll lower taxes for low-income Ontario citizens.

The member can talk all he wants, and he can ignore all of the information that has been provided. This tax cut will benefit 93% of Ontarians with a reduction overall in their taxes, it will create 600,000 net new jobs, it will increase the amount of net new capital in the province, and it will raise disposable incomes.

We recognize that this is a complex piece of public policy. We will continue, as my colleague the Minister of Revenue and others have done, to help educate people to understand it. But overall, this tax cut package will create jobs, improve investment and improve disposable—

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

Mr. Tim Hudak: I don't think I got an answer. Minister, we know that your HST sales tax grab will mean that the price of gas goes up, heat for homes, natural gas for appliances, everyday services we use like getting your hair cut, and taking your dog to your vet. They're even going to put a tax on the management fees of mutual funds, impacting on retirees in the province of Ontario.

I will ask the minister one more time: If it is such a good idea to increase the sales tax for Ontario families, can you name me three products where you'll see the

prices actually come down when you put this tax grab into place?

Hon. Dwight Duncan: Yes. Farmers will no longer pay sales tax on trucks, light vans and parts, furniture, lawn mowers, computers, office supplies, freezers and other equipment. I suppose the member and his party have a lot of things against farmers. Those prices will come down.

I'll point out to him that last year Mr. Hudak called Jack Mintz as his expert witness to the finance committee's hearings, and he asked him, "If there's one thing you could do, one thing at all, to improve the economy, what would it be?" Mr. Mintz said he would harmonize the sales tax. Mr. Mintz also points out that prices will come down for all consumers, as do the C.D. Howe Institute and the TD Bank. This is the right policy. It's about creating jobs in Ontario, it's about improving incomes, improving investments, and it's the right policy for those 600,000 new jobs. We're moving forward because we see a brighter future for Ontario because of this policy.

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

Mr. Tim Hudak: So now we hear the minister tell Ontario families that as a result of his HST sales tax grab, by putting 8% across a whole new range of goods and services, prices are going to come down.

Minister, I don't think Ontario families are going to believe a word of your story, and for good reason. Despite promising no new tax increases, Dalton McGuinty has put personal income taxes up with his big health tax grab. Businesses' taxes under Dalton McGuinty are up; small business taxes are up; land transfer taxes in the city of Toronto are up; alcohol taxes under Dalton McGuinty are up; and jobs are down. They make all kinds of promises, but why in the world would Ontario families, who foot the bill, believe you for one second?

Hon. Dwight Duncan: If those people who are talking to you had listened to you earlier this year, they might believe it. Here's what you said: "To be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and to collect two separate groups of sales taxes." That's to the Economic Club.

Here's what Mr. Sterling, the member for Carlton-Mississippi Mills, said—it's in Hansard: "The Ontario government should harmonize its provincial sales tax with the federal goods and services tax."

Here's what Peter Shurman, the member for Thornhill, said: "I am not saying that harmonization ultimately is a bad idea." That's what Mr. Flaherty said in his budget of 2008.

Here's what Bob Runciman, the member for Leeds-Grenville, said: "I think, in theory, our party is supportive of harmonization ... it's something we think should occur."

One party in this House has been consistent: the Ontario Liberal Party. One party has a plan for future—

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

TAXATION

Ms. Andrea Horwath: My question is to the Acting Premier: This week in Ottawa, debate will rage about the Premier's unfair tax scheme. The Premier's party, the Liberal Party of Canada, isn't sure whether they're going to support what their leader has called "the Harper sales tax." But the Premier's scheme does have a champion: the Harper Conservatives, the same government that this Acting Premier, Ontario's finance minister, denounced as "an embarrassment" just last year.

How does the Acting Premier explain this particular turn of events?

Hon. Dwight Duncan: We knew when we introduced this that it would require an amendment to the excise tax in Ottawa. Like all members of the House, my hope is that federal members will support it. This issue is important to Ontario's future. It will create some 600,000 new jobs. It will lower taxes overall for consumers.

I recognize it's a difficult choice for all members and I recognize the importance of full debate. This is the first time tax measures have been debated in both the federal House and the Ontario House, which is another indication of the amount of public hearings this has. I understand that the Harper government has brought forward a notice of ways and means to amend the Excise Tax Act. I understand that it will come to a vote this week and I look forward to its passage by the federal House.

1050

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, we can't really blame the federal Liberals in Ottawa for being confused, because not too long ago, the Conservative finance minister came here to Ontario demanding a new harmonized sales tax for everyday people and a massive across-the-board, no-strings-attached tax giveaway for the corporate sector. When he did, this government called him an embarrassment, and they rejected his ideas. My question to the Acting Premier is, who is the embarrassment today?

Hon. Dwight Duncan: I think the global downturn in the world economy—

Interjections.

Hon. Dwight Duncan: —the federal government understands what we said—and if the member read beyond that quote, it would have said that in order to do what the federal government wanted us to do, we needed their help and support. They have brought forward \$4.3 billion to do that. That's another reason why this is an extremely important tax package, not just for Ontario. That's why I think British Columbia has chosen to harmonize its tax. That's why the NDP government in Nova Scotia has chosen not to repeal their harmonized sales tax. So there are difficult choices for all of us. We've laid out a plan to create some 600,000 net new jobs and to raise incomes, disposable incomes. That's what's important about the future. I look forward to members of the federal House having their opportunity to cast a vote on this, this week.

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

Ms. Andrea Horwath: Its no surprise that the Acting Premier's Ottawa cousins don't want to be associated with his unfair tax scheme. They may have made promises in backroom meetings, but in public, they're hearing the exact same voices that we're all hearing. That may be why one Liberal MP has declared that the Prime Minister should not be encouraging tax increases in the middle of a recession. Does the Acting Premier agree with his fellow Liberals, or will he defend Prime Minister Harper?

Hon. Dwight Duncan: Actually, I agree with Hugh Mackenzie, the NDP economist, who has advised. Let me just remind the member opposite of what Mr. Mackenzie says. He says, "Ontario's 2009-10 budget establishes the right direction for the next few years. It provides substantial economic stimulus. It is consistent with the new orthodoxy that relies heavily on governments to help rebuild damaged economies. It imposes some coherence on an incoherent federal plan. It increases support for low-income families and individuals. It modernizes Ontario's consumption tax."

I also agree with the NDP's Fair Tax Commission, which recommended the harmonization of Ontario's HST and GST. These times call for a substantive plan to help create jobs, to raise incomes and to raise the level of capital investment.

TAXATION

Ms. Andrea Horwath: The only thing that's incoherent is the federal Liberals' position on the harmonized sales tax.

This a question to the Acting Premier as well. People across Ontario feel blindsided by a Premier who is hitting them with the exact tax scheme that they used to rail against.

New Democrats have a simple message to all MPs in Ottawa this week: Represent your constituents and reject this unfair tax scheme. I'm proud to say New Democrat MPs will be doing that. I'm sure a number of Liberal and Conservative MPs want to, as well. They see that the Premier of Ontario is ignoring the people of this province. How can this government ask parliamentarians to support a tax scheme that they themselves rejected just last year?

Hon. Dwight Duncan: Our government has put forward a plan that will double the property tax credit for seniors; the NDP are voting against it. We're increasing the Ontario child benefit for low-income Ontarians; the NDP are voting against it. We are making Ontario's tax rate on the first bracket of income the lowest in Canada; the NDP are voting against that. We're lowering the small business tax rate by close to 18%; the NDP are voting against that.

Overall, this \$3.4-billion package of tax cuts will create jobs, it will improve investment, and it will provide a brighter future for all Ontarians, their children and grandchildren. It's the right plan for the times and it's the right plan that we will continue to advocate on behalf of.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The government criticized the previous Conservative government's corporate tax cuts over 70 times in this very Legislature. Now they've got a \$2-billion corporate tax giveaway of their own. They rejected the HST just last year; now they're calling it the most important thing in the entire world.

My question is a very simple one: Has the Acting Premier and his government suddenly had a Conservative epiphany?

Hon. Dwight Duncan: We, with the assistance of the federal government and \$4.3 billion of assistance, are able to help stimulate pulp and paper mills in northern Ontario and the manufacturing sector in southwestern Ontario. We've also eliminated the capital tax, which everyone has told us was an impediment to job creation. We've been able to bring forward a package of tax cuts that overall will lower taxes for individuals and, yes, for corporations that invest and create jobs right here in Ontario.

This is the right plan. The member opposite is right. It will create 600,000 new jobs. It will improve capital investment. Just two weeks ago, General Electric in Peterborough announced a major new investment. It's about jobs and it's about a brighter future. That's why we've put forward this plan, that's why we will pass it this week and that's why we—

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

Ms. Andrea Horwath: It's not just the Harper Conservative ideas that the McGuinty Liberals are now embracing. In a desperate effort to try to sell the HST, the government has even resorted to hiring their academics. Not long ago, this Acting Premier, the Minister of Finance, called Jack Mintz an Alberta academic whose ideas didn't work. Now they repeat his dubious job claims as if they were written by the hand of God.

Does this Acting Premier really believe this stuff or are his new friendships in Ottawa just a relationship of convenience?

Hon. Dwight Duncan: When one does tax cuts for corporations without cuts for senior citizens and poor kids, yes, that's not the right policy. What's unfortunate is the leader of the third party failed to acknowledge that Jim Stanford, the CAW economist, has signed off on this, saying that its methodology is right and its conclusions accurate. Last week in Windsor, Buzz Hargrove on the radio said that the combined sales tax is the right approach to take.

It is a difficult choice. It does require that we help people understand the importance of it. We acknowledge that. It will create jobs; it will lower taxes; it will help low-income Ontarians. That's why we will continue to pursue it. That's why we'll continue to build a better future for Ontarians. That's why we'll help them understand the complexity of it.

TAXATION

Ms. Lisa MacLeod: My question is for the Deputy Premier as well. What do you have to say to the condo owners, health care and home care workers, financial ad-

visers, sports and recreation organizations and seniors who are here with us today who you are blocking from taking part in public consultations and hearings across Ontario while you ram your HST \$3-billion tax grab through this Legislature this week?

Hon. Dwight Duncan: Later today I'm meeting with the head of the mutual funds industry. I've met with them on three occasions. On Friday I spoke to the chamber of commerce and took questions, as have a number of my colleagues right across the province. We've had more than 33 hours of debate on this issue. I think it's well understood.

Let me reinforce that taxes are being cut overall. First of all, the new HST is not being applied on the condo fee. This is about 600,000 new jobs, more capital investment, more jobs. It's about all of us working together for a better future for Ontario and tax cuts that will come into effect on January 1. I'm not going to let her and her party block that.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: But he continues to block public consultation. In fact, he's giving Quebec separatists more say on his \$3-billion tax grab than he's giving people in this province. I think he should look some of the seniors in the eye around here—

Interjections.

1100

The Speaker (Hon. Steve Peters): I'm finding it difficult to hear, and my biggest challenge is from the government side.

Please continue.

Ms. Lisa MacLeod: I'm going to ask that the Deputy Premier look Ontario's seniors in the eye and tell those living on a fixed income of \$40,000 a year how they'll be better off paying \$2,100 more in taxes each year. You should answer Doreen Kelly of Orillia, who says the HST "is particularly galling when government agencies (eHealth for one) spend our money like there was no tomorrow and we are expected to increase our tax burden to make up the shortfall."

Deputy Premier, will you show some guts and hold public hearings on your HST, \$3-billion tax grab?

Hon. Dwight Duncan: We're holding public hearings, as I understand it, later this week. There will be representatives of those groups speaking.

I will look Ontario seniors in the eye and say that, in fact, on January 1 your income taxes will be cut, unless that member and her party block it this week. So we're not going to let them do that. The property tax credit for Ontario seniors will be doubled, unless that member and her party try to block it in the House today.

It is a difficult issue. We are doing our best to help people see all sides of it, to see the entire package. We will continue to do that. We are having public—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. The member from Eglinton–Lawrence and the member from Hamilton East–Stoney Creek can take their cross-chamber debate outside, please.

Minister.

Hon. Dwight Duncan: We're proceeding this week. This is the right package, which, according to the Conservatives' own expert, will create jobs, lower taxes overall and improve this economy for our children and our grandchildren. That is the single most important thing all of us can do.

TAXATION

Mr. Michael Prue: My question is to the Minister of Finance. In a desperate effort to pretend the HST has anything at all to do with job creation, the Premier hired an economist that the minister once labelled as "an Alberta academic" whose ideas simply don't work. Jack Mintz's predictions are so unbelievable, they have been written off as dubious at best.

If the HST is so good for job creation, why didn't the Atlantic provinces see a spike in jobs after the HST was implemented there?

Hon. Dwight Duncan: As Mr. Mintz and Mr. Martin pointed out, as was peer-reviewed by Jim Stanford, in fact, they did. They also pointed out what makes this package different even from those experiences, and that is the range of tax cuts, including tax cuts for Ontario's most vulnerable, that will not only stimulate job growth in the long term, but likely in the short term as well.

It is important that we do everything in our power to create jobs: All of the experts tell us 600,000. It will improve incomes and improve capital investment. We saw that in Peterborough just two weeks ago, with GE making a very substantial investment, in part as a result of our package. We will continue to work with Ontarians as we move to implementation for what is the best policy that any government can bring forward to help improve this economy in the coming years and months.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I'm just sending the Finance Minister a copy of the jobs that were actually created in the Maritimes. Three provinces bought into the HST in 1997—Nova Scotia, New Brunswick and Newfoundland—but high joblessness remained after implementation, just like their neighbour that didn't harmonize, PEI. The Atlantic provinces saw no changes to their unemployment rate until they were lucky enough to strike oil.

How can the Premier and the finance minister believe Jack Mintz's forecast when the evidence clearly shows that workers saw little benefit from the HST in those three provinces?

Hon. Dwight Duncan: Because none of those provinces brought in the complete package of tax cuts that we are bringing forward. I do, I say to my colleague opposite, agree with Hugh Mackenzie, a very prominent New Democrat who I know has advised your caucus against this silly position you're taking. Here's what he said: "Ontario's 2009-10 budget establishes the right direction for the next few years. It provides substantial economic stimulus. It is consistent with the new orthodoxy that relies heavily on governments to help rebuild damaged economies.... It increases support for low-income fam-

ilies and individuals. It modernizes Ontario's consumption tax."

I stand with Hugh Mackenzie, I stand with those who see the importance of helping to rebuild this economy with the comprehensive package of tax reforms that will create jobs, lower taxes for 93% of Ontarians and help build a better future for all.

ANIMAL PROTECTION

Mr. Mike Colle: My question is for the Minister of Community Safety and Correctional Services. Minister, as you know, the mistreatment and abuse of animals has been a long-time concern of mine and my constituents in Eglinton-Lawrence. This weekend's media reports of alleged mistreatment of animals are most upsetting to all of us. I was deeply disturbed by the allegations and charges reported in recent media stories over the last week stemming from the OSPCA's investigation of the Toronto Humane Society.

I know I speak for many of my constituents and Ontarians when I say that the health and welfare of the animals in the Toronto Humane Society is a very important issue. Minister, can you please shed some light on these recent events?

Hon. Rick Bartolucci: This member is a tireless advocate for animal welfare in Ontario and I want to thank him for this very important question. First, let me say that this matter is now before the courts and it would be inappropriate to comment on the specifics surrounding this case.

Also, the Ontario Society for the Prevention of Cruelty to Animals operates independently of the government and we are not involved in the day-to-day operations. Most importantly, the well-being of animals is the paramount concern under the Ontario Society for the Prevention of Cruelty to Animals Act. The society is authorized to enforce any law in Ontario pertaining to the welfare of animals. Also, under the legislation the OSPCA has a number of options to require that proper standards of care are met in any situation.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Mike Colle: I'm glad you are taking this most disturbing issue very seriously. It's good to hear that the OSPCA has the tools needed to protect these defenceless animals.

For most Ontarians, animals are more than just pets; they're members of our families. That's why many of us are strong advocates of strengthening and updating the OSPCA legislation, so that those who mistreat animals are held accountable for their actions and so that those who enforce animal welfare laws have the legislative framework through which to best protect animals. Can the minister inform the House how the new provincial animal welfare legislation just passed in this House strengthens the OSPCA Act and how this better protects our beloved pets and animals?

Hon. Rick Bartolucci: Again I want to thank the member for a very important question. Our government

is committed to a strong animal welfare system in Ontario. Last year I was pleased to introduce the Provincial Animal Welfare Act; that modernizes and strengthens the OSPCA Act for the first time in more than 90 years, bringing Ontario from worst in Canada to first for animal protection. The act provides tough new rules and penalties including jail, fines and a potential lifetime ownership ban. It also ensures that veterinarians are able to report suspected abuse and neglect, and gives the OSPCA enhanced powers to protect animals kept for sale, for use, for exhibit or for entertainment. Since 2003, our government has quadrupled the annual funding for the OSPCA to support the cost of training animal cruelty investigators around this province.

1110

TAXATION

Mr. Bill Murdoch: My question is to the wannabe Premier—I mean, the Acting Premier. Is it wannabe or acting? I'm not sure. I have a really simple question for you to answer. How much more will taxpayers have to come up with to cover the cost of the HST for municipalities, hospitals, universities and schools? How much more are we going to have to come up with?

Hon. Dwight Duncan: To the Minister of Revenue.

Hon. John Wilkinson: I want to thank the member opposite for the question. If the member had a chance to review the March 2009 budget and, as well, the fall budget bill before the House, he would know that we have arranged to have rebates for what is broadly known as the MUSH sector: municipalities, universities, social services, hospitals, charities and school boards are great examples. It's important that we ensure that those groups that we fund receive a rebate so they are put in the same position.

I would say to municipalities, for example, in other provinces where there is a harmonized sales tax, the amount of the rebate is either 0% or 50%. Here in Ontario, it will be some 78%, because according to StatsCan and the information that we've been given, that is what's required to ensure that there is neither an upload nor a download on our municipal partners. This same principle applies, for example, to school boards, where it will be at 93%, and to hospitals at 87%. All of these things have been designed to ensure that this is revenue-neutral to them.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bill Murdoch: I hear all this mumbo-jumbo talk from the minister up there, and I was hoping that the finance minister would answer this. Maybe, then, you can tell me—you keep throwing out this 600,000 jobs—other than a whole lot of jobs being created at the Star, I'm just wondering where you're creating any other jobs.

Hon. John Wilkinson: I've had an opportunity to remind people that we are competing for new jobs in the 21st century, and we cannot compete for jobs in the 21st century with a tax system that was created in 1961. I know the member opposite remembers 1961; I know it

was a very good year for you. But it has been 48 years since then, and as a result, it's important that we modernize our tax system.

A hundred and thirty other countries around the world and four of our sister provinces have decided that they need to modernize their tax systems.

What will happen in Ontario, of course, is we're ensuring that our businesses, which are the number one source of new jobs, are actually able to compete on the world stage. Here in Ontario, we export some 80% of what we make. It is so important for us to be competitive. I know that when our exporters are not doing well, as a province we can't do well.

As the federal government knows, you can't have a strong Canada and a weak Ontario. That's why we're working together to ensure that we have some 600,000 more jobs in the province of Ontario, more—

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

NUCLEAR POWER FACILITIES

Mr. Peter Tabuns: The question is for the Acting Premier. The Pickering nuclear power plant is the oldest in Canada. Two and a half million people live within 30 kilometres of the plant. No reactor today would be built this close to so many people.

In the case of a nuclear accident, the federal government is proposing to cap liability for nuclear plant operators at \$650 million. Is the McGuinty government satisfied that \$650 million is sufficient to compensate two and a half million people should there be an accident at the Pickering plant?

Hon. Dwight Duncan: To the Minister of Energy and Infrastructure.

Hon. Gerry Phillips: I think the public probably know this, but I just remind us that we've been producing electricity from nuclear for, I think, 40 years now. Fifty-five per cent of all of our power is produced by nuclear. We have three terrific plants—one in Pickering, one in Darlington and one in Grey-Bruce—with an impeccable safety record.

So I just say to the public, we have a lot of experience in this. First and foremost is safety. For many years now, well over half our power has been produced by nuclear—and a terrific safety record. I think the public should feel confident about the future. We have a lot of respect and confidence in the operators of those three plants. They are an integral part of our electrical system, and we're very proud of their safety record.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: It's no surprise that the minister didn't answer the question. He talked about safety but did not talk about risk.

Frankly, Minister, the reason that nuclear plant operators want to limit liability is because they understand the scale of risk that they would incur if something went wrong.

Is this government prepared to support the NDP in calling for a move on that liability cap to international standards?

Hon. Gerry Phillips: Again, I rely, I dare say, on expert advice from our nuclear regulators. I appreciate that you may have a view on it, and I may have a view on it, but I rely on the experts. I say once again that 55% of our power is produced by this.

One of the telling points to me, as we're looking at new sites, was that both the community in Darlington and the community, I must say, in Grey-Bruce—

Interjection: Huron.

Hon. Gerry Phillips: Huron-Bruce; I'm sorry—who have a lot of experience with this, urged us to build there. Why? Because they are confident about the safety, about the future and about them as being a terrific employer.

You may have a view on it; I may have a view on it. I tend to rely on the experts, and we follow the expert advice.

By the way, I might also say that we have been able to reduce the use of coal dramatically. One of the reasons is we have—

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

TAXATION

Ms. Sophia Aggelonitis: My question is to the Minister of Revenue.

Minister, at a time when we face the most difficult and challenging economic downturn since the Second World War, people understandably have some hesitation about large changes to our tax system. Seniors are concerned about staying in their homes, and parents are concerned about supporting their children.

I know the federal government has signalled its support for the transition to our job-creating tax package with the \$4.3 billion they are providing to Ontario.

As the federal government introduces harmonization legislation, will the minister tell us what he is telling them about why this is so important to Ontarians?

Hon. John Wilkinson: I want to thank my friend for the question and, as well, to welcome your family here visiting today.

I know the personal story of your family. I know the story of your family and the sacrifices they made so that you could find the success you have today representing the good people of Hamilton Mountain. They understood that when times change, people have to change, and that when times change, it's important for governments to understand the nature of that change and to take advantage of that change to build a brighter and prosperous future for their children, something that you are the beneficiary of, as are all of us in this House. It is so important.

As I've gone across Ontario speaking to more than three dozen different groups, they've all agreed that the world has changed, and they are reassured that their government, working in partnership with the federal government, has set aside partisan concerns, ideological con-

cerns, and understands that to have a strong Canada, one must have a strong and vibrant—

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

Ms. Sophia Aggelonitis: The manufacturing industry plays an important role in my riding of Hamilton Mountain and in many ridings across Ontario. Companies in my riding have been hard hit by job losses as a result of the global economic recession.

Recently, a great Hamilton company named BartonAir Fabrications Inc. won the Small Business Award at the Ontario Business Achievement Awards after being nominated by the Hamilton Chamber of Commerce. The Hamilton Chamber of Commerce is supportive of the HST. In fact, the Ontario Chamber of Commerce website states that our comprehensive tax package will create jobs and make Ontario more competitive.

Will the minister tell us what the effects of the HST are going to be on BartonAir Fabrications and Ontario's manufacturing sector?

Hon. John Wilkinson: Well, Mr. Speaker, I know that you were also at the chamber's business excellence awards and the Global Traders Awards, and we were inspired by the work of so many other companies, but particularly Barton from Hamilton. I know why you're so very proud of them.

You know, manufacturers overall, under our tax reform package, will see over a billion dollars a year, net, of savings to their businesses, allowing them to do three things: it allows them, those that are struggling, of course, to hang on through this recession, and it's so important that they do that; it allows them to purchase new equipment and improve their productivity so that they can be more competitive; and it allows them to hire more people.

We have bright companies in Ontario that have a bright future, but it's important for their government to understand that we are in the 21st century, we are competing around the world, and we need to do those things that are important to ensure that we have a high quality of life. It's exactly that success that will allow us to pay for the public services that we value in this province, our public—

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

1120

DRIVER EXAMINATION CENTRES

Mr. Jim Wilson: I promised those driver instructors in the gallery and those out on the front lawn to ask this question to the Premier, but I guess I'll have to ask it to the Acting Premier. Truck drivers and driving school instructors are encircling this Queen's Park building in their vehicles as we speak, while hundreds more are gathered on the front lawn. They are students, new immigrants, small business owners. They're gathered on the front lawn to protest your inaction in ending the 16-week-old DriveTest strike. So my question to the Acting

Premier is this: Given your failure to act, is it the intention of the McGuinty government to put 10,000 driving instructors out of work, truck drivers out of business and force small businesses into bankruptcy.

Hon. Dwight Duncan: To the Minister of Labour.

Hon. Peter Fonseca: I'd like to first acknowledge all those who are here—the truck driving schools, the driving schools, the young and new drivers who are being impacted by this work stoppage.

I can empathize with those who are being inconvenienced by this situation, but the best deal is a negotiated settlement. It is one where the parties work together—these are difficult situations—to find common ground at the table. These deals are the most stable, the most productive, the best deals for our province and for labour—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. Peter Fonseca: As I was saying, a negotiated settlement, a negotiated agreement, is the best agreement that we can have here in the province. It provides for stability. It also provides in the short and long term for the best productivity of that company and their—

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

Mr. Jim Wilson: I say to the minister, that's ridiculous. It's been almost four months since this strike started; 368,000 Ontarians are in the backlog to get their drivers' licences, and that number grows by 4,000 people a day. Have you no conscience? Small businesses are going bankrupt. People are losing their jobs. New immigrants can't get a licence, which is a requirement of their visa to get a job.

One of the people in the galleries today is Mr. Shafigue Malik, and he owns ABM Driving School, which has six locations in the GTA. He employs 40 driving instructors and he told me a few minutes ago that they've had to max out their lines of credit and credit cards just to feed their families and pay their mortgages. ABM Driving School and hundreds of others will be out of business if you don't solve this strike immediately.

Why are you sitting on your duffs? Why don't you care? You need the jobs. These people need to go to work, they need to feed their families. Why won't you end this strike immediately?

Hon. Peter Fonseca: This member has a lot of gall because that Conservative government over there—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. Peter Fonseca: That member is sitting next to the architect of this agreement, his seatmate right over there, Mr. Norm Sterling.

What I can say is that this government respects the collective bargaining process. Over 97% of all labour relations are done without any work stoppage in this province. That is an excellent record. We have some of the best—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. Peter Fonseca: What I can say about the two parties is that they have had two weeks to look at what is on the table, to see where they can resolve their differences, where they can find that common ground. Our mediators, who are among the best in all of Canada, are there to assist the parties. We will do everything we can to assist—

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

PENSION PLANS

Ms. Andrea Horwath: My question is to the Minister of Finance. Last week Nortel announced that it was paying out \$7.5 million in bonuses to make life just a little more comfortable for 72 of its favourite executives. At least 14 of these executives will earn more than half a million dollars this year. At the same time, thousands of Nortel workers are facing a 30% cut in their pensions, with no help from the Ontario government.

How can this government allow Nortel to shove bonus money out the door to its top executives while at the same time sticking it to its loyal workers?

Hon. Dwight Duncan: I think the leader of the third party raises a very valid point. It is absolutely incredible, from my perspective. We are wrestling with the Nortel pension situation, as we are with a number of other situations. As the member knows, the pension benefits guarantee fund, which has been in place I think since 1981, has never been properly funded. We have Nortel, Abitibi-Bowater and a number of others facing similar challenges. We are looking at the whole situation overall, but I must say that I concur with her analysis of that unfortunate decision.

I'm not certain that Ontario, even if it wanted to, could intervene to prevent that; however, I think she raises a very valid issue.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Nortel workers are being let down by both the company and the McGuinty government. On the one hand, Nortel continues its long tradition of lavishing exorbitant bonuses on its senior executives. Who could forget the \$132 million they paid to former CEO John Roth? On the other hand, the McGuinty government refuses to follow the lead of the Quebec government and come up with a creative solution for the Nortel pension crisis.

Why does this government stand on the sidelines and do nothing while Nortel shovels money out the door to its senior executives, and its workers get a 30% cut in their hard-earned pensions?

Hon. Dwight Duncan: Actually, Quebec followed what we had done earlier, so in fact, we have done what Quebec did. That is not to mitigate or for one moment to suggest that the concerns of those people whose pensions are affected aren't real; they are very real. They're very real for other people. The government is looking at this situation. We've had the opportunity to meet with Nortel pensioners. I concur with the member's analysis about

the inequity associated with that. I can't say that I disagree with her; I think she's absolutely right about that.

We'll continue to work with these employees who are affected. We will also be working with others in the hopes, sir, that we can minimize any challenges associated with the circumstances that those pensioners find themselves in.

GOVERNMENT CONTRACTS

Mr. Jeff Leal: My question today is for the Minister of Transportation. Our government is investing substantial sums to improve infrastructure around this province. Much of this investment is in transportation infrastructure. In fact, I understand that in 2009-10, we're spending more than \$2.4 billion to design, repair and expand highways, roads and bridges across this great province. I've been told that this is an all-time record and a 25% increase over last year's budget.

Last Thursday, there were questions raised in this House about two highway contract awards. The circumstances described in these questions did not sound to me like the way we do business in Peterborough. Would the Minister of Transportation be able to share with this House the facts surrounding the awarding of these contracts, beginning with the Highway 402 work?

Hon. James J. Bradley: I would like to let the members of the House know that the company referenced last week by my colleague opposite as having been awarded the Highway 402 contract in fact did not win that contract. There was an appeal process that took place, but the courts ultimately upheld the Ministry of Transportation's original award of the contract to Bot Construction. As my friend Bob Bailey would know, Bot Construction, not the company named by my colleague opposite, is the company currently doing the work on Highway 402.

We are pleased to see this highway improvement project moving forward in the riding of Sarnia-Lambton. It's an important project that is generating 540 jobs at a time when they are most needed, as I'm sure the member for Sarnia-Lambton agrees. I think it's important to get these matters brought to the House in an accurate fashion and to see that we have a transparent form of awarding contracts.

1130

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jeff Leal: I'd like to thank the minister for clarifying to this House the details of the 402 contract. I know that our government's infrastructure program is helping to fight the recession.

In the case of transportation infrastructure, we're also investing in our own economic future by building public transit, highways and bridges. I recognize that these improvements will make it easier to do business in Ontario and help more goods and people move efficiently. These investments put people back to work. Altogether, the infrastructure program is generating 50,000 jobs over two years. One of these investments in infrastructure improvement work currently is Highway 417 to Arnprior. This is

also the second contract that was questioned last week in the House. I'm asking the Minister of Transportation: Share with this House the facts on this contract.

Hon. James J. Bradley: The contract for work on Highway 417 to Arnprior in the riding of the member from Renfrew-Nipissing-Pembroke is a matter currently before the courts. I cannot comment on the specifics of the matter, other than to note that, like all other MTO contracts, it was tendered in a fair, open and transparent manner. I can also say that earlier this year I met with my friend for Renfrew-Nipissing-Pembroke and the municipality of Renfrew, who thanked the McGuinty government for proceeding with the project, which they've been advocating for years. The project will four-lane nearly six kilometres of Highway 417, generating some 575 jobs.

I would like to thank the member for giving me the opportunity to clarify the facts before the House and to point out once again that we have an open, transparent and fair way of awarding contracts.

CANCER TREATMENT

Mr. Gerry Martiniuk: My question is to the Minister of Health and Long-Term Care. Minister, I wrote you on November 5, 2009, regarding my senior Cambridge constituent whom you have refused to supply a drug that has delayed the progression of her cancer. You have refused to answer that urgent letter.

As both my constituent's kidneys have been removed, she obtains dialysis in Kitchener after taking the public bus three times a week, her husband being unable to drive her as he works full-time to support them.

Can the minister explain how this government could deny my constituent coverage for a chemotherapy drug that for three years has been improving her quality of life, especially now that you have finally relented on the drug Avastin?

Hon. Deborah Matthews: I think it's important to say that we are committed to the most excellent health care for people in Ontario. We are expanding the range of drugs that are available to Ontarians. This weekend I was very happy to announce that we are going to be able to lift the cap on coverage for Avastin.

In the case of the constituent, I think it's important to acknowledge that our coverage is not a political decision; it is not the politicians who decide what drugs are covered, nor should it be. We have set up an independent committee to evaluate drugs. It is that committee that was able to negotiate a better price that has allowed us to expand coverage of Avastin. That Committee to Evaluate Drugs—

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gerry Martiniuk: No, Minister, you cannot hide behind a nameless bureaucrat. Minister, the chemotherapy drug in question, Nexavar, costs approximately \$3,200 a month, and has been paid for by a private plan for three years but is now maxed out. My constituent cannot afford the drug and has been forced to stop taking it. Will the minister explain why a private plan has pro-

vided coverage for three years while you, on behalf of this government, refuse coverage completely? Why have you condemned my constituent?

Hon. Deborah Matthews: Of course, private plans insure services that are not covered by the public system. That is the nature of private plans. That is why people buy private plans.

We take our responsibility to patients very seriously. We also take our responsibility to taxpayers very seriously. The Committee to Evaluate Drugs has been charged with the very difficult responsibility of finding the balance between doing everything we can for patients while at the same time respecting the fact that these are drugs that are covered by taxpayers. Finding that right balance is their responsibility. It is not my responsibility to make those very difficult clinical decisions. Frankly, I don't have that background and, with respect, neither does the member opposite.

TAXATION

M^{me} France Gélinas: My question is for the Acting Premier. In 2004, your government delisted chiropractic care and physiotherapy, among other services. This decision burdened an already strained health care system and has forced Ontarians to pay out of pocket or go without the care they need. Now Ontarians will be forced to pay 8% more for these services.

So Eric Boucher, Tammy Dimatteo, Nancy Carrière, Celyne Sulston—all health care professionals from my riding—want to know, why is this government taking health care out of reach for Ontarians?

Hon. Dwight Duncan: In fact, we're expanding health care, whether you measure it in the volume of dollars expended or in the wait times that have been cut by this government. And of course, you do have to set priorities.

I'm proud of our record in reducing wait times. I'm proud of our record of investments in new health care initiatives. I'm proud of our initiatives in some of the capital investments we've made to help rebuild our health care sector.

I will say this: The tax cut package we're bringing forward will help low-income Ontarians. I wish that member and her party would support it and not try to block the passage of it. The doubling of the seniors' property tax credit: another important tax break for seniors. I wish you wouldn't vote against that.

We are determined to make this economy create more jobs, to raise incomes and—

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

M^{me} France Gélinas: The 8% HST is now going to be applied to those services. It's going to make massage therapy, chiropractic care and physiotherapy out of reach of many Ontarians. We know that access to these therapies can go a long way toward preventing and correcting health problems before they end up in an acute situation, needing hospital care or more expensive care. The de-

cision to force Ontarians to pay 8% more will end up costing the government's health care budget a far greater price as those people end up in emerg and end up in the hospital.

My question is simple: Will the government exempt professional services by health care practitioners from the HST?

Hon. Mr. Duncan: The tax package will help those people to access service. And unlike that member—you know, your party delisted prescription drugs. Your party laid off nurses. That member and her party reduced the number of medical school spaces. That member and her party reduced all aspects of medical care in this province while they were raising taxes on low-income Ontarians.

I wish she could see the benefit in the Ontario child benefit, which will help families of very modest means access more medicines and access better food for their children—all important health determinants. Why would you vote against that? Why would you vote against cutting taxes for seniors? Why would you vote against doubling the seniors' property—

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

VISITOR

The Speaker (Hon. Steve Peters): I want to take this opportunity to correct an oversight by the member from Bruce-Grey-Owen Sound and officially welcome Bill Goetz, the warden of Bruce, to the Legislature as well.

NOTICES OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member for Bruce-Grey-Owen Sound has given notice of his dissatisfaction with the answer to his question by the Minister of Revenue concerning the HST. This matter will be debated at 6 p.m. tomorrow.

Pursuant to standing order 38(a), the member for Cambridge has given notice of his dissatisfaction with the answer to his question by the Minister of Health. This matter will be debated at 6 p.m. tomorrow.

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

The House recessed from 1140 to 1300.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member from Nepean-Carleton has given notice of her dissatisfaction with the answer to her question by the Minister of Finance regarding the HST. This matter will be debated at six o'clock tomorrow.

INTRODUCTION OF VISITORS

Mr. Tony Ruprecht: I have the pleasure of introducing to you and to the House Dr. Michael Tam, from

the Longevity Foundation, and they are celebrating this year the first anniversary of their subcommittee, which is called the anti-aging subcommittee. Congratulations to them.

I have the distinct pleasure also to introduce to you and to the House the six-member delegation from our sister organization in the People's Republic of China, Jiangsu Province. They're here and they are being led by Mr. Jin Xiangping, Mr. Zhu Laigen, Mr. Geng Zhong, Mr. Wang Fei, Ms. Yao Fenghua and Ms. Chen Huaying. Congratulations and welcome to the Legislature.

MEMBERS' STATEMENTS

DAVID MARSHALL

Mr. Toby Barrett: On Friday, I joined people from across Haldimand county, Ontario, Canada and beyond in marking the passing of the Honourable Justice Dr. T. David Marshall. His accomplishments as a judge, lawyer and doctor were great, but David Marshall was so much more. Justice Marshall embodied integrity, honesty, kindness, hard work, perseverance and love of family, community and country. A consummate gentleman who never put himself above others, he made life better for people.

Born in Wainfleet, and a graduate of Dunnville Secondary School and Ridley College, Marshall earned his medical degree in 1962 at the University of Toronto and his law degree from Osgoode Hall in 1970. He wrote books, painted, farmed and raised Belted Galloway cattle, and chickens and horses.

Marshall earned his pilot's licence, learned diesel mechanics, dabbled in politics and became an honorary chief of Six Nations. While many travel the world, Marshall's journey saw him serve as a missionary doctor in South America, a Supreme Court justice in the Northwest Territories and the Yukon, as well as a doctor for the Northern Command at Yellowknife between 1982 and 1992.

Most recently he was appointed the colonel commandant of the medical branch of the Canadian Armed Forces.

Dr. Marshall is survived by his wife, Jill; children, Jill, Julie, Albert, Tom and David; plus 10 grandchildren. Our thoughts are with them.

ROB TURNER

Mrs. Linda Jeffrey: Recently a group of individuals gathered at Sheridan College's Davis campus in Brampton to pay tribute to outgoing Sheridan president Dr. Rob Turner. The occasion was a ceremony during which a building on the campus was named the Dr. Rob Turner Building. Dr. Turner, who is scheduled to retire from Sheridan at the end of the year, accomplished much during his time as president of the college.

While leading Sheridan College, he spearheaded 35 new programs and moved Sheridan to a degree-granting

institution. When Dr. Turner arrived at Sheridan, the college had one site, the Oakville campus, with courses in animation, business and applied health sciences. In the past nine years, Sheridan has grown to three sites. The addition of the Davis campus in Brampton has added over 7,000 students enrolled in the Centre for Advanced Manufacturing and Design Technologies, and with the investment of over \$31 million by this government, Sheridan Mississauga will soon be a reality, delivering a range of business programs to 1,700 full-time and 7,500 part-time students in a new instructional and laboratory complex. During Dr. Turner's tenure with Sheridan, 52,000 students have graduated into the workforce.

While well deserved, retirement won't come easy to Dr. Turner, who's either worked as a vice-president or a president since his mid-20s. Both he and his wife, Judy, are looking forward to retiring and taking some time to smell the flowers in their home in Victoria, BC.

I know all members of this House will join me in thanking Dr. Turner for the value he added to the education of young people in our province over the last nine years and wish him well in his retirement.

AGRICULTURE INDUSTRY

Mr. Ernie Hardeman: I'm pleased to rise today to recognize the great work of the Ontario Agri Business Association and welcome them to Queen's Park today.

As you may know, the Ontario Agri Business Association is celebrating 10 years of service to the crop input, grain and animal feed industry. This sector provides essential products and services valued at over \$5 billion to Ontario's 57,000 farmers.

The crop input, grain and feed industry plays a key role in the delivery of nutritious and safe food to Ontarians every day. During their visit to Queen's Park today, the association representatives have brought a reusable grocery bag filled with a sampling of made-in-Ontario food and consumer products that demonstrates the diversity and innovation of Ontario's agriculture, agri-business and food processing.

In many rural communities across this province, the local agri-business often serves as a focal point for the economy, economic activity and employment. Agri-business is an integral part of Ontario's rural infrastructure, our rural economy and our rural communities.

The crop input, grain and feed industry serves as the employer for over 8,000 Ontarians, with an annual payroll of more than \$275 million. I want to thank all the agri-business representatives for coming to Queen's Park to update us on the state of their industry and share the concerns of their farms operating in rural communities across Ontario.

I hope that all the members in this Legislature will take time to visit their reception this evening in committee rooms 228 and 230 to learn more about Ontario's crop input, grain and feed industry.

Thank you very much for allowing me to present this statement on their behalf.

PAN AM GAMES

Mr. David Zimmer: I, like all of us, am looking forward to the 2015 Pan Am Games here in Ontario. It's exciting news. It's a great example of partnership between different levels of government, the sports community and many others.

Hosting these games creates new and improved athletic facilities that help our communities engage in healthier active living. What's more, the games are expected to inject billions into Ontario's economy and create about 15,000 jobs.

There's another benefit to these games that I'd like to highlight. To house the 10,000 athletes and officials who will come to compete at the games, a new housing development will be built in Toronto's west Donlands. One of the great things about this housing development is that after the games, these units will be turned over as affordable housing units for Ontarians, to benefit Ontario long after the games are gone.

This is an important part of the legacy of the 2015 Pan Am Games. It's an important legacy to the affordable housing needs of Ontario. It will showcase our athletes and region to the world but ultimately it will help to improve our communities here in Toronto and support Ontarians with new affordable housing units.

TAXATION

Mr. Bill Murdoch: As you know, this is St. Andrew's Day, and I know we all want to celebrate that.

The people of Bruce–Grey–Owen Sound elected me to represent them. I serve them, I listen to them and I represent them. Sadly, many members across the aisle have chosen to serve the Premier rather than serve their constituents. He does not deserve that kind of support.

Our caucus believes that the families who will be forced to pay the Dalton McGuinty HST should be allowed to have their say before the tax is passed. Public hearings: It is a simple idea, but not for this Premier. This Premier chooses to hide. This Premier chooses to deny the public any opportunity to have their say.

Dalton McGuinty once promised he would not raise taxes. He told Ontario families he would stay out of their pockets. We know how that ended up: First, higher income taxes, and now, higher sales tax as well.

Dalton McGuinty once said he believed in public hearings. Now he's shutting them down. Where I come from, we call that a cop-out. Where I come from, Dalton McGuinty is a liar.

The Speaker (Hon. Steve Peters): I would ask the honourable member to withdraw the comment.

Mr. Bill Murdoch: No, sir. I believe that is true, and I cannot withdraw that.

The Speaker (Hon. Steve Peters): I'll give the honourable member a second opportunity to withdraw the comment.

Mr. Bill Murdoch: I'm not the liar, sir.

The Speaker (Hon. Steve Peters): I give the honourable member a third opportunity to withdraw the comment.

Interjection.

The Speaker (Hon. Steve Peters): I will have to call the Sergeant-at-Arms and will have to name Bill Murdoch, the member from Bruce–Grey–Owen Sound.

Interjections.

The Speaker (Hon. Steve Peters): This House stands recessed for 15 minutes.

The House recessed from 1310 to 1328.

The Speaker (Hon. Steve Peters): The member for Bruce–Grey–Owen Sound has been named, and I would ask him once again to please leave the chamber.

Interjections.

The Speaker (Hon. Steve Peters): I want to remind the member that, pursuant to standing order 15(c), if the Speaker determines that force is necessary to compel obedience, the member shall be suspended for the remainder of the session. I further want to remind the honourable member that the definition of the end of a session is at prorogation.

With that, I will continue to ignore the member and we will continue with the business of the House.

Members' statements? The member for York–South Weston.

Mrs. Laura Albanese: Mr. Speaker—

Interjections.

The Speaker (Hon. Steve Peters): The members will please come to order.

Interjections.

The Speaker (Hon. Steve Peters): This House stands recessed for 15 minutes.

The House recessed from 1330 to 1345.

The Speaker (Hon. Steve Peters): The members will please come to order.

Interjections.

The Speaker (Hon. Steve Peters): I once again want to remind the member from Bruce–Grey–Owen Sound that you have been suspended from the service of this House for the remainder of the session. I'm giving you another opportunity to leave.

I would remind other members that upon being called to order and upon being named, those members being named and refusing to leave will also be suspended for the remainder of the session.

I call the members to order, please.

Interjections.

The Speaker (Hon. Steve Peters): I ask the member from Durham to please come to order. I ask the member from Burlington to please come to order, the member from Simcoe North to please come to order, the member from Dufferin–Caledon to please come to order, the member from Oshawa to please come to order, and the member from Haldimand–Norfolk to please come to order.

Interjections.

The Speaker (Hon. Steve Peters): I ask the member from Haldimand–Norfolk to please come to order. I ask

the member for Lanark to please come to order. I ask the member from Oxford to please come to order.

We will continue with members' statements. The member from York South–Weston.

Interjections.

FLU IMMUNIZATION

Mrs. Laura Albanese: Flu activity continues to be higher than what Ontario typically has seen in the peak of past regular flu seasons. Medical experts are encouraging all Ontarians to roll up their sleeves and get the H1N1 flu vaccine.

So far, over 2.5 million Ontarians have already received the shot, and our government continues to work with our dedicated health care partners to ensure that every Ontarian who wants the vaccine can get it. The vaccine is now available for the general public. Everyone from infants aged six months and older to Ontario seniors can get the shot.

Worldwide studies have shown that the vaccine is safe and effective. Ontario's chief medical officer of health has said it is the best defence Ontarians have against the H1N1 flu virus.

What's more, our government has committed the necessary resources to make sure Ontarians can get the shot. The vaccine can be obtained in over 100 public health units and in over 4,200 physicians' offices across Ontario.

Getting the vaccine is a much safer way to develop immunity without having to suffer from the effects of developing H1N1 flu. Everyone is therefore encouraged to get in line for the shot.

Interjections.

1350

The Speaker (Hon. Steve Peters): Members will please come to order.

Interjections.

The Speaker (Hon. Steve Peters): For the second time, I would like to remind the members who are causing disorder within the House that if I'm forced to name those individuals, and if named and those members refuse to leave, they too will be suspended for the remainder of the session.

MEDICAL RESEARCH AND INNOVATION

Mr. Tony Ruprecht: Dr. Tam is here today to celebrate the anti-aging society's first anniversary and to thank the McGuinty government for its foresight in supporting research and innovation in the biomedical field and for establishing the Ministry of Health Promotion, presently headed by Minister Best.

While these are significant accomplishments, the anti-aging society is encouraging our government to focus on three fields of research and innovation: (1) biomedical breakthroughs, (2) lifestyle changes, and (3) mind and body connections.

Modern biomedical science now treats aging as a disease which leads to a breakdown of various parts of the body. Aging symptoms can be reversed by increasing human growth hormone levels. More research is needed.

The American Cancer Society is saying that a third of all cancers could be prevented through exercise, diet and weight management. We need additional educational programs to convince our citizens.

The anti-aging society thinks human beings' needs are also not only physical, biochemical and nutritional but social and spiritual. If we neglect our social and spiritual needs, we harm the physical organism. By changing our thinking from thoughts of revenge, jealousy or hate to thoughts of generosity, forgiveness or love, we demonstrate real changes in the biochemistry of our bodies.

I want to thank Dr. Tam for his trailblazing Another Path to Healing. Congratulations to him and Women's College Hospital, which is trying to integrate this new healing method in its present patient care for more efficient and long-lasting recovery. Congratulations to Dr. Tam.

Interjections.

The Speaker (Hon. Steve Peters): I will ask the members to please come to order.

Interjection.

The Speaker (Hon. Steve Peters): I ask the member from Leeds–Grenville to please come to order.

I just want to remind the members that if subsequent interjections are going to continue, I'm going to be dealing with one member at a time and will be asking you to come to order. I will give you a warning if you refuse to come to order. I will then be forced to begin naming members.

DAIRY INDUSTRY

Mr. Vic Dhillon: We are joined in the Legislature today by representatives from the Dairy Farmers of Ontario. I would like to thank them for their continued support.

As many in this Legislature already know, dairy is Ontario's largest agricultural sector. Ontario's dairy industry produces more than 2.5 billion litres of milk each year on the over 4,000 dairy farms across Ontario and employs thousands of Ontarians.

During the recent global economic crisis, when many of Ontario's businesses were impacted, the stability on dairy and poultry farms that existed during this time is a testament to the effectiveness of Ontario's supply management systems and to the good work of Ontario's dairy farmers.

Currently, Dairy Farmers of Ontario's members are producing an on-farm value of more than \$1.6 billion.

Ontario's dairy farmers have been able to keep supplying high-quality, healthy local food to Ontario consumers while making all their returns from the marketplace and not having to rely on the taxpayer.

By working closely with the processing sector, Ontario dairy farmers are able to meet the needs of the

domestic market while, at the same time, pursuing opportunities on the world market.

I would like to thank the dairy farmers for their contributions to our great province.

Interjections.

The Speaker (Hon. Steve Peters): Members will please come to order.

This is a final warning to all members of the House. Anyone banging on their desks will be named and I'll be asking the Sergeant-at-Arms to escort them from the chamber for the remainder of the day.

Interjections.

The Speaker (Hon. Steve Peters): I ask the member from Lanark to please come to order.

Interjections.

The Speaker (Hon. Steve Peters): The member from Lanark.

I've been forced to name Randy Hillier, the member from Lanark–Frontenac–Lennox and Addington, and ask that he please leave the chamber.

Interjection.

The Speaker (Hon. Steve Peters): I ask the member once again. I remind the member that, pursuant to standing order 15(c), if the Speaker determines that force is necessary in order to compel obedience, the member shall be suspended for the remainder of the session.

Interjection.

The Speaker (Hon. Steve Peters): This is not debatable. The member has been named and has been asked to leave the chamber. If you are going to be leaving the chamber with force, you are suspended for the remainder of the session.

Interjection.

The Speaker (Hon. Steve Peters): I remind the member—

Interjection.

The Speaker (Hon. Steve Peters): The Sergeant-at-Arms informs me that force is necessary.

I do name, under standing order 15(c), Randy Hillier, the member for Lanark–Frontenac–Lennox and Addington. I again remind the member that the definition is “until the end of the session.”

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mrs. Laura Albanese: 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. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts / Projet de loi 212, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant deux nouvelles lois.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? I heard a no.

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the ayes have it.

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

The division bells rang from 1358 to 1403.

The Speaker (Hon. Steve Peters): All those in flavour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Meilleur, Madeleine
Albanese, Laura	Fonseca, Peter	Mitchell, Carol
Arthurs, Wayne	Gerretsen, John	Moridi, Reza
Balkissoon, Bas	Gravelle, Michael	Naqvi, Yasir
Bartolucci, Rick	Jaczek, Helena	Oraziotti, David
Bentley, Christopher	Jeffrey, Linda	Qaadri, Shafiq
Best, Margaret	Johnson, Rick	Ramal, Khalil
Brown, Michael A.	Kular, Kuldip	Ruprecht, Tony
Carroll, Aileen	Kwinter, Monte	Sandals, Liz
Colle, Mike	Leal, Jeff	Sergio, Mario
Crozier, Bruce	Levac, Dave	Smith, Monique
Delaney, Bob	Mangat, Amrit	Sousa, Charles
Dhillon, Vic	Matthews, Deborah	Van Bommel, Maria
Dickson, Joe	Mauro, Bill	Zimmer, David
Duguid, Brad	McNeely, Phil	

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

Nays

Arnott, Ted	Hudak, Tim	Ouellette, Jerry J.
Bailey, Robert	Jones, Sylvia	Prue, Michael
Barrett, Toby	MacLeod, Lisa	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Savoline, Joyce
DiNovo, Cheri	Martiniuk, Gerry	Shurman, Peter
Dunlop, Garfield	Miller, Norm	Sterling, Norman W.
Elliott, Christine	Munro, Julia	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	Yakubuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 44; the nays are 24.

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

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 17, 2009, Bill 212 is ordered for third reading.

MOTIONS

HOUSE SITTINGS

Hon. Monique M. Smith: I move that, pursuant to standing order 6(c)(ii), the House shall meet from 6:45 p.m. to 12 midnight on Monday, November 30, 2009.

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

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the ayes have it.

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

The division bells rang from 1407 to 1412.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Fonseca, Peter	Mitchell, Carol
Albanese, Laura	Gerretsen, John	Moridi, Reza
Arnott, Ted	Gravelle, Michael	Munro, Julia
Arthurs, Wayne	Hardeman, Ernie	O'Toole, John
Bailey, Robert	Hudak, Tim	Oraziotti, David
Balkissoon, Bas	Jaczek, Helena	Ouellette, Jerry J.
Barrett, Toby	Jeffrey, Linda	Qaadri, Shafiq
Bartolucci, Rick	Johnson, Rick	Ramal, Khalil
Bentley, Christopher	Jones, Sylvia	Runciman, Robert W.
Best, Margaret	Kular, Kuldip	Ruprecht, Tony
Brown, Michael A.	Kwinter, Monte	Sandals, Liz
Carroll, Aileen	Leal, Jeff	Savoline, Joyce
Colle, Mike	Levac, Dave	Sergio, Mario
Crozier, Bruce	MacLeod, Lisa	Shurman, Peter
Delaney, Bob	Mangat, Amrit	Smith, Monique
Dhillon, Vic	Martiniuk, Gerry	Sousa, Charles
Dickson, Joe	Mathews, Deborah	Sterling, Norman W.
Duguid, Brad	Mauro, Bill	Van Bommel, Maria
Dunlop, Garfield	McNeely, Phil	Witmer, Elizabeth
Elliott, Christine	Meilleur, Madeleine	Yakabuski, John
Flynn, Kevin Daniel	Miller, Norm	Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
DiNovo, Cheri	Miller, Paul	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 63; the nays are 5.

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

Motion agreed to.

The Speaker (Hon. Steve Peters): We'll revert to introduction of bills. Motions? Statements by ministries? Petitions?

PETITIONS

HISPANIC COMMUNITY

Mr. Mike Colle: I have a petition here to the Legislative Assembly of Ontario:

"Whereas Canadians of Hispanic origin have made outstanding contributions in the"—

Interjections.

The Speaker (Hon. Steve Peters): I would just like to remind the honourable member from Lanark–Frontenac–Lennox and Addington and the honourable member from Bruce–Grey–Owen Sound that both members have been named and have been asked to leave the chamber.

Interjection.

The Speaker (Hon. Steve Peters): Because I have asked—

Interjection.

The Speaker (Hon. Steve Peters): You are disrespecting all duly elected members of this Legislature. You are being disrespectful to them. You're being disrespectful to the people who are sitting in the gallery. These students—

Interjection.

The Speaker (Hon. Steve Peters): The honourable member knows very clearly the rules.

Interjection.

The Speaker (Hon. Steve Peters): No, because the honourable member has been named.

Continue with petitions.

Interjections.

The Speaker (Hon. Steve Peters): This House is in recess for 15 minutes.

The House recessed from 1417 to 1435.

BUSINESS OF THE HOUSE

The Speaker (Hon. Steve Peters): I just wanted to take this opportunity to address the House and clear up some issues about process that may be in some members' minds.

I'd like to remind the members that there is a distinct difference between the situation presenting itself today and the one that Speaker McLean dealt with on December 6, 1995. Then, the House was in the middle of a vote. Under the rules of the day, members were required to vote. The Speaker, in that situation, could not proceed with the business of the House until the completion of the vote. The vote could not be completed until the members present all voted.

Today there is nothing in the standing orders that stands in the way of the business of the House continuing.

ORDERS OF THE DAY

TIME ALLOCATION

Hon. Brad Duguid: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts, when the bill is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment—

Interjections.

Hon. Brad Duguid: Mr. Speaker, once again I move that pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts, when the bill is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the Standing Committee on Finance and Economic Affairs; and

That the Standing Committee on Finance and Economic Affairs be authorized to meet on Thursday, December 3, 2009, during its regular meeting times for

the purpose of public hearings on the bill and following routine proceedings on Monday, December 7, 2009, for clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on Friday, December 4, 2009. At 5 p.m. on Monday, December 7, 2009, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed pursuant to standing order 129(a); and

That the committee shall report the bill to the House no later than Tuesday, December 8, 2009. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

1440

That, upon receiving the report of the Standing Committee on Finance and Economic Affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

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

That there shall be no deferral of the second reading or third reading votes allowed pursuant to standing order 28(h); and

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

The Speaker (Hon. Steve Peters): Further debate? The Minister of Aboriginal Affairs.

Interjections.

The Speaker (Hon. Steve Peters): Please come to order. The leader of Her Majesty's loyal opposition will come to order. The member from Durham will please come to order. The member from Renfrew–Nipissing–Pembroke will please come to order. The member from Oxford will please come to order. The member from Parry Sound–Muskoka will please come to order. The member from Leeds–Grenville will please come to order.

Interjections.

The Speaker (Hon. Steve Peters): I've asked the honourable member from Oxford once to please come to order. And I ask the member from Renfrew to please come to order.

Interjections.

The Speaker (Hon. Steve Peters): I remind the two honourable members that they have both been suspended from this House for the duration of the session.

Further debate? The Minister of Aboriginal Affairs.

Hon. Brad Duguid: I'm pleased to begin debate on a time allocation motion that will allow the government and this Parliament to move forward on an initiative that is extremely important to the future of this province.

It's very important that we move ahead with this legislation—591,000 jobs, according to Jack Mintz and a third party report that was commissioned by the government, but commissioned in a way that was put out to allow for others to bid on this particular piece of work. What this report said is that it's going to create 591,000 jobs.

We're not just talking about placing the HST on some products. We're talking about very, very significant tax cuts—tax cuts that will ensure that 93,000 people in this province will indeed benefit, that 93,000 people will see a reduction in their income taxes. The vast majority of Ontarians are going to benefit substantially from this particular approach.

The HST is something that this province needs if we're going to be competitive. That's what our goal is. If there's anything that's important for us to do here in this Legislature, it's to ensure that we're building a stronger province for that next generation of Ontarians, a stronger province so that my kids, who happen to be 14 years old and 15 years old—actually, 13 years old and 14 years old; they'll be turning 14 and 15 when this legislation, with the will of the House, is passed and moves forward. It's their future that we're here to support. It's their future that we're here to build. Their future is why this government is certainly taking the political risk of moving forward boldly on an initiative that is complex, but an initiative that's going to serve that next generation, those young people, very, very well.

I'm thinking of my kids today. It's obvious the opposition, as they play political games with this legislation, as they pretend that they're opposed to this bill when no more than six months ago their leader stood up and said that this is exactly what we should be doing—he knows, in good conscience, as he knew back then, that this is something the province simply has to do.

If we're going to be competitive as a jurisdiction, if we're going to ensure that my kids—like I said, Kennedy and Jordan are 13 and 14. I want to do everything that I can to ensure that my kids have the same opportunities that your kids have, Mr. Speaker, that the Attorney General's kids have, that the kids of my good friends behind me have, that my good friend Mario's grandkids are going to have, that my friend Mike Colle's kids and grandkids are going to have, and my good friend Dave Levac, the member from—

Mr. Robert W. Runciman: On a point of order, Speaker: I believe the Minister of Aboriginal Affairs, in his comments a few minutes ago, said something that was very unparliamentary, and I ask him to withdraw it.

The Speaker (Hon. Steve Peters): I was unable to hear because of the noise of the House and would ask the honourable member, being an honourable member, if he said something unparliamentary, to please withdraw.

Hon. Brad Duguid: I didn't say anything unparliamentary, but if anybody was offended by my talking about the HST, I'll withdraw whatever—

Interjections.

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

Hon. Brad Duguid: What I was talking about when I was interrupted was the importance for the next generation. This is why we're working so hard to do what we're doing. This is why the government of Canada, which understands this, as do a number of our federal colleagues—they understand the importance of moving forward.

It's not easy. We recognize it's not easy. We recognize it's a tough decision. But, look, when my kids look me in the eyes 10 years from now, when the kids of my colleagues on this side of the House look them in the eyes 10 years from now, or their grandkids, and they say, "When we were going through the toughest time that we've gone through in 80 years"—and that's what we're experiencing right now; Ontario families are hurting from this recession. There has been a loss of jobs, and that's why it's incumbent on us, as leaders in this province, to do everything we possibly can to ensure that when our kids look to us 10 years from now, look us in the eyes and say, "Did you do everything in your power when you had the opportunity to act? Did you do everything you could to protect us, to ensure that we inherited an economy that's going to provide us with at least the same opportunities that you had when you were going off to make your way in the world? Did you do that?"—I want to be able to look them in the eyes and say, "Yes, Kennedy, yes, Jordan, when I was in a position where I had an opportunity to make a decision, I did what I had to do, my party did what it had to do, the Premier did what he had to do—

Interjections.

The Speaker (Hon. Steve Peters): This House stands recessed for 15 minutes.

The House recessed from 1448 to 1503.

The Speaker (Hon. Steve Peters): Further debate? The Minister of Aboriginal Affairs.

Interjections.

Hon. Brad Duguid: I just want to conclude by saying that if ever there was a time that we have to stand up for ourselves, now is the time. Thank you, Mr. Speaker, and—

The Speaker (Hon. Steve Peters): Further debate?

Interjections.

Hon. Brad Duguid: —going to have to keep going, so I will, Mr. Speaker.

The Speaker (Hon. Steve Peters): The member for Timmins–James Bay.

Interjections.

Hon. Brad Duguid: I'll keep talking as long as I need to, because this is an important issue. It's an issue that's

important to each and every one of us, and it's important to our constituents, because I think what we need—

Mr. Gilles Bisson: On a point of order, Mr. Speaker: It is clear there are a couple of principles that guide us when it comes to our work that we do here as legislators.

First of all, we, as members, have privilege, which is well defined within our standing orders and also within the precedents to say that members have the ability to come into this House and to have an opportunity to debate the bills that are before the House, and to represent our constituents.

The second point is that we also have, under the standing orders and, again, under our precedents, the freedom of speech—again, to the same point.

It is fairly clear, as a result of what's happening in the House right now, that the members of the third party are not going to get an opportunity to speak on this bill. We don't like Bill 218; if we had our way, we would scrap it. But that's not the point of this point of order. My point is, I have a right, as do all members of the New Democratic Party, to rise and speak on this bill. This House is in such disorder, it's going to become impossible for us to be able to speak to this bill.

Under section 16 of the standing orders, "In the case of grave disorder in the House, the Speaker or the Chair may adjourn the House or a committee without motion, or suspend any meeting for a time to be named by him or her."

My last point is this: By your doing so to adjourn the House for the rest of today, it would give us, the House leaders, the opportunity to sit down with the government and try to find a way amongst the House leaders to resolve this issue so that at the end we're able to do what needs to be done in this Legislature on behalf of all the constituents we represent.

The Speaker (Hon. Steve Peters): I want to thank the member from Timmins–James Bay. I don't disagree with him that we are in a unique situation within this House, and certainly for myself as the presiding officer of this chamber. We have, sitting within the House right now, two members who have been expelled from the chamber. I would have to say that I'm not wanting to, and I'm not prepared to, engage these two members in removing them by force. I don't think that is helpful to anyone.

I am, right now, very prepared to recess the House and ask, if needed, all three House leaders to come and join me in the side office to have a discussion, to see if there is some compromise to move forward. If you do not want the Speaker and the Clerk there, I'm quite happy, but I would encourage the House leaders to use this opportunity to get together.

Hon. Brad Duguid: On a point of order, Mr. Speaker: I understand the difficult challenge you're in and I understand the concerns of the member opposite, but this is government speaking time right now. We're absolutely pleased to continue the discussions.

Interjections.

Hon. Brad Duguid: It would be easier to continue it without the heckles, but—

The Speaker (Hon. Steve Peters): I want to thank the member for his interjection, and with that point I am going to recess the House and ask that all three House leaders join me in my side office, please.

The House recessed from 1508 to 1626.

The Speaker (Hon. Steve Peters): The Minister of Aboriginal Affairs.

Hon. Brad Duguid: I'm pleased to move adjournment of the debate.

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

Debate adjourned.

EMPLOYMENT PROTECTION
FOR FOREIGN NATIONALS ACT
(LIVE-IN CAREGIVERS
AND OTHERS), 2009

LOI DE 2009 SUR
LA PROTECTION DES ÉTRANGERS
DANS LE CADRE DE L'EMPLOI
(AIDES FAMILIAUX ET AUTRES)

Resuming the debate adjourned on November 17, 2009, on the motion for second reading of Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 / Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 26, 2009, I'm now required to put the question.

On October 26, Mr. Fonseca moved second reading of Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000.

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

Second reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 26, 2009, the bill is ordered to the Standing Committee on the Legislative Assembly.

TIME ALLOCATION

Resuming the debate adjourned on November 26, 2009, on the motion for time allocation of Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories.

The Speaker (Hon. Steve Peters): Further debate?

Mr. Rosario Marchese: I was really looking forward to this debate, because I wanted to make a number of points that I believe are important; that is, that in a matter of days this government is going to push a bill on labour mobility out of the way, push it out of public scrutiny, have very little debate, have one afternoon of deputations

and it's gone. I find this the most repulsive piece of work done by the Liberals that I have seen in a long, long time.

This is a bill that has serious implications—I will speak to it in a few minutes—and all we are going to get is this time allocation motion that I'm speaking to. On Thursday, we're going to have hearings, meaning very few people have been alerted to the fact that there are going to be hearings for one simple afternoon and it's gone; it's out of sight and no longer debated, and no one will be the wiser. No one has heard about this bill, no one is talking about this bill, it's not in the media and as far as this government is concerned, they're happy about that state of blissful ignorance by the public and by politicians as well. I dare say that the majority of Liberals don't have a clue what this bill implies. They don't have a clue. They haven't read it, will never read it and are happy to be told by their minister, "This is just about labour mobility. Not to worry, there are no other implications. Let's move on."

I have never seen anything like it. I have never seen a government operate in such a manner where we don't get adequate time for hearings.

When Liberals were in opposition, they sounded like New Democrats. They used to attack Mike Harris, as we did, on so many different bills that they would just rush through that place for one afternoon, one day, two days, and they were gone. And you're doing exactly the same with this bill. With this bill, you are doing the very things you decried when you were in opposition. How can you feel good about that? How can Liberals in general feel good about that, and how can left-leaning Liberals feel good about that?

I keep asking, "Where is the left in the Liberal Party?" They must be hiding so tightly under that carpet that they're invisible, creeping under the carpet like slithering serpents. That's what has happened. Because how could you accept this if you were good left-leaning Liberals? How could you not demand in your own caucus that there be adequate hearings and that people be adequately informed about these hearings?

We're debating a closure motion on this bill today, and by Thursday we'll have deputations—three days, Mike. And we say—

Mr. Mike Colle: Tempus fugit.

Mr. Rosario Marchese: Tempus fugit; yes, I know—and we say we don't have time?

We have had two major agreements: the trade, investment and labour mobility agreement, called TILMA, between Alberta and British Columbia—and that was done lickety-split as well. That trade agreement is not just about labour mobility. It's about investments; it's about trade. It's about making sure that investors have the right to challenge regulations they disagree with.

The agreement is that I only have 20 minutes to speak—is that it?

Interjections.

Mr. Rosario Marchese: It's crazy.

Here's what it says in the Alberta-BC agreement: "Each party shall ensure that its measures do not operate

to restrict or impair trade between or through the territory of the parties, or investment or labour mobility between the parties.”

This isn't just about labour mobility. It is ostensibly about labour mobility, but it's really about investments; it's about trade. It's about making sure that the corporations have the power to go where they want, free of any obstacles. That's what this is about. It's not about labour mobility.

People have labour mobility in this country, and the federal government has the power constitutionally to be able to make sure that people are able to move from one province to the other to do what they want to do. It's not about that. The Liberals claim it's about that, because that's all they've been told to say, but it's about trade and it's about investments. And I've got to tell you, the civil servants know that this is what it's about. They know it's about trade over social issues. They know that it's about trade liberalization.

That's why I wanted to be able to have a long opportunity to discuss this—because we need to know that Ontario signed an agreement with Quebec a couple of months ago, called the Ontario-Quebec trade and cooperation agreement. Here's what it says about that: “Each party shall ensure that any measure it adopts or maintains does not operate to create an obstacle to trade, investment and labour mobility between the parties.”

It's not just about labour mobility. It's about trade; it's about investments. What that means is that business wants to be able to operate between provinces and to have few restrictions apply to them. That's what this bill is about.

The worst of it is that Ontarians have a right to discuss and debate agreements, and should have the power to be able to change, to modify any of those agreements, based on what they feel strongly about, based on the fact that they might feel that those trade agreements impair their ability to manage their own affairs in Ontario.

These agreements should not have been signed behind closed doors. McGuinty and Monsieur Charest signed an agreement behind closed doors—Jeff, from Peterborough—behind closed doors. How could you accept that and how could you so blindly accept an agreement that you haven't read? I'm assuming that McGuinty told you it's a good agreement. I'm assuming that he must have told you that in a caucus room. But how could you not have had and wished for an opportunity to debate the bill? How could you do that? A fine lot we have of these fine Liberals and left-leaning so-called Liberals in that caucus. Two agreements—Alberta, Quebec and Ontario. The Premiers get together, they sign agreements and it's done. The Speaker doesn't have a clue. The clerks have probably read the bill, because they need to give advice to the Speaker. I haven't had an opportunity to read that bill, most MPPs haven't had an opportunity to read that bill, but it's an agreement that has been signed by two Premiers. And we accept it. How do we do that?

This is the problem that I have with these kinds of bills, because it pretends to be about cross-border busi-

ness, it pretends to be about labour mobility, but it has to do with trade. If there's a water ban at city hall here that could operate as an obstacle for Quebec-based bottled water companies looking to sell their product, it could be challenged by Quebec. It could be challenged by those corporations. The Quebec government could say, “Sorry, Toronto; you can't say no.” You can't say you've got a ban on bottled water, because Quebec says, “We've got a big bottled water company that we want to sell water all over Ontario, to all those municipalities, and we challenge the city of Toronto to be able to do that.”

That's what this agreement does. That's why we need to be able to debate these bills, and that's why I wanted to condemn the action of the Liberal Party in doing what it has done, moving closure on debate and moving directly to hearings on Thursday afternoon.

This particular bill is going to hurt not just labour but every other profession that's affected by it. This particular bill pretends that it's just about getting people to move from one province to another and be able to get a job in same field, and it pretends that we are all trained in a similar fashion from one province to the other.

We have the constitutional power as a province to set our own rules, regulations and standards, and what this Premier is doing through this bill is saying that if somebody is coming from Alberta, where they have been trained in some private institution and the regulations are not what they should be, they should, with some modicum of experience, be able to come here and say, “Yes, I need to get that job. Yes, I'm able to do that job,” and we don't need to worry about standards because all that matters is that they have some semblance of skills in that particular trade or profession and they can get into the profession or trade here; no problemo.

It puts a tremendous burden on the province that has the higher standard to prove that the person who is coming to our province can do the job, and the problem is, we don't know what standards any other province has. We don't even know in our own province what standards we have, as evidenced by the private colleges that just give out credentials to people as if they were giving them out as candies. Imagine. The Ombudsman has pointed out, over and over again, the little oversight we have over private colleges and the credentials they give out, and now we're about to say to someone from some other province who gets credentials in their trade and/or profession by some private or public institution where the standards are not very good or very high, that they can come and get a job and it's up to us as the province with the higher standard to be able to show that maybe they shouldn't get that job. But even then, the language is very clear about what we can and can't do, and I want to get to it quickly.

1640

Section 9 obliges regulatory authorities to recognize and give effect to authorizing certificates issued in other Canadian jurisdictions—this is the central and most important element of this bill—and provides in part as follows:

“When applicant is certified by out-of-province regulatory authority

“9(1) This section applies if an individual applying to an Ontario regulatory authority for certification in a regulated occupation is already certified in the same occupation by an out-of-province regulatory authority....

“(2) The Ontario regulatory authority shall not require, as a condition of certifying the individual in the regulated occupation, that the individual have, undertake, obtain or undergo any material additional training, experience, examinations or assessments.”

They do not have to go through additional training, experience, examination or assessment, and that's what this is about.

Other measures here:

“Every Ontario regulatory authority shall, to the extent possible and where practical....

“(b) take steps to reconcile differences between the occupational standards it has established for an occupation and occupational standards in effect with respect to the same occupation in the other provinces and territories of Canada that are parties to the agreement on internal trade.”

“Take steps to reconcile differences”: The intent of the bill, where there are differences, is that the government has to take steps to reconcile the differences between the occupational standards. It doesn't matter whether some province has standards that are not up to par; it is our responsibility as the receiving province with a higher standard to make sure we reconcile the differences, and there's nothing we can or should do that could be construed as preventing that person from getting into that trade and/or profession.

That's what this bill is about. It's about more than just labour mobility—I only mention those examples where there are some exceptions, but the language makes it very clear that what this is about is making sure that anybody can move from one place to the other irrespective of standards because the job of the bill is to make sure we reconcile differences and that we do nothing to prevent someone from getting into that particular job.

But beyond that, the effect of this is to make sure that we break down our provincial constitutional powers that we have to protect what is constitutionally ours, whether it be health, parts of the environment, all of the contracts we give away from municipalities and the provincial government. We give up all those things that we control locally and open it up to whomever.

This is about making sure that as the government negotiates an agreement—the Canada-European Union Comprehensive Economic and Trade Agreement—as we do those agreements with Europe, we are willing to give up our local procurement strength and policies that we have. It's about eliminating all those protections we have had under NAFTA for a long time. Under NAFTA, provinces have the constitutional power to exclude themselves from trade agreements that are within our jurisdiction.

What this is about is making sure we get rid of those provincial and city powers. It is about making sure we are in agreement with world trade agreements. It's about America, through Obama, urging Canada to sign up to the World Trade Organization agreement on government procurement, which would permanently remove the remaining abilities of local governments to determine how taxpayers spend their money.

I know that some members look inquisitively at me about that, or look as if they're confused and imagine it can't be what I'm talking about, but this is what it is. It is about making sure that we make deals with Europe, and making sure that we break down the trade barriers, that we eliminate our power to control locally what we produce. That is the effect of this bill.

We need debate. We need lots of debate. We need more and more people to know what this is about. We need the Premier of this province to talk to us about the agreement he signed with Quebec. Why has he signed an agreement on his own without any debate? And why are we pushing this bill through in one afternoon with deputants not even knowing we are going to be debating this thing on Thursday, and the amendments have to be in literally by that time so we can do clause-by-clause on Monday next? This is insane. I've never seen anything like it.

Mr. Paul Miller: How many trades are involved?

Mr. Rosario Marchese: Loads of trades are involved.

Interjections.

Mr. Rosario Marchese: Deputy House leader, if you've got strong arguments to make, you need to be able to take the time and debate. And House leader, you've given us a mere 20 minutes to debate this on closure; it's all we've got. It just isn't right. We need to be able to have hearings that allow people from across the province to come and depute and debate. We need the public to hear about this bill. The public doesn't even know what we're dealing with in this House.

I have to tell you that I condemn, in the strongest of terms, what this government has done with this particular bill. Your desire to get it out of sight and out of mind is objectionable and has to be condemned strongly. All I had was a brief amount of time to put this on the record, and it won't do justice to the bill, because we simply don't have enough time to deal with it. But this bill, which eliminates the ability of governments to favour local companies and workers—it's simply one of the most objectionable elements of this bill, and every other bill that has been dealt with in Canada in the last short while, which includes the bills I mentioned. It's all part of the grand strategy of the Agreement on Internal Trade that was passed in 1995. Everything seems to be done on the basis of falling in line with the Agreement on Internal Trade signed by the then federal Liberals in 1995, and all these bills are just falling into line quickly without any debate. Objectionable, I tell you Liberals, and any Liberal who has ever felt left-leaning and can accept this kind of arrangement within their own party should be condemned too.

The Speaker (Hon. Steve Peters): Further debate?

On November 26, Mr. Milloy moved government notice of motion 163. Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

The Speaker (Hon. Steve Peters): There being no further business, this House is recessed until 6:45 this evening.

The House recessed from 1648 to 1845.

Evening meeting reported in volume B.

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Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

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