



Legislative Assembly
of Ontario

First Session, 39th Parliament

Assemblée législative
de l'Ontario

Première session, 39^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 7 December 2009

Lundi 7 décembre 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 7 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 7 décembre 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

Ms. Cheri DiNovo: It's my pleasure to introduce Paul Pighen from our constituency office, here visiting.

Hon. Monique M. Smith: It's my privilege to welcome the Wolfe family back again today. They're in the public gallery. David, Ann and sister Maggie are all the family of Sam Wolfe, who is hopefully celebrating his last week as one of our pages.

Mr. John O'Toole: I'm pleased to introduce Lauri Leduc, who is in the visitors' gallery. Lori was part of the legislative internship program in 1998, I believe, and served all sides of the House. As well, I hired her and she's now a proud mother, back visiting the Ontario Legislature.

I'm also pleased to introduce page Maggie Hutchinson's father, Scott Hutchinson, her older sister Amy, and Ron and Eleanor Templar, who are Maggie's grandparents. Welcome to Queen's Park.

Hon. Kathleen O. Wynne: I would like to welcome Gayle Grass to Queen's Park today. We're going to be having lunch. She won me in an auction, so there you go.

The Speaker (Hon. Steve Peters): On behalf of the member from Niagara Falls and page Alana Fansolato, I'd like to welcome her mother, Carina, and family friend Joanne Taylor to the public galleries today. Welcome to Queen's Park.

ORAL QUESTIONS

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Tim Hudak: My question is for the Deputy Premier and concerns the Ministry of Labour.

This morning, the auditor will release a report detailing your mismanagement of the compensation fund managed by the Workplace Safety and Insurance Board. I say to the Deputy Premier, the Minister of Labour has said that the unfunded liability was "completely attributable to

the downturn in the markets." Do you agree with that statement?

Hon. Dwight Duncan: I'll await the release of the auditor's report later today. I think what's important, though, is that we balance fairness and financial sustainability for Ontario's injured workers and our employers. In the current economic climate, we need to ensure fairness for injured workers. We have provided workers with three 2.5% increases in payments since 2007, and these increases have helped more than 155,000 injured workers. I can confirm for the member that across insurance organizations around the world, due to market situations over the past year, there has been a deterioration in portfolios, some of which may be coming back. But, like the member opposite, I look forward to the Auditor General's report.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: I think the Deputy Premier is playing it safe in not using the same line as the Minister of Labour. The Minister of Labour was way off. The public accounts show that between 2002 and 2006, the unfunded liability at WSIB was actually shrinking, and then Dalton McGuinty appointed his Liberal friend Steve Mahoney to head up the WSIB. In Mr. Mahoney's first year, the liability grew by over \$2 billion. He topped that in his second year, when the liability increased by \$3.5 billion. In the two years prior to the global downturn, the unfunded liability grew from \$6 billion to \$11.5 billion. I say to the Deputy Premier: Why did the Minister of Labour say one thing when the facts say Mahoney has done a bad job?

Hon. Dwight Duncan: As I indicated to the Leader of the Opposition, in fact, recent events obviously will impact on the financial statements of an insurer. This government has chosen, over the course of the last three years, to provide cost-of-living benefits to injured workers. We don't think that is out of line. Like the leader of the third party, I'll await the Auditor General's report. As we have done in earlier years, we will follow the recommendations of the auditor and welcome his report. It helps us manage the resources, assets and liabilities of the government.

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

Mr. Tim Hudak: Sadly, the Premier is failing to ask the difficult and uncomfortable questions a Premier needs to ask of his ministers. Well before the economic downturn, Mr. Steve Mahoney caused the unfunded liability to leap from \$6 billion to \$11.5 billion. Public accounts clearly demonstrate that Mr. Mahoney managed to double the deficit of the fund. Sadly, out of some 600 agencies,

boards and commissions in our province, Mr. Mahoney and the WSIB were one of only four not to file their annual report on time to public accounts. One wonders what Mr. Mahoney is trying to hide.

I ask the minister: If the unfunded liability was \$11.5 billion before the markets tumbled, how bad is the hole today?

Hon. Dwight Duncan: Again, I would urge all members of the House to look at all the circumstances that have faced insurance markets globally. We have, over the course of the last three years, managed these changes, as well as making sure that injured workers aren't forced to bear the brunt of these difficult issues.

Most recently, last week we nominated David Marshall to be the new president of the WSIB. Mr. Marshall is an international banker with strong financial acumen, and we believe he will be a great asset as the WSIB heads into its second century. No doubt there are difficult choices. The government will make them as needed, in working with the board, the chair and the new president. And unlike that member opposite—

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

1040

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Tim Hudak: Back to the Deputy Premier. The fact is, they made no difficult decisions other than to grow the unfunded liability at the WSIB. The hole began to fall to \$11.5 billion even before markets tumbled. We all know about Mr. Mahoney's performance in that job. Mr. Mahoney billed Ontario taxpayers more in per diems than there were days in the working year. Your Liberal friend turned a part-time job into a \$140,000-a-year gig, plus expenses, while he drove the WSIB into the ground.

I ask the Deputy Premier: Why did you show the CEO, Jill Hutcheon, the door, but reappoint your Liberal friend?

Hon. Dwight Duncan: My understanding is that Ms. Hutcheon retired; that's my understanding of the matter.

We engage the services of people from all walks of life and of all political stripes on our agencies, boards and commissions. The member opposite will be aware that a couple of weeks ago, I asked Mr. Paul Godfrey, the chair the OLG, a very prominent Conservative—

Interjection.

Hon. Dwight Duncan: My colleague the Minister of Transportation reminds me that Dr. Bob Elgie once served as the chair of what was then the WCB—a very prominent member of the Conservative Party and a very distinguished parliamentarian and servant of the people. There was a very large unfunded liability at that time as well.

We will meet these challenges on an ongoing basis, balancing the interests of injured workers with those of the employer community that pay the premiums—

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

Mr. Tim Hudak: I am going to ask the Deputy Premier: Isn't it time for Mr. Mahoney to retire? He has turned a part-time job into a \$140,000-a-year job. He charged taxpayers thousands of dollars for limos, until the McGuinty government gave him a car—only to get lost without his driver and then charge taxpayers for a GPS system, so he could finally find his way home.

New FOIs show that Mr. Mahoney continued to live the high life at high-end restaurants like Acqua and the Glen Erin Inn, while the WSIB's compensation fund liability doubled under his watch.

I say to you again, Minister: Isn't it time to show Mr. Mahoney the door?

Hon. Dwight Duncan: This government remains committed to working with injured workers. These are code words from the leader of the Conservative Party about cutting benefits to injured workers. That is what this is about. They shake their heads, but their record proves much different. When Mr. Hudak talks about the doubling of the unfunded liability, what he's complaining about is that we have protected injured workers from inflation. When Mr. Hudak and his party talk about firing this one and that one, that's a prelude to cutting injured workers' benefits. Injured workers know the record of that leader and his party—

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

Mr. Tim Hudak: What I'm talking about is a Liberal friend, Mr. Mahoney, who has driven the WSIB into the ground. He has increased rates to hurt businesses, and the service for injured workers is at an all-time low, while Mr. Mahoney lives high off the hog.

We see a pattern emerging under the Dalton McGuinty government that protects members of the Liberal family but makes public servants walk the plank. Your friend Mr. Mahoney is still there. He is still wasting taxpayers' money, he has doubled the unfunded liability, and he has also increased the operating deficit by some 89%, even though premium revenue is up by some 30%.

I say to the Deputy Premier: Why do you have one rule for Liberal friends and one rule for everybody else? Shouldn't you show Mr. Mahoney the door?

Hon. Dwight Duncan: I think the people of Ontario are probably a little bit confused by what they're hearing from that side of the House. The official opposition, under the signature of the deputy leader, recently sent a letter to the chair, Mr. Mahoney, that said, "On behalf of all members of the PC caucus, I thank you for the good work that you do."

The deputy leader was asked if the chair should resign, and she said she couldn't say. After the labour critic's display in this House last Thursday, it's clear he is in definite disagreement with his leader.

The real question is: Who's in charge over there? Is it Mr. Murdoch? Is it any of a number of other members? Who's in charge?

What I can say is this: Our government will continue to look out for the interests of both employers and injured

workers. What he's talking about is cutting benefits to injured workers. That's what he and his—

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

TAXATION

Mr. Paul Miller: My question is to the Acting Premier. As early as tomorrow, this government will be ramming through its HST bill. With only a scant day and a half of public hearings, tens of thousands of Ontarians have been shut out of the process, Ontarians like Nancy from Sault Ste. Marie, who wrote:

“Please do not go forward with the HST. We are barely on our feet now, and the last thing all of us need ... is another tax. I have been without a job since the end of November last year and not eligible for EI ... I can't even take part in the retraining programs due to this. I've been living off savings and the last of my RSPs.... Where am I supposed to get money to pay more taxes?”

Nancy has a valid question. How will she and tens of thousands of Ontarians like her come up with 8% more to pay for basics like home heating, gas, haircuts and many more?

Hon. Dwight Duncan: In fact, it is for people like Nancy that we are bringing forward the comprehensive tax package that we have. She will actually see her taxes cut overall.

We also know that, according to experts, ranging from right-wing to left-wing economists, this package will create jobs. It will in fact be individuals like Nancy and her family who have had to suffer through this difficult downturn who hopefully, over time, will see this large benefit in employment, as well as see their taxes cut overall. The sales tax credit should more than offset the additional challenge that she will see.

This is the right package. It's about creating jobs. It's about a better future for people like Nancy.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: Since the Acting Premier won't listen to Nancy, maybe he'll listen to one of his constituents, Don from Windsor, who says: “I, as a consumer, will be paying 13% on almost everything. This HST is just another government rip-off of hard-earned money.”

Don is echoed by Cary from Thunder Bay who adds: “Tell them to keep their \$1,000 ... bribe. We all know the average family will be paying out way more than their meagre bribe.”

These are everyday Ontarians who know that the HST will only make their lives more expensive. Why is the McGuinty government ignoring them?

Hon. Dwight Duncan: I respect the opinion of people out there, but there are other opinions as well. Today at the committee, we've heard from the Smart Taxation Alliance in favour of this plan, and the Ontario Automobile Dealer Association. Thursday, we heard from Michael Smart from the Ontario Chamber of Commerce, and the Canadian Manufacturers and Exporters.

For people like Don and constituents of mine, I urge them to look at the whole package. This will create jobs for unemployed auto workers. This will improve the outlook for this economy. This will make us more competitive economically. It is a difficult political choice to make, but it is the right choice. It's about lowering taxes for 93% of Ontarians and about creating some 600,000 net new jobs over the next 10 years.

Mr. Paul Miller: Ontarians aren't buying what this government is selling, and the minister knows it.

1050

Here's what Brad from Dundas says: “Implementing HST will not benefit the people of the province.” This change “is supported by big business who have the influence with our current government, where the average citizen does not.”

If the finance minister is so certain that everyday people like Nancy, Don, Cary and Brad have it wrong, why won't he halt the HST implementation and put it to a real test of the people in the 2011 general election?

Hon. Mr. Duncan: That member and his party can repeal it and campaign on that, which they pointedly have refused to do up until now.

Governments are called upon to lead. Governments sometimes take difficult choices, not because they are easy, but because they are in the best interests of the people in this province. To my constituents who are unemployed in the auto sector, I remind them that even Buzz Hargrove has publicly supported this tax policy. I remind them that economists on the left wing of the political spectrum, including Hugh Mackenzie, have supported this tax package largely because it is the right thing for the vast majority of Ontarians, particularly Ontarians of more modest incomes.

It would be easy to do nothing. It would be easy to do what the NDP says and just stay with the status quo. We choose to take action, we choose to create jobs, and we choose to make Ontario a better place to live for our children and our grandchildren.

TAXATION

M^{me} France Gélinas: Ma question est pour le remplaçant du premier ministre.

This year, the McGuinty government did not come to Sudbury for pre-budget consultations, and we all know that you won't hold HST consultations in Sudbury. So let me share some of the comments that the residents of Sudbury and Nickel Belt wanted to tell you.

Jane writes: “We are taxed to death with no recovery in sight. I'm not in favour of the proposed HST.”

Louise a ajouté : « J'ai 58 ans. Je paie des taxes depuis que j'ai 17 ans, quand j'ai commencé à travailler. Il faut faire quelque chose. Ça ne peut pas continuer comme ça. »

Jane and Louise don't support the HST, and they're not alone. Why is the McGuinty government ignoring the people of Sudbury who do not want a tax that will make life more expensive?

Hon. Dwight Duncan: I have been to Sudbury since the introduction of the tax. The Premier has. Minister Bartolucci has. Minister Wilkinson has. I'll be meeting with the mayor of Sudbury next Thursday.

The NDP just want to cocoon and pretend and do nothing. We want to create jobs for those unemployed miners in Sudbury—for the north particularly, which has been so hard hit.

Interjections.

Hon. Dwight Duncan: It's easy to laugh, like the NDP are doing right now, about the unemployed. We wouldn't laugh about the unemployed. We've put together a package that will reduce taxes for 93% of Ontarians. It will create some 600,000 new jobs. I think Hugh Mackenzie got it right. I think the Daily Bread Food Bank got it right. I think the 25 in 5 coalition got it right. The NDP are abandoning the poor and the unemployed in favour of a cheap political gain. We're going to continue to fight and make jobs for our children—

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

M^{me} France Gélinas: Personal and business bankruptcies are at an all-time high in Sudbury; we're the second-highest place for bankruptcies. People who are not making a profit are not going to benefit from a tax cut.

There are families like Skye Little's. Skye lives in my riding, and she writes that the the HST "will add hundreds of dollars in additional tax on utility bills, such as gas, electricity and home heating fuel, on home renovation labour, the cost of lawn upkeep or landscaping and the cost of snow removal. Moreover, [the] HST will increase my family's daily cost of living with 8% more on gasoline, personal and professional services, dry cleaning, cab fares, magazine subscriptions, plane tickets, vitamins and cellphone charges," etc.

Why is this government forcing Skye's family to swallow such a bitter economic pill?

Hon. Dwight Duncan: I want to make sure I don't offend the Chair.

Ninety-three per cent of Ontarians will see an overall reduction in their tax, and that member and her party cannot deny it. We're cutting taxes for people of modest incomes. We are cutting taxes and we're increasing the tax credits for low-income Ontarians. We're accelerating the Ontario child benefit, which will benefit the people of most modest incomes and our children, and that member and her party are going to vote against it again.

They have no plan. They have no idea about how to create jobs. Instead of taking a tough choice, instead of helping to convince people in spite of these difficult choices that this is the right package, the member chooses to do the political thing. We're doing the right thing, and the people of Ontario will see that as jobs get created—

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

M^{me} France Gélinas: The people of Sudbury in my riding don't see it as job-creating, and they're no fools.

They see straight through this government and its misplaced priorities.

M. Therrien from Dowling nails it when he says, "The McGuinty government needs to realize that Canadians are sick and tired of seeing our tax dollars wasted." He talks about eHealth and million-dollar boondoggles. He talks about the \$3,000-a-day consultants and total mismanagement. He ends in capital letters, saying, "We are fed up."

Rather than plow ahead with a tax Ontarians clearly don't want, will the minister agree to do the right thing: Scrap the implementation of the HST? Will you do that?

Hon. Dwight Duncan: No, we will not. We are proceeding with a package of tax reforms that will reduce unemployment, increase incomes and increase capital investment. There's no doubt that this is a very complex piece of public policy. It involves cuts in taxes for 93% of Ontarians. It involves difficult choices for a government—

Hon. Gerry Phillips: It's the way forward, though.

Hon. Dwight Duncan: But it is the way forward, as my colleague says. It's about making this economy more competitive. It's about creating new jobs in the mining sector for people in Sudbury. It's about creating new jobs in the pulp and paper industry in the northwest. That's why those industries have supported it. It's about creating auto jobs in southwestern Ontario.

This is the right policy. It will create jobs, it will raise income, and it will raise capital investment in this province.

CHILD PROTECTION

Ms. Sylvia Jones: My question is for the Attorney General. Your ministry, along with the Ontario Association of Chiefs of Police and the Ontario Association of Children's Aid Societies, negotiated a protocol to streamline the screening of police and crown records needed for child protection services. This new protocol would mean cost and time savings for children's aid societies, crown attorneys and police services across Ontario. Why has this proposal been sitting on your desk for three months waiting for sign-off?

Hon. Christopher Bentley: In fact, it hasn't been. The parties are always looking for more effective ways to deal with these cases. As you can appreciate, there are many, many issues that arise with respect to the protection of children. The number one issue is, we must make sure the children are being completely and utterly, at all times, properly protected and properly represented. We want to make sure that any protocol that has been arrived at, or any more effective way of dealing with cases that has been arrived at, will not have unintended consequences when they're applied to the cases, which are not cookie cutter, which are not all the same. It's important that every one of those issues be fully considered and outlined as we bring in more effective ways of dealing with these very sensitive and very important—

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

Ms. Sylvia Jones: The Attorney General knows full well that the MCYS minister and the Solicitor General have already signed off on this new protocol. Clearly, they are not worried about the minuscule details that you are concerned about.

You must know that the children's aid societies across Ontario have been forced to cut their budgets by \$67 million. CASs are trying to find savings and efficiencies, and you, Minister, are blocking them.

This new protocol is sitting on your desk waiting for sign-off, but your lack of action tells me that you are not worried about vulnerable children in Ontario. When will you finally sign off on this new screening for child protection services and protect Ontario's most vulnerable children?

1100

Hon. Christopher Bentley: With respect, the protection of the most vulnerable children is not a minuscule detail—never has been, never will be. And you're right: The lawyers will take all the time they need to take to make sure that children are appropriately protected. We will not speed things through—

Interjections.

The Speaker (Hon. Steve Peters): Member from Hamilton East.

Minister?

Hon. Christopher Bentley: We want to make sure because we know that if any new procedure or policy has unintended consequences, my friend opposite will be the first one to jump up and say, "Why weren't you protecting the children?"

They're actively considering and reviewing this, making sure that it can be implemented, making sure the most vulnerable are protected, which is one of the reasons, of course, that we were able to announce the largest funding increase in legal aid history, which supports the lawyers who do this type of work that protects vulnerable children.

TAXATION

Mr. Rosario Marchese: My question is to the Acting Premier. Last week I had a meeting on the issue of the harmonized sales tax at Trinity Bellwoods Park and we had some condominium owners, small business owners and regular homeowners—

Hon. James J. Bradley: Was Hugh Mackenzie there?

Mr. Rosario Marchese: No, he wasn't.

I've got to tell you, they couldn't believe that you have ended the debate or that you're ending the debate today on this particular issue. I've got to tell you, they were really, if truth be told, frustrated and angry. You would know this because there was some Liberal staffer there videotaping the whole meeting. They said that they wanted to know how they could stop this tax, which they consider to be an unfair tax. So I said to the small business owners, condo owners and homeowners that I

would ask you the question. What could they do to stop this tax?

Hon. Dwight Duncan: I would say this: What they could do is look at the full package. I think they would realize, first of all, that this will lower taxes for 93% of Ontarians. That's why prominent New Democrats like Hugh Mackenzie and others are supporting it. I would say to them, I'm sure the members in the third party caucus forgot to remind the small business owners they're getting a 17% cut in their corporate income taxes. They probably didn't tell them that. It's not their job.

The member for the third party probably did not talk about the endorsements of a range of people in the small business community. In fact, the Smart Taxation Alliance says that this is the right policy for Ontario.

We are absolutely committed to creating these jobs and to lowering taxes—

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

Mr. Rosario Marchese: Minister, you keep invoking the financial fairies as the Greeks invoked the oracles 1,000 years ago. I've got to tell you that the only certainty they have is that they're going to get whacked in perpetuity with an unfair tax. That's what they know and that's what is certain.

What we hear from Beaches–East York and what we hear from Toronto–Danforth and Parkdale–High Park and from my riding is that this tax is unfair and they want to fight it, and they believe that the two-day hearings you've had are inadequate for them to be able to tell you what they feel.

What you are doing is wrong. If you are so convinced that you are on the right track, why have you limited the debate to two days of hearings instead of opening it up to all Ontarians for them to tell you what they think and what they feel?

Hon. Dwight Duncan: We introduced this bill some nine months ago. We have had more than 40 hours of debate on the bill here in this House. In fact, this bill has been talked about on the floor of the House of Commons. We've had public hearings on this bill here. We have conducted more than 160 meetings across the province. This is the right package. It's about creating jobs.

I know the member opposite doesn't want to increase the Ontario child benefit and will vote against that. I know that he doesn't want to lower income taxes for low-income Ontarians, and will vote against that. I know that he's going to vote against doubling the senior property tax credit. I know the member opposite doesn't support those.

I believe the people of Ontario will see the wisdom of this policy. We will create jobs, lower taxes for 93% of—

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

TAXATION

Mr. David Zimmer: My question is for the Minister of Revenue. With Bill 218, the Ontario Tax Plan for

More Jobs and Growth Act, Ontarians will see permanent personal income tax cuts starting January 10, 2010. Residents in Willowdale, especially seniors, are facing a global recession. It's important that we get our tax relief in place as soon as possible.

The federal government has helped Ontario introduce this comprehensive package of tax cuts with \$4.3 billion in transition assistance to Ontario. Last week in Ottawa, the federal Conservative and Liberal parties put partisan politics behind them and voted to cut taxes and create jobs in Ontario.

If the federal legislation passes in Ottawa and here at Queen's Park, what will it mean, Minister, for my constituents in Willowdale and indeed for all Ontarians?

Hon. John Wilkinson: I want to thank my friend for the question. It's important for us to remember that, effective January 1, we'll be providing permanent income tax cuts for Ontarians. Some 93% of Ontarians will receive a permanent income tax cut. Some 90,000 Ontario families will not have to pay provincial income tax anymore.

Let's look at it specifically in regard to a senior. Of course, a senior with low income who would receive the GST rebate today will also qualify for the new enhanced Ontario rebate of some \$260. That, in a sense, prepays the tax at 8% of some \$3,250 worth of purchases. As well, a senior will see their property tax credit double by an additional \$250. Again, that's more than \$3,000 worth of additional, permanent, prepaid HST. As well, if that is a senior couple, they will qualify for some \$1,000. That's \$12,500 worth of purchases prepaid.

Mr. Speaker, I—

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

Mr. David Zimmer: This morning, public consultations on our comprehensive tax package continued. These consultations heard from a wide range of groups, including individuals, non-profit organizations and business groups. I, like many residents in Willowdale, followed the consultations closely. The consultation heard from groups including the Canadian Manufacturers and Exporters, which stated that the "HST makes economic sense," and the Ontario Chamber of Commerce, which said, "The HST will, because of increased competitiveness, create jobs," and the Ontario Road Builders' Association, which said the HST is "the most important measure to stimulate economic recovery in Ontario."

Minister, why is it important to the people in Willowdale, and indeed all Ontarians, who are worried about the job outlook, who are worried about the economic outlook? Why is it important that we bring in this comprehensive tax—

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

Hon. John Wilkinson: It's quite simple: We have a fundamental choice that Ontario and Canadians have to deal with. In the face of this global economic recession, is the appropriate answer to do nothing—the status quo? Or is it to do something that will stimulate the economy,

where we have a response that shows that this tax measure, in and of itself, will help to create 591,000 more jobs, an increase in income of some 8.8%, and \$47 billion more investment.

I say to my friend in Willowdale that his riding represents about 1% of the population of Ontario—1% of 591,000 new jobs, 1% of 47 billion dollars' worth of more investment. Every one of his constituents can look forward to having a raise in income of up to 9%. That is good for the people of Willowdale, it's good for Ontario and it's good for Canada. That's why our two governments have agreed that this is the most important—

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

WORKPLACE SAFETY

Mr. John Yakabuski: My question is for the Deputy Premier on the Ministry of Labour. The minister is aware that on September 7, 2007, an industrial accident occurred at Gulick Forest Products in Palmer Rapids. On July 24, 2008, his ministry laid four charges against the Gulicks. Subsequently, their representative set about on a scheme to cajole, intimidate and threaten the Gulicks into pleading guilty, using such tactics as saying, "We're the government. You can't win. If you don't plead guilty, we'll go after you for the full \$2 million. Plead guilty, and it's \$65,000 plus surcharges."

1110

The Gulicks knew they had done nothing wrong and would not be bullied. They had spent tens of thousands of dollars to defend themselves against these bogus charges, and four days before the trial they withdrew them because they had no case. Do you approve of the conduct of inspector Steven Brennan and crown counsels Linda Chen and Catherine Glaister in this matter?

Hon. Dwight Duncan: The member opposite is referencing a matter that is currently before the courts. I would remind him that a worker was seriously injured in the workplace. As the matter is currently before the courts, it would be inappropriate for me to comment further. The court, as I understand it, as it sees to the matter will determine the proper process to address it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Deputy Premier, the agents further engaged in serious wrongdoing to get the notch on their belt, as they say. This included tampering with evidence by doctoring documents, withholding evidence that would be exculpatory to defendants and claiming it didn't exist, and coercing a witness to give false testimony. Minister, the crown must seek the truth ahead of convictions. If the crown engages in nefarious practices, then our justice system fails and we all lose.

Interjections.

The Speaker (Hon. Steve Peters): Ask the question, please.

Mr. John Yakabuski: Minister, I have a binder here of all the facts, and you are aware of those facts. Will you agree to an independent investigation of this matter and

suspend your rogue agents while it's being conducted, or do you approve of their actions?

Hon. Dwight Duncan: Again, the matter is before the courts. I do believe our courts are independent and I do believe our courts will handle the matter in an appropriate fashion. What I would stress on the larger question is that the health and safety of workers is an important issue. It's one where we have increased the number of inspectors. I don't think members of this House should underestimate the importance of health and safety. Earlier today they were complaining about the WSIB unfunded liability, and that member and his party now want us not to enforce the law. In any matters before the court, it would be inappropriate for me to comment. I would stress again to the member opposite that in fact the court is a fair and impartial place for these sorts of issues to be heard.

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

ABORIGINAL CHILDREN'S SERVICES

Mr. Gilles Bisson: My question is to the Minister of Children and Youth Services. Minister, you will know that over 80 kids have attempted suicide, and some have succeeded, in the last year alone. You will know that Payukotayno is one of the agencies charged with making sure that we make those kids safe. Imagine their frustration once they've applied for funding from the Ministry of the Attorney General, from the victims of violence program. They had been approved in order to get money and intervene for some of these kids who are high at risk. Imagine their surprise when they were told last week that the money will not be flowing because of the funding crisis that you refuse to deal with up to now.

My question is this: Why are you allowing this funding crisis to remain, knowing that it's going to prevent the very services that are needed in order to assist some of these kids who are at risk of suicide?

Hon. Laurel C. Broten: I'm pleased to have an opportunity once again to provide an update to this House as to the work that's being undertaken by my ministry, by myself and by folks within the regional office in the Ministry of Children and Youth Services to tackle the critically important issues and to help Payukotayno support their community.

I had an opportunity Friday to speak first-hand to the executive director, members of the board and other individuals at Payukotayno about the ongoing work that we are doing, both at a regional level and the ministry, to tackle the issues with respect to both short-term and long-term sustainability. The issue of the decision having been made with respect to funding from the Ministry of the Attorney General is one that was brought to my attention on December 2. During my call with them, I committed to work very closely with the Attorney General to ensure that aboriginal children are protected and supported. That's exactly what we'll do.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: Minister, why does it take a crisis in order for us in this Legislature—and, more specific-

ally, your government—to deal with what is an epidemic on the James Bay coast when it comes to suicide? This issue has been around for a while. You've known for a while what's been going on with regard to the risk of suicide on the James Bay. There has been funding applied to it—now I'm hearing from you that maybe it's going to get freed. “Maybe” is not going to cut it. We need to know today: Are you committing that the funding crisis will be resolved in the case of Payukotayno and other child and family services agencies in this province so they don't have to shut down come this January? Will the funding needed in order to be able to deal with those kids at risk flow?

Hon. Laurel C. Broten: As I have said before, we will not allow children in this province to be at risk. We are working every day to find a better future for those children, and it has not been a recent initiative of our government to tackle these issues. In fact, our aboriginal healing and wellness strategy crisis intervention teams in the north and a total funding of \$1.8 million for crisis intervention workers are just a few examples of the work that's being done right across the province.

I've been questioned in this House as to whether or not folks within my ministry are working collaboratively with the executive leadership of Payukotayno. I can tell you that one thing that has come from the work that the individuals on-site in Moosonee have been able to do is, by going through the records and the books, they have been able to ensure and identify \$300,000 that needs to come to this agency. We work collaboratively with them. I committed that to them as I spoke to them on the phone last week. My commitment remains the same. We will—

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

GREENHOUSE GAS EMISSIONS

Mr. Phil McNeely: My question is for the Minister of the Environment. Ontario has a long list of accomplishments, under the leadership of Dalton McGuinty, that clearly places our province in a leadership role in sustainable development in North America. Ontarians are proud of the commitment we've made to ending coal-fired generation in this province by 2014, a move that will go a long way to meeting our greenhouse gas reduction targets—below 1990 levels—of 6% by 2014, 15% by 2020 and 80% by 2050.

Ontario has taken another strong step with proposed legislation to put in place a cap-and-trade system, but the inability of the federal government to address greenhouse gas production on a national level jeopardizes the important gains made by Ontarians to date and our future progress. Would the minister please tell Ontarians what is necessary to protect their hard-earned progress in reducing greenhouse gas emissions?

Hon. John Gerretsen: First of all, let me say that Ontarians have come a long way and worked extremely hard to reduce greenhouse gas emissions already, through energy conservation and through buying more energy-effi-

cient products and vehicles. But in order to take action, we also believe that we are responsible as global citizens and we should do our part to fight climate change. A federal plan must be fair to Ontario and must be fair to everyone.

Our plan calls for, as the member said, a 6% reduction by 2014 and a 15% reduction by 2020, which is better than the federal plan of only a 3% reduction, if you look at it in terms of the Kyoto Protocol of 1992. Therefore, we say that Canada should show true leadership by ensuring that significant pollution reductions take place all across the country. The progress that we've made here in Ontario should simply not be used as an excuse to increase emissions elsewhere in the country. Canada should join with other leading jurisdictions to—

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

Mr. Phil McNeely: A report prepared for the Pembina Institute and the David Suzuki Foundation, conducted by professor of environmental economics Mark Jaccard and funded in part by the Toronto-Dominion Bank, shows that Canada is quite capable of meeting its responsibility to the planet. The costs of doing so are low when compared to the price of inaction, and experience is showing that the need to act is more urgent than ever. A few years ago, scientists predicted that the summer ice cover in the Arctic would be gone in 2100; in fact, it is now predicted that the ice cover will be gone in 2030.

Minister, will Ontario be represented at the Copenhagen climate change conference in mid-December? What can Ontario do to try to convince this country's leadership to take action on this most important issue?

1120

Hon. John Gerretsen: First of all, let me thank this member for the leadership role that he has taken, because he has continuously spoken about this issue and taken action with respect to this issue.

Yes, I will be attending in Copenhagen to put Ontario's position forward, together with other subnationals. We believe that through organizations like the Western Climate Initiative, the subnationals—provinces and states—here in North America have really shown the way for both of our federal governments. It's absolutely important that an agreement is reached in Copenhagen. It's to everyone's advantage. I'll be participating on a number of different panels there, and we will continue to press the federal government to come up with a program that is workable, that will reduce greenhouse gas emissions and will truly make Canada, once again, a leading jurisdiction when it comes to fighting climate change.

MUNICIPAL FUNDING

Mr. Garfield Dunlop: My question today is for the Deputy Premier. Deputy, you are aware of the thousands of manufacturing jobs lost in Ontario and the impact municipalities are feeling. You are also aware of the Ontario-municipal partnership fund and the stable funding guarantee grant. Can you inform this House today

whether or not the province intends to cut grants in 2010 to any municipal governments in Ontario that are currently receiving the stable funding guarantee grant?

Hon. Dwight Duncan: What I can say to the member opposite is that our government has uploaded a range of services, unlike his government, which downloaded those services. The total contribution to municipalities is \$3 billion above where it was when we took office six years ago.

Part of that was a signed deal between Ontario's municipalities and this government. I had the privilege of serving on that body. I can assure the member opposite that we will agree to the undertakings we made in the agreement, and we will continue to work with our municipal partners to ensure that Ontario moves forward and grows in the future in a real partnership.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Garfield Dunlop: I never really heard an answer to my question. Deputy Premier, three urban municipalities in my riding have approached me with grave concerns over strong tips that cuts will be made to the stable funding guarantee grant. Mayor Ron Stevens of Orillia indicated to me that the loss of the stable funding guarantee grant of \$1.3 million will dramatically affect the tax bill of the businesses and citizens of Orillia. Mayor James Downer and Mayor Anita Dubeau of Midland and Penetanguishene advise me that the loss of the stable funding guarantee grant will mean a significant increase in their tax rates for 2010.

Will your government announce, before the House adjourns, the names of the municipalities that will be receiving cuts and the elimination of funding in 2010 under the stable funding guarantee grant? The stable funding guarantee grant—that's the question I'm asking you.

Hon. Dwight Duncan: I indicated that we intend to uphold the agreement we signed with our municipal partners. We are uploading ODSP; we are uploading OW; we are uploading court security costs, a whole range of court services, absolutely.

We're doing that because that member and his government downloaded those services. They made the municipal taxpayer pay more for OW, they made the municipal taxpayer pay a larger percentage of ODSP, and that member voted for each and every one of those increases on municipal property taxes.

It has taken us, admittedly, longer than we would have liked to undo the damage that member and his party caused, but we are committed to working with our municipal partners to upload many of those services that his government—

The Speaker (Hon. Steve Peters): Thank you. The member from Nickel Belt.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: Ma question est pour la ministre de la Santé et des Soins de longue durée. The minister's explanation for not providing a PET scan in the northeast is that there is excess PET scan capacity within

the province. Meanwhile, the University Health Network in Toronto is in the process of installing an 11th PET scan in Ontario.

Larger hospitals in urban area centres have options. They have access to research money, grant money; they have a large population base for fundraising. As large hospitals continue to add capacity, under the minister's capacity argument, the northeast will continue to be left behind.

Does the minister really think that denying access to very sick patients in northeastern Ontario on the basis of capacity is reasonable?

Hon. Deborah Matthews: I know how difficult it is for someone who has been diagnosed with cancer or someone they love has cancer and needs immediate treatment, and that's why we've made PET scanning an insured service. It's available to cancer and cardiac patients, where it has been proven to be clinically effective. There is no one who is denied access to PET scanning technology in this province.

We will continue to evaluate and fund this technology, based on the advice of medical experts. We turn to the experts to help us make these decisions that are so critical to the sustainability of our health care system. We turn to people like Dr. Bill Evans and Terry Sullivan. There's an Ontario PET steering committee. In the case of northeastern Ontario, I think the member opposite knows that while we would love to have PET scanners—

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

M^{me} France Gélinas: The people of northeastern Ontario have talked loud and clear. You don't have to listen to me, but listen to the numerous municipalities; listen to all of the First Nations that have written to you; listen to the 20,000 people that have signed a petition calling for PET scanning for northeastern Ontario.

Minister, every region in this province has access to PET scanning except northeastern Ontario. When the McGuinty government decided to add PET scanning as an insured service, you had a duty to ensure equity of access to everybody in this province.

Winter has started in northeastern Ontario. Our roads are covered with ice and snow right now. Does the minister think that it is fair or reasonable for extremely sick people to drive for five to 12 hours to get a PET scan in Toronto? Why is the minister ignoring the needs of very sick people in northeastern Ontario?

Hon. Deborah Matthews: I commend the member opposite for advocating for her community. It's our job, of course, to make sure that people across the province have fair and equal access to PET scanning. There is no wait-list for PET scanning today. We do have other wait-lists that we're trying very hard to bring down.

The other issue I think the member opposite needs to understand is that we do not actually buy the PET scanners. That's done by the community. What we do is look at paying for funding for operating the PET scanner when the community has purchased it.

If the community of Sudbury can raise the money to purchase the PET scanner, we will consider—I want to

stress, we will consider—because we do have to look at the provincial picture. We have important strategies to bring down wait times for MRIs and CTs, among other things. At this moment there is no wait-list for people waiting for PET scanning.

FLU IMMUNIZATION

Ms. Sophia Aggelonitis: My question is for the Minister of Health and Long-Term Care. The vaccination program for H1N1 has now been ongoing for a little over a month. There were some bumps in the road during the rollout, but overall the vaccination campaign has gone fairly smoothly.

Interjections.

The Speaker (Hon. Steve Peters): The member from Kenora—Rainy River and the Minister of Community and Social Services: Take the discussion outside. Please don't interrupt the discussion in the question period.

Please continue.

Interjections.

Ms. Sophia Aggelonitis: Minister, we know that millions of people have been vaccinated in the province, and there are some people who say the H1N1 virus is behind us and we should not be concerned anymore. Can the minister please confirm whether the H1N1 vaccination program is continuing and whether or not Ontarians—

Interjections.

The Speaker (Hon. Steve Peters): The member from Kenora, please don't interrupt.

Mr. Howard Hampton: I'm not alone.

The Speaker (Hon. Steve Peters): You're interrupting the question period. I warn the member from Kenora—Rainy River, please.

Please continue.

Ms. Sophia Aggelonitis: Minister, please confirm whether the H1N1 vaccination program is continuing and whether or not Ontarians still need to get their shot.

Hon. Deborah Matthews: Let me take this opportunity to thank our health care workers right across the province, who have done an extraordinary job. They truly rose to the occasion, helping carry out the largest vaccination campaign ever in the history of this province. Never before have we administered so many vaccines in so short a period of time. We are tremendously grateful for the hard work that has been done across this province.

H1N1 flu activity does continue to be high in many areas of the province. The flu season extends right through the winter and into the spring. That's why we are continuing to offer the H1N1 vaccination until at least next spring. We simply do not know how long this pandemic will last.

I encourage all Ontarians who have not yet received the vaccine to get it. It's important to stop the spread of the disease and to protect your family.

1130

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Sophia Aggelonitis: Minister, I will certainly continue to encourage people in my riding of Hamilton

Mountain to get the shot if they haven't yet. It's important for them to protect themselves and their families.

While we hear of more family doctors offering the vaccine, special clinics set up by public health units for H1N1 vaccinations like those in Hamilton are closed or are closing soon. These clinics were an ideal venue for mass vaccinations. Minister, are there plans to offer the vaccination in any other settings in Ontario?

Hon. Deborah Matthews: I'd like to thank the member from Hamilton Mountain for her tremendous work for her constituents. Special flu clinics are winding down as more family doctors and other community health providers are now offering the vaccine. I'm very pleased to report that workplaces will be offering the H1N1 vaccine in combination with the seasonal flu vaccine. Workplace clinics are a very convenient way to get the vaccine out to Ontarians, and we are very happy that so many employer are stepping up to offer clinics.

The Ontario public service is one of those employers offering clinics. Over 70 clinics will be run across the province, starting today. This is very good news for the close to 70,000 members of the OPS. We're also offering clinics on campuses at Trent, at Fleming, at Queen's, at UOIT, at Ridgeway College, at Georgian College, at Lakehead—I had mine at Western—

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

HOSPITAL SERVICES

Mr. Ted Chudleigh: My question is for the Minister of Health and Long-Term Care. Milton hospital was built to serve a community of 30,000 people; today the population exceeds 90,000 people, and by 2021, the population of Milton is expected to surpass 180,000 people.

Halton health services submitted its business case to redevelop Milton hospital in September 2008. On November 26, 2009, noting that the current Milton District Hospital facility is outdated, undersized, reaching the end of life and incapable of supporting modern-day services, the Mississauga Halton LHIN endorsed the redevelopment of Milton hospital, but it has taken an unacceptable 14 months to get through the first stage of your capital expenditure management procedures.

Minister, how long will it take to ensure adequate health facilities for the residents of Milton?

Hon. Deborah Matthews: Again, I applaud the member for advocating for his community. I just am a bit puzzled, because when we came to office in 2003, there was a tremendous pent-up demand for new hospital capital projects across this province. Our hospital infrastructure had fallen into a dreadfully poor state. We have had an unprecedented amount of infrastructure built. We have hospitals going up right across this province. I'm very, very proud of the progress we've been able to make to date. Although I am well aware that there is still more demand for upgrading and for new hospitals, we're doing the very best we can. We've spent the first six years try-

ing to do some catch-up because of the neglect of the past, and we will continue to do that.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Chudleigh: Minister, in 2001, our government started the redevelopment of Milton hospital, and if that had continued, it would have been open this year. But when you were elected in 2003, you cancelled it. You cancelled the redevelopment of the Oakville hospital and you cancelled the redevelopment of the Milton hospital. Both of those hospitals would have been open this year if that had continued. You didn't restart that process until 2005 in Oakville and 2007 in Milton. Today, those hospitals are sadly lacking because your government didn't manage them properly.

Minister, tell the people of Milton when the functioning program stage of the redevelopment of Milton hospital will finally occur.

Hon. Deborah Matthews: I would have loved to have seen that passion when his party was in power. I can tell you that for the first time ever, our government introduced ReNew Ontario, a five-year, \$30-billion infrastructure plan. We've seen more than 100 major hospital initiatives under way. We've increased health care spending—I know the party opposite wants to cut health care spending, but we have increased health care spending. In Milton alone, at Halton Healthcare Services—a 60.4% increase in base funding since 2003. Halton Healthcare Services received over \$3 million in growth funding. The Oakville-Trafalgar hospital, which I know is not located in your riding but benefits people who live in your riding—the largest redevelopment project in Ontario's history. It will improve health care for your constituents.

DIAGNOSTIC SERVICES

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

Last year, on December 16, the then Minister of Health announced that, starting in January 2009, the cost of a prostate-specific antigen test, a PSA test, performed at a community lab will be covered under the Ontario health insurance plan when ordered by a primary care provider. Yet, one year later, when men go to their community labs, they often are asked to pay out of pocket. It's \$30 in Kitchener, \$50—it's actually \$70 in my community.

Why did the government allow men to believe that the PSA would be covered when, really, it's not always the case?

Hon. Deborah Matthews: We are expanding access to the PSA test. We're making it easier for men to get tested. This year, all men who meet PSA clinical guidelines are able to have that test paid for by OHIP at a community lab or in hospitals.

Doctors and nurse practitioners follow specific criteria, known as clinical guidelines, to determine which patients qualify for an OHIP-funded PSA test. A number of different factors influence the health care provider's decision to request an OHIP-insured test. It's very

important that men talk to their health care provider to find out if that PSA test is right for them.

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

ANNUAL REPORT, AUDITOR GENERAL

The Speaker (Hon. Steve Peters): I beg to inform the House that today I have laid upon the table the 2009 annual report of the Auditor General of Ontario.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member for Renfrew–Nipissing–Pembroke has given notice of his dissatisfaction with the answer to his question given by the Deputy Premier concerning the actions of the Ministry of Labour. This matter will be debated tomorrow at 6 p.m.

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

The House recessed from 1137 to 1300.

MEMBERS' STATEMENTS

FIREFIGHTERS

Mr. John O'Toole: I'm pleased to rise today and pay tribute to one of my constituents, firefighter Mike Maier. He received the Ontario Medal for Firefighter Bravery a week ago last Friday here at Queen's Park. This medal recognizes the exemplary courage and bravery of police and firefighters.

Firefighters Mike Maier and James Gale pulled their fallen captain from the basement of a burning apartment building in July 2008. The firefighters, along with their captain, were investigating smoke in the building. When the apartment was rocked by a massive explosion, firefighters Maier and Gale escaped, but their captain was still inside. Both firefighters returned to the burning building, at first using a hose to extinguish the fire. Then they moved beyond the range of the hose to locate their injured captain and carry him to safety.

I would like to pay tribute to both firefighters and their colleagues at Toronto Fire Services. It was my privilege to commend firefighter Mike Maier on behalf of the citizens of Durham and to attend the ceremony where he received the medal of bravery.

STUDENT ACHIEVEMENT

Mrs. Carol Mitchell: I rise today to talk about an exciting program through the Ministry of Education that has made a significant impact in my riding. Students in the communities of Clinton, Kincardine and Port Elgin now have more opportunities for hands-on learning thanks to the government's growing specialist high skills

major program. These specialist majors allow students to focus on a career path that matches their skills and interests.

At Kincardine District Secondary School, students will now have access to the construction major program, which involves seven special certification courses and contextualized classroom work, with a co-op placement which will give students a leg up in the job market in the integral construction trades industry.

Saugeen District Secondary School in Port Elgin will be among the first schools in the province to offer a majors program focusing on the energy sector, which provides great synergy for the community that has such a large energy presence with the Bruce nuclear plant.

St. Anne's Catholic Secondary School in Clinton, which has already been successful in implementing the agricultural high-skills major at the school, has also added an arts and culture major for this school year.

With the emphasis on the co-op component of the major, there is also a significant community presence needed to make the program work, and so far, several local companies have taken on this role, including Bruce Power, the local municipalities, Tim-br Mart, the Construction Safety Association of Ontario and the local carpenters' union. Congratulations to all.

VICTIMS OF CRIME

Mr. Ted Chudleigh: Patricia Marshall and her daughters had their privacy and security violated by a young man who admitted to masturbating while peeping through a window of their home. Above and beyond this horrible experience, the Marshalls had their victim rights violated by a senior crown attorney and were abandoned by Ontario's justice system. Without informing the Marshalls, the crown withdrew charges against the young man. The crown did not proceed on a lesser charge. The crown did not even ask for a peace bond to ensure the Marshalls' security and the young man's rehabilitation.

Today, the Marshalls have cameras pointed at their house and they are taunted. Their concerns remain unanswered. The police had a properly obtained confession and videotaped evidence upon which they laid a charge, yet the crown decided to throw this aside and allow the young man to walk free without repercussions. Patricia Marshall and her family were tossed to the sidelines of justice.

At the same time, the Attorney General said he takes this issue very seriously, but he did nothing to address the Marshalls' horrendous situation except to tell them to go to the police if they were re-violated. The Marshalls have gone to the police, but they have heard nothing of late regarding their ongoing concerns. We have heard that the hands of the police have been cuffed in regard to the Marshalls' concerns.

This situation has set a horrific precedent for victims in Ontario. I would like to state my opposition to the abhorrent manner in which the Marshalls have been treated and the empty words provided by this Liberal government.

MERV SMITH

Mr. Kevin Daniel Flynn: It's with great sadness that I rise today to inform the House of the passing of Merv Smith. Merv passed away last week after a battle with multiple myeloma, a rare blood cancer that represents only 1% of all cancers and 2% of cancer deaths.

When I first met Merv, he spoke of the advances in the medical treatments that were available to those afflicted by this disease. He spoke of the hope that some day in the near future, multiple myeloma will become chronic rather than fatal. Over the course of the last two years, Merv had received several of these treatments. One of them was a drug called Revlimid, approved by Health Canada but, at that time, not funded in Ontario.

Merv, who moved to Oakville in 1981 from the birthplace of medicare out west, was spurred into action to rectify this situation. He petitioned the Ontario government and the Ministry of Health and Long-Term Care to approve funding for the drug, and he was successful. Those who knew Merv would say that he did this as a matter of fairness, believing that people should not have to choose between bankruptcy and obtaining medical treatment.

After the decision was made to fund the drug in Ontario, he didn't stop, and this demonstrated that there was just never any quit about him. He began to coordinate efforts throughout the country in an attempt to ensure that no matter where you lived, no matter who you were, treatment would be available.

His fight for fairness is an example to us all. The world needs more Merv Smiths.

TAXATION

Mr. Garfield Dunlop: I want to talk about some things that happened in my riding this weekend. I actually had two breakfast meetings, three Santa Claus parades, two art gallery receptions, one food bank drive, two municipal Christmas parties, a manufacturing plant Christmas party and a volunteer breakfast, and the common topic throughout all of the parties, at all the organizations of different backgrounds, was the implementation of Dalton McGuinty's HST. I came across nobody in the hundreds and hundreds of people I met who supported a harmonized sales tax. They are very, very deeply concerned with what is going to happen to their pocketbooks. It is absolutely a tax on the consumer.

I can't understand why we're forcing this bill through this Legislature, why there have been virtually no committee hearings outside of this Legislature at standing committee, and yet we're going to force this tax on the citizens of the province of Ontario.

I would like to say to the members opposite, you had better start covering your heads, because you know what? You've seen the polling. We're already ahead by double-digit numbers as a result of this. You may sit over there and laugh all you want, but the reality is that you are going to wear this in the next election. You're going to

wear it very seriously, because the general population is absolutely opposed to the harmonized sales tax being implemented here in the province of Ontario.

HUMAN RIGHTS

Mr. Peter Tabuns: I rise to add my voice to the call of federal New Democrats asking Canada to pressure Uganda to immediately withdraw the anti-homosexuality bill introduced in its Parliament in October. The bill is a violation of human rights and of international agreements and threatens the civil rights guaranteed in the Ugandan constitution.

I'm bringing forward the words of Bill Siksay, our federal New Democrat critic for gay, lesbian, bisexual, transsexual and transgender issues. He informs people that, among other things, the bill seeks to imprison anyone who fails to report the identities of people they know to be gay or lesbian, and it would impose life imprisonment on anyone who "commits the offence of homosexuality." "Aggravated homosexuality," defined in the bill as a situation where one partner is HIV-positive, is punishable by the death penalty.

I agree with Mr. Siksay that Canada needs to speak out clearly and unequivocally against the proposed anti-homosexuality bill. Mr. Siksay is quite correct when he says the bill "represents an extremely dangerous affront to human rights and AIDS/HIV policy, and must be denounced and stopped."

I have tremendous respect for the people of Uganda. Their recent history has been one of trial after trial. The government's introduction of this bill is unworthy of that nation.

1310

RENEWABLE ENERGY

Mrs. Liz Sandals: We all know that climate change is one of the most important emerging issues, and Ontarians want their government to be a leader in producing cleaner, more sustainable energy sources.

The McGuinty Liberals are committed to becoming a North American leader in sustainable energy production, cleaning up the air we breathe and creating green-collar jobs. We believe the official opposition parties' support of dirty coal is not acceptable. Ontarians deserve better, and through the Green Energy Act we are creating the value-added jobs Ontarians want and the energy sources we need. For example, the First Light solar park, located in the picturesque town of Stone Mills, is the largest commercial solar farm operation in Canada. It will generate enough electricity to power 1,000 homes in the first year alone. This is equivalent to taking almost 1,800 cars off the road. In 2003, when we came to government, Ontario produced only 15 megawatts of wind power generated by just 10 wind turbines. Now Ontario has over 1,100 megawatts of wind power generated by over 670 turbines. These solar and wind energy projects

underscore our government's commitment to harnessing the sun—

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

TAXATION

Ms. Helena Jaczek: Our government has been working hard to make sure that Ontarians understand how the HST will benefit them. We know that some Ontarians, like the Police Pensioners Association of Ontario, have concerns about the HST, but I'd like them to know that our tax reform package includes many tax cuts and credits that will benefit them. For instance, they will receive Ontario property and sales tax credits of up to \$1,025, and we are doubling the senior homeowners' property tax grant to \$500. On top of that, 93% of Ontarians will receive a tax cut, and 90,000 low-income individuals will no longer have to pay provincial income tax. We have created point-of-sale tax exemptions on items as such basic groceries, most health services and prescription drugs. For example, a senior with a \$20,000-pension income will actually save \$175 in the first year alone when all of these tax cuts and credits are taken into account.

I would like to reassure Ontario's seniors that our tax reforms will actually help keep more money in their pockets. I applaud the Premier and our ministers for helping Ontario's seniors.

TAXATION

Mr. Dave Levac: The opposition has put forward myths regarding the HST, and I would like to try to clarify some of those myths that have been perpetuated. For instance, the opposition incorrectly claims that a report by respected economist Jack Mintz cost \$700,000 to commission. In fact his report, which says the HST will create almost 600,000 new jobs in Ontario, was commissioned at a cost of only \$9,000. There's a big difference between \$700,000 and \$9,000. The opposition also incorrectly claims that the HST will cost seniors \$2,863 more per year; this is not correct. For example, a senior with a pension income of \$20,000 will experience a positive net impact of \$175 in the first year, when you take into account the entire budget, including the income tax cuts, the sales cuts and the credits.

But that's not all the opposition spreads myths about. Nine Conservative members are on record as supporting the HST. For example, the member from Leeds-Grenville, Mr. Runciman, once said that his party is supportive of harmonization and that the HST "is something we think should occur," not to mention that the Leader of the Opposition, Mr. Hudak, who had two opportunities to vote against the HST, didn't do it either time.

I think it's time for the opposition to start being straight up on how our tax reform package actually affects us. We need to demyth the information about the—

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

INTRODUCTION OF BILLS

ONTARIO ENERGY BOARD AMENDMENT ACT (DOOR-TO-DOOR ELECTRICITY RETAIL), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (VENTE D'ÉLECTRICITÉ AU DÉTAIL PAR VOIE DE DÉMARCHAGE)

Mr. Brown moved first reading of the following bill:

Bill 230, An Act to amend the Ontario Energy Board Act, 1998 to prohibit door-to-door retail of electricity /
Projet de loi 230, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario afin d'interdire la vente d'électricité au détail par voie de démarchage.

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 1315 to 1320.

The Speaker (Hon. Steve Peters): Members, please take your seats.

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

Ayes

Aggelonitis, Sophia	Dickson, Joe	Matthews, Deborah
Albanese, Laura	DiNovo, Cheri	Mauro, Bill
Arthurs, Wayne	Dombrowsky, Leona	McNeely, Phil
Bailey, Robert	Elliott, Christine	Meilleur, Madeleine
Balkissoon, Bas	Flynn, Kevin Daniel	Mitchell, Carol
Bartolucci, Rick	Gerretsen, John	Moridi, Reza
Bentley, Christopher	Hampton, Howard	O'Toole, John
Best, Margaret	Hardeman, Ernie	Ouellette, Jerry J.
Bisson, Gilles	Hoskins, Eric	Pendergast, Leeanna
Brotten, Laurel C.	Jaczek, Helena	Qaadri, Shafiq
Brown, Michael A.	Jeffrey, Linda	Sandals, Liz
Cansfield, Donna H.	Kular, Kuldeep	Savoline, Joyce
Carroll, Aileen	Kwinter, Monte	Smith, Monique
Chudleigh, Ted	Lalonde, Jean-Marc	Sousa, Charles
Colle, Mike	Leal, Jeff	Tabuns, Peter
Crozier, Bruce	Levac, Dave	Yakabuski, John
Delaney, Bob	Mangat, Amrit	Zimmer, David

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

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 51; the nays are 0.

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

First reading agreed to.

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

Mr. Michael A. Brown: Thank you very much. This bill amends the Ontario Energy Board Act of 1998 to prohibit the retailing of electricity by means of door-to-door solicitation. A contract for the provision of electricity has no effect if it is entered into as a result of door-to-door solicitation by the retailer.

MOTIONS

ORDER OF BUSINESS

Hon. Monique M. Smith: I seek unanimous consent to put forward a motion to arrange proceedings for the debate of orders for concurrence in supply to be held on Tuesday December 8, 2009.

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

Hon. Monique M. Smith: He always has been, the member for Brant. I move—

Interjections.

Hon. Monique M. Smith: I withdraw.

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

Hon. Monique M. Smith: I move that when the orders for concurrence in supply for the various ministries, as represented by government orders 31 through 41, inclusive, are called, they shall be debated concurrently; and

That two hours be allotted to the debate, divided equally among the recognized parties, at the end of which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of each order for concurrence; and

That any required divisions on any of the orders for concurrence in supply shall be deferred to deferred votes, such votes to be taken in succession with one five-minute bell.

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

Motion agreed to.

PETITIONS

TAXATION

Mr. John O'Toole: It's a long time waiting to have my voice heard on Bill 218. I have a petition on it, and these are coming in by the thousands. I am going to read it as follows:

"To the Legislative Assembly of Ontario:

"Whereas Premier ... McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses" in Ontario "can least afford it;

"Whereas, by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses" use and "buy every day. A few examples include: coffee"—they've changed their mind on that one—"gas for the car, home heating oil and electricity; health services, haircuts, dry cleaning and personal grooming; home renovations and home services; veterinary care and pet care; legal services, the sale of resale homes, and funeral services;

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the" now-dreaded "health tax, which costs upwards of \$600 to \$900 per individual. And now he is raising our taxes again;

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

"That ... Dalton McGuinty ... wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and pass it on to Maggie on one of her last days here at Queen's Park.

RAIL LINE EXPANSION

Ms. Cheri DiNovo: A petition to the Legislative Assembly of Ontario:

"Whereas Metrolinx, an agency of the government of Ontario, is planning an eightfold expansion in diesel rail traffic from 50 trains per day to over 400 trains per day in the Georgetown corridor, which cuts through west-end neighbourhoods including Liberty Village, Parkdale, Roncesvalles, the Junction and Weston; and

"Whereas this expansion will make this the busiest diesel rail corridor on the planet; and

"Whereas exhaust from diesel locomotives is a known danger to public health, linked to cardiovascular disease, respiratory disease, cancers and premature death; and

"Whereas diesel exhaust poses an especially potent danger to children and the elderly; and

"Whereas diesel trains are harmful to the environment and contribute to climate change and are also heavy, loud and disruptive to neighbourhoods and local quality of life; and

"Whereas over 250,000 people live within one kilometre of this line and 30,000 children attend one of more than 200 schools within one kilometre of the tracks;

"Therefore we, the undersigned"—over some 7,000 signatures here—"are concerned citizens who urge our leaders to act now to ensure that the rail expansion in the Georgetown south rail corridor, including the air-rail link, be electrified from the outset and that there be no further expenditure on diesel technology."

I couldn't agree more, and I'm going to affix my signature and give it to Nicolas to be delivered.

PUBLIC TRANSIT

Mr. Mike Colle: A petition to stop the violence on public transit:

"Whereas too many innocent people are being victimized by acts of violence while using public transit" every day; and

"Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

"Whereas we need to send a strong message of zero tolerance for violence on public transit; and

“Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

“Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

“We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... private member’s bill ... to crack down on violence on public transit.”

I support this petition and affix my name to it.

TAXATION

Mrs. Joyce Savoline: “To the Legislative Assembly of Ontario:

“Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

“Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for haircuts, funerals, gym memberships, lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I wholeheartedly agree with this petition, and I will give it to page Jordan.

EMPLOYMENT INSURANCE

Mr. Mike Colle: I have a petition asking for fairness for Ontario’s workers.

“To the Legislative Assembly of Ontario:

“Whereas the federal government’s employment insurance surplus now stands at more than \$54 billion; and

“Whereas over 75% of Ontario’s unemployed are not eligible for employment insurance because of Ottawa’s unfair eligibility rules; and

“Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

1330

“Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus” unemployed are “not qualifying for many retraining programs;

“We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the dis-

crimination and unfairness towards Ontario’s unemployed workers.”

I support this petition and affix my name to it.

TAXATION

Mr. Ernie Hardeman: I have here a petition that comes from my riding from the village of Tavistock, signed by what appears to be almost every constituent in Tavistock. It is to the Legislative Assembly of Ontario.

“Whereas residents of Oxford do not want Dalton McGuinty’s new sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals’ new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I affix my signature as I wholeheartedly agree with this petition.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: Today, I have decided to present 6,000 names from a petition to ask for PET scanning for northeastern Ontario, and they come from all of the ridings of northeastern Ontario. It goes as follows:

“Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service.... ; and

“Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

“Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

“We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario.”

I fully support this petition and will affix my name to it and send it to the clerks’ table with page Samuel.

MENTAL HEALTH SERVICES

Mr. Bill Mauro: I’ve got a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas we currently have no psychiatric emergency service at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario;

“We, the undersigned, petition the Legislative Assembly to support the creation of a psychiatric emergency service in emergency at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario.”

I support this petition and affix my name to it.

TAXATION

Mr. Robert Bailey: This petition is from the residents of Bruce–Grey–Owen Sound.

“To the Legislative Assembly of Ontario:

“Whereas the residents of Bruce–Grey–Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

That’s from the residents of Bruce–Grey–Owen Sound.

PUBLIC TRANSIT

Mr. Mike Colle: I have a petition along with the Amalgamated Transit Union in support of ending violence on public transit.

“Whereas too many innocent people are being victimized by acts of violence while using public transit; and

“Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

“Whereas we need to send a strong message of zero tolerance for violence on public transit; and

“Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

“Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

“We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... private member’s” Bill 151 “to crack down on violence on public transit.”

I support the Amalgamated Transit Union and their petition and affix my name to it.

HOSPITAL FUNDING

Mr. John O’Toole: I’m pleased to be able to stand again for the constituents in the riding of Durham and read one of the many petitions. This group of petitions is important. It reads as follows:

“Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health” hospital in Bowmanville; and

“Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville’s hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

“Whereas Clarington is a growing community of over 80,000; and

“Whereas we support the continuation of the Lakeridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

“Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equally and fairly.” Furthermore, they request that the clinical services plan—now we’re talking the second phase—of the Central East local health integration network address chronic underfunding and the need for the Bowmanville hospital to continue to offer a complete range of services appropriate to a growing community like Clarington.

I’m pleased to sign and endorse this on behalf of the constituents and to pass it to Alana.

TAXATION

Mr. Robert Bailey: I rise again to present this petition.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty’s plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

“This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including,” but not excepting, “electricity, home heating oil and gas at the pump; haircuts, magazines and Internet; home renovations, heating and air-conditioning repairs; accounting, legal and real estate fees; condo fees and new home sales; rents will also go up; minor hockey registration fees will increase; green fees and gym fees will also be taxed;

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

“That the McGuinty government not impose this new tax on Ontario’s hard-working families and businesses.”

I agree with this and affix my signature to this Sarnia–Lambton petition and send it down with Hadhy.

1340

TAXATION

Mr. Ernie Hardeman: I have a petition here signed by a great many of my constituents in Oxford.

“Whereas residents of Oxford do not want Dalton McGuinty’s new sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals’ new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I affix my signature as I agree with this petition.

SALE OF DOMESTIC WINES
AND BEERS

Mr. Robert Bailey: I rise again. This petition is from the Ontario Korean Businessmen’s Association.

“Say Yes to Beer and Wine Sales in Convenience Stores.

“To the Legislative Assembly of Ontario:

“Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, a few winery retail stores and the Beer Store, and the three large beer companies are owned by multinationals;

“Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public;

“Whereas it is desirable to promote the sale of beer and wine in a convenient manner.... ;

“Whereas it is essential to support local convenience stores for the survival of small businesses;

“Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of ‘if’ but ‘when’;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now.”

ORDERS OF THE DAY

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Mrs. Dombrowsky moved third reading of the following bill:

Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d’autres lois.

The Speaker (Hon. Steve Peters): Debate?

Hon. Leona Dombrowsky: I will be sharing my time this afternoon with the member from Haliburton–Kawartha Lakes–Brock, who has spent a great deal of time considering this bill and talking to Ontarians about the importance of the bill, as well as understanding ways that we can improve it, and I think that we have done just that.

I really am very privileged to bring this bill before the Legislative Assembly, as it is a bill particularly focused on supporting the agriculture industry in the province of Ontario, most specifically protecting animal health.

I do want to spend just a few moments today talking about the consultation process that has been under way, not just in recent weeks but really over the course of a number of years. I know that my parliamentary assistant, the member from Haliburton–Kawartha Lakes–Brock, is also going to talk a bit about the consultations that he has worked very diligently on with many of our colleagues in this assembly.

I’m sure that Ontarians may not be aware of the significance of the agriculture and poultry sector to the economy of Ontario, but in fact, it does generate \$4.45 billion in farmgate activity each year. That is money that is generated largely in rural Ontario. Obviously, it is what keeps rural Ontario alive and well and thriving.

We also have the largest poultry industry, the second-largest swine and dairy industries, and the third-largest beef industry in Canada. So while there are other provinces that are significant agricultural contributors, Ontario plays a very key role when it comes to the production of poultry, swine and cattle.

The presence of disease in any of these sectors can have very, very serious consequences—obviously for the farmers, for the communities where they live, but also for the economy of the province of Ontario.

The proposed legislation that we have brought forward, that has been debated, that we have consulted on, does provide measures to assist in the detection, the prevention, the response to and the control of animal diseases and other hazards. So while it specifically focuses on animal disease, there is also part of the bill that talks about other hazards; animal feed, for example.

It also includes a framework for a traceability system that would enable us to track food from the field to the

fork and will fit with any national traceability framework that may be developed. I think that's very key. The province of Ontario wholeheartedly supports a traceability system. I can say to you that from my experience at the federal-provincial-territorial ministers' table, ministers of agriculture from across Canada believe that we need a national traceability system in place. We also believe that the federal government would have a key role in supporting farmers in enabling this system.

So what we have done with this legislation is put in place a framework so that when the federal government does move forward with a national traceability system, we are ready to support our industry with framework legislation that will enable us to engage the federal traceability system.

We believe this is key. As we continue to work and press the point with our federal government partner, we do look forward to the federal government supporting a national traceability system, which is what has been asked for by other provinces right across Canada. We know that traceability will contribute to Ontario's ability to demonstrate to both domestic and international markets the integrity of our food product. We in Ontario know that we're very confident in our food—that it's safe, and the security of our food system is in place. We know that when we have a national traceability system in place, it will make our quality product even more marketable internationally.

With respect to consultations, we have been consulting with our stakeholders for three years, and we thank our stakeholders, who have, I think, really done an excellent job bringing us the information around what we should do and where we should go with respect to legislation. As a result of that three-year engagement, we have been able to bring forward Bill 204, a very comprehensive piece of legislation. This is a result of the work we've done with our industry stakeholders.

Again, in June of this year we posted the proposed legislation on the Environmental Bill of Rights registry, a very public registry where we invite our partners to look at what we're thinking of doing and provide us with comments about how they think we should move forward and where they think we might improve the document, and we listen to them. We received over 30 submissions from different organizations in response to those postings.

We will continue. We are now at third reading. We have listened; we have made changes. We thank everyone in this Legislature for all the input they have had to this important piece of legislation, and we commit that we will continue to work with our partners as we move forward, as we build regulations around this legislation.

Speaker, I thank you very much for the opportunity I have here today on third reading debate to speak to the fact that I believe we have had a good discussion across the province. I'm going to ask my assistant, Rick Johnson, who shepherded the bill through the committee process—I know he has some comments he would like to make as well on this legislation.

I especially want to thank all the agriculture stakeholders in the province of Ontario. They've taken this

piece of legislation seriously. They've come forward; they've been very supportive, very helpful as we drafted it and since then as we have considered amendments to it. If this bill is passed, I believe that the farmers of Ontario will be most grateful and very well served with this piece of legislation.

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

Mr. Ernie Hardeman: I'm pleased to rise today to speak to Bill 204, the Animal Health Act. I want to start by thanking the agricultural organizations that appeared at the committee hearings to share their thoughts on this bill. A number of them had really good comments about where the government had missed the mark and what needed to be improved, and I appreciated the time and thought they put into analyzing the bill.

As we all know, traceability is something that stakeholders wanted and were looking for in this bill. The stakeholders were hopeful that this bill was going to contain more of that. In fact, I think a lot of people were disappointed to find that all it contained is the ability to set something up later by regulation.

Stakeholders were also hopeful that the government was going to work with them to ensure that this act works; hopefully that organizations would not just be consulted but listened to and that their concerns would be addressed. Instead, the government forced the bill through on time allocation, which cut off second reading debate; limited committees to one day in Toronto with very short notice; and limited third reading debate to 20 minutes per party. I want to point out that with the short notice for committee hearings, the only people who appeared were agricultural organizations that have full-time staff who are able to watch and keep an eye on these issues. By the time the average farmer learned that the date of the committee hearings was set, the hearings were over.

During second reading debate, I raised that concern. This government often claims they want input and then refuses to listen or accept any opposition or third party amendments.

1350

During the debate, the parliamentary assistant for agriculture stated, "I appreciate the comments of the members from Oxford and Kenora-Rainy River, particularly the member from Oxford. I appreciate the experience that he brings to the debate, and I also appreciate that he has made some suggestions instead of just simply criticizing."

I thank him for those kind comments. He really tried to make it sound like he was listening, but what's the point of having a real debate or putting forward good, constructive amendments when the government just ignores the input and votes down every single amendment?

We tried to work with the government to make this a piece of legislation that would really work for the farmers because we recognize how important this issue is. We recognize that agricultural organizations want a traceability system, and we recognize that farmers already have too much unnecessary paperwork and red tape.

In fact, during the committee hearings, the Ontario Federation of Agriculture said, “Farmers, however, are already subject to considerable administrative and reporting responsibilities. These administrative responsibilities carry with them costs that are not necessarily reflected in the price received by farmers.”

I want to remind the Legislature that, during second reading debate, I also raised concerns that this act would create more red tape for farmers, and I gave the example of the fact that it allowed new licensing and permits. The member from Lambton–Kent–Middlesex responded and said: “There are a few things I want to remind the member of. You were talking about the licensing. We are repealing three acts and incorporating them into this one, including the Livestock Community Sales Act. When I look at page 9, when you talk about section 12, and I read through it, I see licensing as it relates to livestock yards and the ability to repeal, take away, or refuse to license those types of entities. I think that’s appropriate inside this act, since we are, as I say, bringing three other acts into this one as well.”

I understand the member’s argument, that if the government is repealing acts in which there are licences that serve a purpose, the new act that is introduced should contain that ability to license.

There is nothing in her argument or the arguments from any government members that explained the need for more licences. So based on the debates in this Legislature, the PC caucus introduced the following amendment:

“I move that clause 63(3)(a) of the bill be struck out and the following substituted:

“(a) prescribing activities for which a licensed certificate, registration or permit is required, provided the activities are ones for which a licence, certificate, registration or permits are required under the Bees Act, the Livestock Community Sales Act and the Livestock Medicines Act as those acts read immediately before they were repealed.”

This would restrict the licensing and permits allowed under the new act to those that were required under the old act. Remember, this is why they claimed they needed the ability to create new licences, certificates and registrations. I’m disappointed to have to report that the Liberal members voted that amendment down in spite of what they said in this Legislature. Apparently, they already know they are planning to put more licences and permits in place; they just don’t feel the need to share the details with us here or with Ontario’s farmers.

It concerns me that perhaps we have more things that they are planning to implement later by regulation. In this bill, the McGuinty government has given themselves the ability to do a huge amount behind closed doors through regulations. In fact, during the committee hearings, they tabled several amendments that allowed them to redefine words through regulations. To me, if you’re looking for a definition of a word, usually you look in the Oxford dictionary, and not just because it shares the name of one of the greatest ridings in Ontario. Allowing the minister

to change the definition of a word behind closed doors means that she is able to change the meaning of the act, such that the impact is very different from what was intended when the members of this Legislature voted on it.

For instance, there is an amendment that gave the minister the ability, through regulation, to define what is a hazard. I asked the ministry staff who were present whether this meant the regulations would be changed to include animal welfare. He said, “For this provision, the definition of ‘hazard’ can include anything that the Lieutenant Governor in Council prescribes as being a hazard.” When asked again, they admitted that, yes, animal welfare could be included.

I want to make it clear that I think we need animal welfare rules, but one of the things that the agricultural organizations were clear on is that those rules exist in other acts. If we want changes to those rules, the correct way to do that is by modifying those acts, not by adding new rules to this one. We already have too many places where there is more than one act or more than one ministry setting standards on the same thing, and it simply leads to confusion and frustration for people who are doing their best to follow the rules.

One of the things that the stakeholders asked for during the committee hearings was to ensure there wasn’t duplication on traceability, so that if a commodity was better suited for a national or international traceability system, they weren’t forced to do two sets of paperwork to comply with the provincial system as well. We moved an amendment that said, “The minister may make regulations exempting agricultural operations or sectors from the requirements of the provincial traceability system if the operations or sectors are subject to national or international traceability systems that, in the opinion of the minister, provide safeguards equivalent to or better than the provincial traceability system.” This means that if a commodity already has a traceability system and the minister finds that it provides at least the same level of protection for food safety and animal health, then she would have the ability to say that these farmers do not need to complete two sets of paperwork.

For instance, Ontario cattlemen are part of the national Canadian identification system, the CCIA, which is industry-led and supported by the Canadian cattle industry. Once the minister establishes our provincial traceability system requirements, wouldn’t it just make sense to exempt the cattlemen, if the CCIA is just as good? How is there any benefit from requiring farmers to fill out two sets of paperwork and meet two sets of protocol? Again, it was an amendment that was requested by the stakeholders; again, it was a common-sense amendment; and again, the Liberal members of the committee voted it down.

Another thing the stakeholders asked for in their submission on the draft legislation, and again at the committee hearings, was to strengthen the section on compensation to ensure that there was no cost to the farmers. The National Farmers Union said, “Destruction of

livestock could mean a complete loss of livelihood for farmers, and if compensation is discretionary, it could well create a situation whereby well-meaning farmers might be afraid to come forward with disease concerns.” If a farmer is ordered to destroy his herd for the public good, shouldn’t the public compensate him for that? While the legislation allows for compensation, it leaves it to the minister’s discretion to say that he or she “may” provide compensation.

During their committee presentation, the Christian Farmers Federation of Ontario said, “The CFFO recommends that compensation under the Animal Health Act be mandatory for producer loss. The protection of the broader public and/or a commodity sector should not be borne by an individual operation at the discretion of government.” The Liberal members of the committee voted down our amendment to make compensation mandatory. They voted down our amendment that would create an appeals process for compensation, as requested by the Ontario Farm Animal Council.

I believe it’s important for all of us to listen to the concerns of the stakeholders. That is why I introduced a motion, as requested by the stakeholders, that would have required the minister to establish an industry advisory committee, but unfortunately, the Liberal members on the Legislative Assembly committee voted that down too.

This amendment illustrates the problem with time allocation. The parliamentary assistant, on behalf of the government, said that the problem he had with my amendment was that it needed an ‘s’ on the word ‘committee.’ Because of the time allocation, even simple changes like that aren’t an option. By setting the deadline for when amendments have to be filed, the members are prevented from taking two different amendments and combining them during the committee to get the best possible legislation.

The government introduced a motion on the same topic, and the parliamentary assistant made a big deal about the fact that it included changing the word “may” to “shall.” For those of you who are watching from the galleries and at home, the difference is usually that “may” means the minister has the ability to do it if she so wishes, and “shall” requires her to do it. However, what he failed to mention is that their amendment said that the minister “shall establish such committees as the minister considers appropriate,” which means there’s really no requirement to establish committees to consult at all.

Previously, the minister had been allowed to set up committees by regulation. In fact—let’s be honest—there was never anything stopping the minister from setting up a committee. What the stakeholders asked for was that the committee be mandatory. What they got was more smoke and mirrors.

The Liberal members of the committee also voted down an amendment that would remove the current restriction that says the chief veterinarian must be an employee of the ministry. The purpose of the amendment was to ensure that we had the most qualified person for the job, regardless of where they came from. We also

moved an amendment that would require the chief veterinarian to have worked in a practice that includes farm animals. This is an amendment that the Ontario Farm Animal Council asked for during the committee hearings. They said, “Given that the act will have the greatest impact on the province’s agriculture sector, qualifications for the Chief Veterinarian of Ontario and for the deputy chief veterinarian of Ontario should be mandated to have farm animal veterinary experience.”

1400

To me, that just makes sense. We are entrusting the chief veterinarian to make decisions that will have major impacts on individual farmers, the agricultural sector and even the provincial economy. I believe, as do many of the agricultural organizations such as the Ontario Livestock and Poultry Council, that it is responsible to ensure that the person has experience with farm animals. But the government members, again, voted down that amendment.

Another one of the amendments that seemed like common sense was the change to the time frame for giving farmers written copies of an inspector’s orders. The way the act is currently written, inspectors can issue an order orally when to issue it in writing would cause a delay. Given the fact that this act is designed to deal with emergency situations, I think we can all understand the need to be able to give an oral order. However, presently the act gives the inspector up to seven days to deliver the order in writing. There are two problems with this. First, if there is an urgency to the situation, the order probably would require the farmer to do something or stop doing something sooner than in seven days.

The other problem is that, according to the act, the farmer has seven days to appeal the order. If the inspector takes the full seven days to deliver the written order, it would be impractical, if not impossible, for the person receiving the order to actually appeal that order before the deadline of the appeal passes. Our amendment would have required that the written order be delivered in two days instead of seven so that farmers would have it in hand and be able to appeal it if they wanted.

I want to read the response from the parliamentary assistant. He said, “Although inspectors are required to issue written orders as soon as practical, the government feels that a two-day mandatory period may not be appropriate in all cases. It ties their hands. We won’t be supporting this motion.”

The government supports having inspectors deliver written orders in a specific time frame. In fact, they put it in the bill, so the argument that it ties their hands or that the time frame may not be appropriate really doesn’t work. The difference of opinion is really about the length of time between when the inspector issues the order orally and when they issue a written order for the same order. We believe that for an appeal to be effective, the farmer must have the information on how to do it before the appeal period expires.

One of the amendments that I was disappointed we didn’t have the opportunity to debate because of the

shortness of time was the one that would have removed the “reasonable force” from the bill. As it is presently written, this bill allows people who are carrying out the orders of the chief veterinarian to use reasonable force. Given the nature of orders like this, this likely means veterinarians or OMAFRA employees would be given the right or, worse, be expected to use reasonable force. I was actually looking forward to the debate because I wanted to hear the explanation, and I hoped that the government would see reason and change it. But again, the Liberals on the committee voted it down.

We tabled several amendments that would have restricted the rights of someone to enter private property without a warrant. In a number of pieces of legislation, the McGuinty government has removed the requirement for a warrant, and frankly, I believe that’s wrong. People have a right to privacy and due process, particularly when we’re talking about their land.

In their presentation to the committee, the Christian farmers said, “The CFFO recommends that the powers of inspectors be limited such that a warrant is required to enter a livestock facility. The reason for this is that the issue of biosecurity is not adequately addressed within this act.”

I understand that there are times when time is a factor. As a former firefighter, I know that in emergency situations, time can determine the outcome. Under our amendments, if the inspector believed that there was urgent threat to animal or human health, they could go in without a warrant. If they believed that a delay would result in evidence being lost or destroyed, they could apply for a warrant by telephone. But if an inspector knows that they are going in to make sure that the licence is on the bulletin board, they do not have permission to go in. They must get a warrant to do that, just as any other police officer in this province would have to do if it wasn’t under this act.

During the debate in committee on this amendment, the parliamentary assistant said, “Requiring consent or a warrant prior to entering a licensee’s premises could frustrate inspection activities.”

Clearly this isn’t about animal health; this is about piling more red tape on our farmers and hiring more inspectors, something the McGuinty government is very good at. Our farmers don’t need more paperwork or more people looking over their shoulders; they need a government that will help them.

Over the course of the debate on this bill, I’ve talked a lot about red tape and additional costs to farmers. For those who don’t know the current situation in agriculture, and unfortunately that seems to include most of the Liberal members in the House, our agriculture industry needs help. A number of organizations have come together to form the Ontario Agriculture Sustainability Coalition to deliver that message. Many farmers who will be affected by this bill, including our hog farmers and cattlemen, are suffering. The market prices aren’t covering their costs, and now they’re losing money on every animal. There was a lot of media coverage of the hog

farmer that had his hydro shut off this fall and what was going to happen to his thousands of pigs. The federal government stepped in to get the lights on, but the provincial government did absolutely nothing. That farmer, like many others across this province, is still in a dire situation. He still needs our help. They need short-term government support to get them through this crisis. Long-term, they need a government that reduces red tape and unnecessary paperwork. They need a government that will help them be innovative and efficient, a government that will work with them, not against them.

I know that many stakeholders wanted legislation on traceability and animal health, and I’m sorry that on such an important issue the government chose to ram it through without working with us and taking the time to get this legislation right for our farmers. We know that the agriculture industry is vital to the future of our province and contributes greatly to our provincial economy. We also know that they aren’t just numbers; they are people and families and are working hard to put food on our tables and provide for our families. They are good people who are trying to follow the rules, protect their land and care for their animals. We have a responsibility to help them succeed, and unfortunately I don’t believe that this act is doing that. It doesn’t give them the traceability tools they were asking for. Instead, it piles on more red tape and takes away their rights on their own land. That’s why, unfortunately, I cannot support this bill.

I do want to say to the government that I believe these issues are important, and I believe that having a good traceability system in place will assist our farmers on trading internationally. So in the future, if you want to address these issues, we are prepared to work with you so we can do that collectively. This bill does not do it. That’s why we will be voting against it.

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

Mr. Howard Hampton: I want people at home to know that this is another time allocation process. Instead of having full debate, discussion, public hearings outside of Toronto on what I think is a bill which has some potential importance, debate has been restricted, debate has been time-limited, hearings were time limited, discussion of amendments was time-limited. So therefore the kind of debate that I think many people across Ontario would want to have on legislation such as this is not happening. I’ll have more to say on that in a few minutes.

I want people to know that the title of the bill is simply “animal health,” Bill 204. But there are a few people in the province who did follow it a bit, and there is some interesting history to this bill.

First of all, there was a discussion paper that came out prior to the bill. The discussion paper talked about the need to have a food traceability system. If you think of the events that have happened in the last few years, the situation with listeria bacteria and meat which was very harmful for people to consume, unfortunately some people died and other people, a number of people,

became very ill. If you think about some of the E. coli bacteria and salmonella bacteria we've seen in the last few years, there was one restaurant in North Bay for sure where there was a very serious problem. There have been serious outbreaks in nursing homes and homes for aged. So there is a real issue here, a real need to have provision for food traceability, particularly where something goes wrong. I would say that people who eat food, and I think that concerns just about everybody in Ontario, have a concern here. I think farmers have a concern here. Food processors have a concern here.

If you read the discussion paper, it would have you believe that the government is actually setting up a food traceability system. But in fact, if you read the legislation, there's only one section that even mentions food traceability, and it doesn't establish a food traceability system. Frankly, it doesn't establish a framework for a food traceability system. All that it says is the Ontario government may—at some time in the future, perhaps—"may" participate in a food traceability system.

1410

I think what people need to understand is that this section on food traceability essentially does nothing. As the law now stands, there is no rule, no regulation, no legislation that would prevent the Ontario government from participating in a federal food traceability system. There's no legislation that says that Ontario couldn't participate in a federal food traceability system. There's no legislation that says that Ontario could not work with, consult with, work co-operatively with the federal government. I'm asked, "What is the effect of this section?" Viewing it in the context, I have to say this section has no real effect. I ask people to consider this.

The discussion paper talks about food traceability. The press releases and the mumbo-jumbo that was repeated when the legislation was introduced would have people believe that there's going to be a food traceability system. But there's only one section of the bill that even mentions food traceability, and all it says is that the government of Ontario may participate with the federal government if the federal government at some future date establishes a food traceability system.

But after the discussion paper and the press releases and the hyperbole from the government, I suspect there may actually be people in Ontario who think that this bill is going to create a food traceability system. I just want people at home to know: Nothing is further from the truth. This bill is not going to do anything. It's not going to establish a food traceability system today; it's not going to establish one tomorrow; it's not going to establish one next week; it's not going to establish one next month; it's not even going to establish one next year.

The federal government can go ahead and create food traceability systems, and Ontario may at that time decide to participate, but Ontario could have decided to participate at that time in any case. So the sum total of this bill, in terms of food traceability: nothing. It does nothing.

I suggest that what's really going on here is that the government wants to give the impression it's doing something. It wants to make an announcement to create the impression it's doing something. But in fact, at a time when we've seen unfortunate deaths and many unfortunate illnesses, not much of anything is being done here.

That may be why the government wanted to use time allocation on this legislation. It would be a situation where a little bit of discussion, a little bit of analysis, a little bit of critique would not have been a good thing, from the government's perspective, because more people would know that not much is being done here.

One of the other things that you'd find in the discussion paper which preceded this bill was a lot of talk about animal welfare. In the discussion paper, there was lots written about how animal welfare is connected to animal health is connected to food products that we eat. Somebody reading the discussion paper would probably come away with the conclusion that this bill is going to do something about animal welfare, which will promote animal health, which will ensure that the food that people eat is safer and better for them.

Again, if you look at some of the announcements that were made and some of the hyperbole that accompanied the introduction of the bill, you'd believe that. You'd believe that, except that when you read the bill, nothing like that is happening. Nothing like that has happened. In fact, animal welfare and its connection to animal health and its connection to safe and nutritious food: If somebody were to read this bill and look for that connection, I have to say to you, you're going to be sorely disappointed. There are just no sections whatever that set that out.

Here again the government has represented two organizations that care about these issues—I'm glad there are a number of organizations that care about them—and they've represented, I think, to the public of Ontario that this is being dealt with and addressed in this legislation. But such is not the case. In fact, as a New Democrat I put forward a number of amendments to take this government up on what it said in the discussion paper. In fact, some of the amendments are almost verbatim out of the discussion paper. The government says it in a discussion paper; they say they're serious about this. They say they're concerned about this. They say this is an important issue for human health. They say this is an important issue for safe food, nutritious food. They say this is an important issue for animal health. So I presented a number of amendments that would take this government up on what it said in the discussion paper.

Imagine my shock and surprise when the government members on the committee voted against every one of the amendments. Imagine. It's in the government's discussion paper. It's in some of the other announcements and speeches that have been given. Somebody who simply reads the headlines from time to time would certainly assume that all of these issues are covered off in the bill. But not only is it not covered off in the bill; when government members were given the opportunity to actually

vote for what the government says in its discussion paper, they voted against it.

I come back to the issue of time allocation again. Why is this bill being time-allocated and rushed through and rammed through? I suspect it's because a little bit of reading, a little bit of thought, a little bit of analysis, a little bit of critique by the general public of what the government said on the one hand and what they are doing on the other in this bill from the government's perspective would not be a good thing, because ordinary people out there might look at it and say, "Well, this is what you said in the discussion paper, but I don't see it in the bill."

Once again, I think the government has gone to great lengths to create an impression that something is being done about animal welfare. The government has gone to great lengths to say to people that there is a connection between animal welfare and animal health and safe and nutritious food and therefore human health, has gone to great lengths to create that impression, except that it's not in the bill, which means it's not in the law.

There is another issue—there are several issues I could raise here but, as I say, my time is limited. I want to deal with one of the others, and that is the issue of, "Whatever happens here, who pays?" The reality is that many parts of the agricultural sector are hurting. I just heard my colleague Mr. Hardeman talk about hog farmers, the whole pork industry, that hog farmers are really hurting. But let me tell you, from my perspective, people who are engaged in beef farming are not doing much better. They were hurt by a number of episodes that happened over the last few years, some of them involving the United States, the inability to sell our beef in the American market and into other markets. Many farmers have simply not recovered from that.

I know, for example, that of people in the grape industry, there may be a few who are doing well but there are many who are hurting. I know also that of those generally involved in horticulture, not all are doing well. So there are a lot of farmers who are struggling.

1420

So one of the questions that a bill like this needs to address and needs to be clear on is, who pays? Let's just assume for a minute that we have another situation like listeria, and unfortunately, the animals of some farmers—through no fault of their own—are identified as being part of the problem, so their livestock have to be destroyed. This is all part of protecting the public; this is part of protecting the public health. But there is a real question here: Who pays? Who pays for what will be a good effort, a positive effort, to protect public health?

The National Farmers Union and other organizations came forward and said: "Look, this is about protecting the public, so there should be some clear provision for public payment. The cost should not fall on this unfortunate producer, that unfortunate farmer. They should not have to pay the full cost or a major portion of the cost of protecting the public." So the National Farmers Union and other organizations asked for some certainty in terms

of cost, who will pay the cost, and in terms of compensation.

I put forward an amendment on that, because if we're really concerned with protecting the public and protecting public health and protecting animal health, recognizing that these are important public responsibilities, then it seems to me there should be some provision for public compensation of producers.

Is there such a provision in this bill? Sad to say, there is not. So we could very easily—in fact, I would say, not just very easily, but it's very likely we're going to end up in a situation where if we have a serious outbreak in the future of some sort of bacteria and an individual producer has to have his herd of livestock or a significant part of his herd destroyed, we're not going to see the kind of compensation that one would say is fair and reasonable and just. Very likely, too much of the cost will fall on individual producers. I think this is wrong, I think it is unfair and I think it is unreasonable.

Where does all this get us? Well, I'm not about to say that this bill is all bad all the time. That's not the position of the New Democrats. There are actually some things in the bill which might do some positive things. There are actually some things in this bill which might do something in terms of protection of animal health. But does this bill live up to its billing? Does it live up to the promise that appeared in the white paper? Does it live up to the announcements and the press releases and the propaganda which accompanied this bill when it was introduced? No, it doesn't. It falls short in several respects.

After a time when we have seen people in Ontario die as a result of contaminated food, after a time when we've seen people in Ontario rendered very ill as a result of contaminated food, after a time when we've seen livestock producers in Ontario lose their livelihoods, their farms and, in many cases, their life savings because of concerns about animal health and the potential concern for human health, we need to see a food traceability system. I regret to say that this bill doesn't really advance that cause, that project, in a very significant way. It has one section that simply mentions the words "food traceability," but it does nothing more than that.

Second, despite all the discussion about the connection between animal welfare, animal health, and safe, healthy, nutritious food and human health, despite all the discussion about that, there is nothing here on animal welfare. And when the government members say, "Well, there are other bills that deal with that," they should also know that the other legislation that deals with that doesn't deal specifically, directly, with animal welfare and animal health in terms of farming in Ontario. So there are going to be lots of loopholes.

Finally, the issue of who pays: I would just state again that in my view, it seems very unreasonable, very unfair and very unjust to create a situation where the government on the one hand is going to say, "Oh, we're protecting public health," but it's going to be the private farmer, the private producer, who'll end up paying the

cost, or at least the lion's share of the cost. If we're really concerned about public health, if we're really concerned about public safety, if we're really concerned about animal health, it seems to me that we also ought to engage in a process of some public compensation where a livestock producer or some other food producer, through no fault of their own, ends up in a situation where they're going to be hit with most of the cost.

That's why I think, at the end of all this, this has been subjected to time allocation. The government doesn't want a thorough, thoughtful analysis, critique and discussion of how little is being done in this bill as compared to how much was promised in the discussion paper. So, at the end of the day, many people across Ontario may come away with a very, very distorted impression of what's being done here.

Much could have been done with this legislation. Much needed to be done with this legislation. Much should be done with this legislation. But at the end of the day, unfortunately, this legislation is going to be about nine parts public relations, nine parts announcement, and one part actually getting the job done.

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

Mr. Rick Johnson: During the last month, I've had the opportunity to sit in on the consultation process for the proposed legislation. I have learned much about our industry and government partners, and I appreciate the unique points of view and the support that they have shared with regard to this proposed legislation. I was able to participate in these committee hearings, and I would like to report to you what our industry partners said.

As the minister mentioned earlier, we received more than 30 submissions from different organizations detailing their support for, and concerns about, the proposed legislation. We considered all submissions in the development of this bill. In general, from the input we have received, it is clear that this proposed animal health legislation is supported by industry partners and that it would provide the much-needed measures to help us better prevent, detect and respond to animal health issues in Ontario.

This government believes that the feedback and constructive criticisms that we received from our industry partners is important, so based on these consultations, we did make numerous amendments to the proposed legislation. Our industry partners wanted to see put in place an advisory committee to provide advice to the minister or to the Chief Veterinarian of Ontario for any matter related to the proposed legislation. We heard our partners' request, and we responded by including an amendment in the proposed legislation that would require the Minister of Agriculture, Food and Rural Affairs to establish committees—with an "s"—as appropriate, to share advice and provide input on animal health matters to the minister or Chief Veterinarian of Ontario.

Much was made earlier, when the member from the Conservative Party was standing up, about the addition of the letter "s"—and seemingly insignificant. The member

from the Conservative Party proposed in the amendment about adding that the minister "shall" have committees. The difference between the words "may" and "shall"—which was an amendment that we brought forward to make it "shall"—and adding the letter "s" to the word "committee," means that the minister is expanding the consultations.

1430

What the honourable member of the Conservative Party proposed was that she'll form a committee, which was not the case. We wanted to expand our consultations so that more people could be involved. We've made that to share advice and provide input on animal health matters to the minister or the Chief Veterinarian of Ontario. We believe that although only a letter and two words are changed in that one, it provides huge impact to the industry.

The committee also heard from industry partners that there should be certain qualifications for the Chief Veterinarian of Ontario. The chief veterinarian would also be a key link between animal and human health, with close ties to the chief medical officer of health for Ontario. We agreed to this suggestion, and the legislation has been amended to require that the Chief Veterinarian of Ontario "has engaged in the practice of veterinary medicine for at least five years," in addition to a requirement that he or she hold a veterinarian licence "without conditions or limitations."

The shortened timeline that took place was also mentioned earlier. The day we did clause-by-clause on this, we lost 45 minutes due to bell-ringing in the House, which was triggered by the opposition. We lost that time off the bill. We could have had much more time to debate that, and it's unfortunate that they chose to take that route.

Much has been mentioned this afternoon about food traceability and how this bill addresses it. We have spoken to this in the House, and we've spoken to it at committee. It's very common knowledge that the federal government stepped up at a conference last July and said they were going to be putting in place a national animal traceability/food traceability motion. What we have done in this bill is allow the minister to proceed on her own should the federal government drop the ball on this. But we're hopeful that the federal government will step up to the plate and make this happen, knowing that Ontario will be ready to participate in that when it happens.

Animal welfare was also brought up many times; the member from Kenora—Rainy River also just mentioned it. Yes, there were concerns raised by different stakeholders, but we feel that many of these concerns are addressed through the OSPCA, and we're sure that if there are still concerns about that, this would be the proper route to go.

I would also like to mention that we talked about short timelines; it has been mentioned a couple of times by the opposition. The last presenter who stepped up during our consultation period, when being questioned by the member of the Conservative Party about the short timelines of this bill, very clearly stated that he brought up the need

for this type of animal health legislation several years ago—the member was the Minister of Agriculture at the time—and it was never acted upon. He very clearly stated that it was about time it was done; they had been involved in consultations for over three years. I think it's hats off to the ministry for taking the time to get it right.

This proposed legislation sets out a detailed framework for improving our detection of and response to animal health issues in order to better protect our province's animals and people. Should the bill pass, work will still need to be done to develop detailed regulations in several areas, including reporting requirements and traceability. Thank goodness we put the need for committees in that, so that will happen.

I want to assure you that we are committed to developing those regulations in consultation with our industry partners. So many provincial groups have worked hard to get this bill to where it is today. We want to keep working together to make it one of the most effective pieces of animal health legislation in the country.

I would like to thank the staff at the Ministry of Agriculture, Food and Rural Affairs for going above and beyond to make this happen for us.

The purpose of this bill is that when the label says "Product of Ontario," it means the product is to be trusted. That's good for farmers; that's good for Ontario.

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

Mr. John O'Toole: I think it's somewhat important that I at least stand and acknowledge the work our critic has done in this file. The amendments were widely discussed in our caucus—Mr. Hardeman has served as Minister of Agriculture, Food and Rural Affairs.

We agreed in caucus that much more could have been done to strengthen and improve the bill. But each of those amendments, moved with the right attitude—which was to improve it—were ignored, which is very disheartening. On that basis, why wouldn't they try to get it right and have traceability strengthened, as was suggested by our critic?

It's on this basis—when I was at an event on the weekend where leaders in agriculture—and the minister has been there; she knows that there are leaders there—were questioning the bill. I said that we're not against food safety and we're for food quality, but this bill just doesn't get it done. So we remain reticently reflecting on the fact that we may have to vote against it, thinking that we, when we're in government, will have a lot of work left to do—

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

There being none, Mrs. Dombrowsky has moved third reading of Bill 204, An Act to protect animal health and to amend and repeal other Acts. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

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

I call the attention of the House to the fact that: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Dombrowsky, Bill 204, An Act to protect animal health and to amend and repeal other Acts, be deferred until December 8, 2009"—and it's properly signed by Michael Colle, chief government whip.

Third reading vote deferred.

TIME ALLOCATION

Hon. Monique M. Smith: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters, when Bill 168 is next called as a government order, 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 third reading vote 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 Deputy Speaker (Mr. Bruce Crozier): Ms. Smith has moved government notice of motion number 170. Further debate?

Mr. John O'Toole: We've watched and monitored again. This a bill the government has moved, and they're rather intransigent about a certain section in there. This is trying to make the workplace safer.

Let's be clear on the record, right at the beginning, that we're in support of the laudable objective of making our workplaces safer for all. It's in that area where you really get mired down in the detail. In fact, the provisions about collecting information, personal and otherwise, are somewhat suspect. It does place a significant amount of the liability on the employer, which is important. But if the employee, the person who has this unresolved issue—in this case here, an overt safety issue—there are already, under the Employment Standards Act, provisions to actually cease work in the workplace and rightfully be protected by a workplace safety committee. We have committees on hazardous materials in the workplace, and those are all laudable things. In this case here, we're looking at the issue of harassment in its many forms. In many cases, these things should be dealt with—and I find this is where it's saying a lot but it's doing very little. Could they be saying it for all of the right reasons, but the substance isn't there? So they're going about it in a way that's more political than policy—and I would think that's shameful.

I guess in this third reading, we know that it has been time-allocated. The time has been set aside just for them to knock this out of the park and move on with it.

1440

When I looked at the times of debate, I wanted to put on the record very clearly that—it somewhat saddened. I happened to be there when the Dupont family were at the hearings, and I spoke to Lori Dupont's mother. I don't think the sadness and her quest for addressing the gaping holes in this particular legislation were addressed or are addressed. I think back, on this eve of violence against women, something we should be superconscious of with the Montreal massacre.

Even in my own riding—this is what has drawn me to get this right—across the road from my constituency office was the first blatant, cruel example, where Jennifer Copithorn was slain by her estranged boyfriend. This case has already been through the courts, so I'm not saying something that hasn't been proven in court. Around that time, we had the May-Iles inquest, the Gillian Hadley inquest, and then the Lori Dupont—where she was stabbed to death in the workplace, which was the hospital. Other members, including our member from Whitby-Oshawa, have spoken on this.

I don't think this bill, as it's constituted, gets it done. There's a lot of disclosure information that's required on both parts. There's some responsibility on the employer that I think is—I'm not sure that this consistent application of the rule is the right way to go about it. So it's not really in here.

In fact, we had Bill 10—and this should be on the record, and I'd like to put it there again. Bill 10 was really a reflection of a statute that had been passed when we were government. I believe it was 1999. This would have made available to victims of harassment a restraining order seven days a week, 24 hours a day, through the enforcement of a justice of the peace and/or a judge. This was really the putting in place of the tools, on behalf of the government, for the rightful people to review an application for the order and to make a decision; not some employer who may be saying, "Well, look, we'll make sure that somebody is at the gate or someone is in the cloakroom," or whatever. This needs to have the tooth of the law, and it's simply not here. That's the point that we're making.

Yes—repeating first principles—we are in support of protecting people from these sorts of abuse, clearly. What we are against is acting like you're doing it and not doing it. That's the real hypocrisy, in saying to the people of Ontario who only read the headlines—in fact, if you look at the detail, the picture is taken, but the person is still at risk. It's so disappointing to be, if I dare say, deceptive to the people of Ontario, to think that you're going ahead with these things, or at least—

The Deputy Speaker (Mr. Bruce Crozier): No. I'd ask the member to choose other words, please.

Mr. John O'Toole: I withdraw. These are words that, I guess, speak loudly to our frustrations, so I'll just leave it at that. We have withdrawn out of respect for this place and for this issue.

There's a program here that I could say meets in Durham, and I can laud and applaud the work they're

doing. This is the program DRIVEN. This is sponsored by people who work in this section of our society. There's Bethesda House, where Jaki MacKinnon is the director, and they've done workshops on domestic violence; as well as Luke's Place; the Women's Multi-cultural Resource and Counselling Centre, Esther Enyolu; and the neighbours, friends and family program. These are the kinds of things where the tools just simply aren't there. They've been stripped away.

I know the police and others are working together in Durham to try to move this along—but we were looking forward to this bill. That's the most disappointing part. We were looking forward to this bill. In some cases, it does address the issue, but we're wondering why they wouldn't have adopted a friendly amendment of Bill 10, or the parent of that. This bill goes even one further to drive the nail of destruction through it. What it does is it repeals that legislation that had been passed but never proclaimed. Why did they go that far to annihilate—that's too strong, perhaps—certainly put to death the right thing to do? At this point in time, I know there's much more to be said, but that's one thing that's a glaring omission from this bill.

It's dealing with new types of safety that aren't obvious in the Employment Standards Act. I know many leaders—industrial leaders, union leaders and other leaders—would want to do this. But what they've done is, they've shuffled this off and said that the individual who feels threatened in their society, in their workplace, has to declare it. So they're going to be going up and tell their supervisor about this abusive situation they're in—which victimizes them again—to some unqualified person who may interpret that as just seeking attention or something. Do you understand? So they're victimized again by having this requirement that they disclose it in the workplace to the employer. What qualifications does the employer have? They might be a tool and die maker or an engineer—great. But that doesn't make them a person who's competent to even listen intelligently or sympathetically, if you will, to the concerns of the employee.

Often these people who are victimized have been victimized again. That, again, should convince the minister to stand in this House today and just put an end to doing it because it's politically expedient. If you're going to do it, do it with some passion and compassion, and that's vacant.

In fact, I remember sitting that day—Mrs. Dupont was thinking and reflecting on her daughter's death as a surgical nurse at Hotel-Dieu, I believe, in Hamilton. The estranged husband came in, and there had been—

Mr. Howard Hampton: Windsor.

Mr. John O'Toole: It was Windsor. Pardon me; it was Windsor. You're right, the former leader of the NDP. In fact, it was Windsor.

Having to live through it again and be disappointed—but I commend her to continue her work to educate the people of Ontario, the governments of Ontario, the people who are in public office in Ontario to get this

right; and even, to that extent, to revisit this outside of the workplace and make sure that it's the right of the individual who's been victimized in these domestic abuse situations to get a restraining order and prevent, inside or outside the workplace, these tragedies that happen.

Again, saying this, sadly, on the day after the Montreal massacre is more important and also a benchmark for us today. If the government members here would listen and agree to a friendly amendment to adopt Bill 10, I think this could be over and done with; we'd be supporting it. If the rest of it is laudable, we would certainly be supportive, and I know that our leader, Tim Hudak, would be as well.

I can only say that we've tried all the way along to make this a better bill and a better province, but this government seems intent on doing time allocation on almost every bill and ramming them through with their majority and refusing to listen. That's unacceptable to democracy in Ontario today.

With that remark of frustration, I'm going to sit and take my place.

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

Mr. Howard Hampton: So that people are very clear, this bill—again, another time-allocated bill—is an amendment to the Occupational Health and Safety Act. It deals with violence and harassment in the workplace.

People who might be watching at home will remember a few years ago that a nurse at a hospital in Windsor, Ontario, was murdered by a physician who also worked in that hospital. It emerged that the nurse, Lori Dupont, had been subjected to a significant amount of harassment on the part of this physician, both in the workplace and outside the workplace, and it had been going on for some time. She had let others know that she feared for her safety, that it was very difficult for her to work in the workplace, it was very difficult for her to even associate freely in the community because of the harassment, the threats of violence and the actual violence that was happening at the hands of this particular physician. It's a very sad history, what happened. I think it's fair to say that it was clear that other people in the workplace knew what was happening, that managers and supervisors in the workplace either knew what was happening or ought to have known what was happening. Certainly any reasonable person who was aware of the day-to-day goings-on in the workplace would have been aware of what was happening.

1450

This young woman was on many occasions afraid to go to work, afraid to go home. She feared for her health and safety, yet nothing was done about it. She was essentially told, "You're on your own." There are several things that are very wrong with this. Just the statement, "You're on your own"—I think most of us know that nurse-doctor relationships are not always equal relationships in terms of authority or power. So to say to somebody who was in an unequal working relationship with someone else, "You're on your own," or to represent to

that person, "You're on your own," in retrospect, when you think about it, is incredible, is unbelievable. When you add into it the fact that this young woman was being harassed and threatened not once, not twice, but repeatedly, over weeks and months, and nothing was done about it simply adds to the travesty of what happened here. Then, of course, that this young woman was ultimately murdered by this individual who was threatening her and harassing her I think most people find quite unbelievable.

Now, the sad reality is that this is not a unique situation. This is not something that happened at a hospital in Windsor and does not happen in other workplaces, does not happen in other working relationships in Ontario. It happens often. It happens all too often.

Part of what accompanies this bill is, one, the failure to do much that was meaningful about this in the past, and, second, as my colleague from the Conservative Party has pointed out, some of the failings of this legislation that we have before us. The young nurse who was murdered—yes, her mother did come, her mother did express her views, and this legislation still does not measure up.

I want to also point out that our leader, Andrea Horwath, spent a significant amount of time raising this issue, working on this issue, meeting with nursing organizations, going to Windsor, talking to the family, and eventually presenting private member's legislation to raise the profile of these kinds of issues and to require that something be done about it. I can say—I think I can safely speak for our leader, Andrea Horwath—that she and all New Democrats will support this legislation, because it is better than what was there. It is a step in the right direction. But as Mrs. Dupont said in expressing her views, it does not address all of the issues that need to be addressed in terms of workplace harassment and violence. It doesn't address all the issues. It has several shortcomings. So this is again another piece of legislation where there is a very clear problem. There are very clear issues that need to be addressed, and unfortunately we're seeing a partial measure. We are not seeing the kind of legislation, we're not seeing the kinds of standards and we're not seeing the kinds of responsibility in the appropriate places to ensure that this doesn't happen again, to ensure that workers, especially workers who are in a vulnerable working relationship, where there is unequal authority, or unequal power, in the workplace—that we're not going to do all we can to help those workers or protect those workers; and that we're not going to do all we can to avoid this kind of harassment and potential violence in the workplace when we should be doing it.

Yes, New Democrats will support the legislation. But in saying we're going to support the legislation, much, much more needs to be done; much, much more could have been done; and much, much more should have been done in this legislation to ensure that we do not see similar episodes of workplace harassment and workplace violence, or harassment and violence that are associated with the workplace, in the future.

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

Mr. Ted Chudleigh: I'm a little surprised that the government isn't taking an opportunity to say a few words on this very important piece of legislation. You know, it's a shame that this bill was time-allocated, because I think there's a lot of unanimity in the House as to agreeing with the concept of this piece of legislation. I think we could have come to an agreement and perhaps made this bill an even better bill than it is today if we'd had some meaningful hearings on this piece of legislation and to work together on putting together—this party has a good deal of experience in this particular piece of legislation, even though it took the government 18 months after the coroner's report to bring it.

There was Bill 10, which was a private member's bill brought in by the member for Durham, Mr. O'Toole. In bringing in a private member's bill, you do a lot of research on it, you develop a lot of expertise on it and you talk to a lot of people about the concerns and the problems relating to the piece of legislation. That experience and knowledge could have been utilized by the government, but it was ignored. As time went by and as we continue to discuss this bill, we're concerned that it's going through as a—I want to say “a piece of fluff.” It's a piece of legislation that will go through, and the government will pass it with a majority, but it isn't very meaningful. It's not going to do a lot.

If this bill had been in place at the time when Lori Dupont was ruthlessly attacked at the Windsor hospital by her boyfriend, who was unhinged at the time, it wouldn't have stopped that from happening. That's a shame, because I think there are some things that could be done to help those kinds of things. It was pointed out by the member for Rainy River that Lori Dupont was told that she was on her own. In Ontario, that's a shame. There's a case before the courts in St. Catharines where the pleas of two folks living in the Caledonia area are being ignored by the Ontario Provincial Police. They were told, more or less, that they are on their own. That is their case. That's their alleged case. They were alleging that the OPP told them they were basically on their own. They may not have used those words, but they weren't receiving the protection of the OPP that every citizen in Ontario should expect to receive. Lori Dupont was in that terrible, terrible basket as well.

1500

It seems to me that at the very least what the province should do in order to protect women or men who are threatened, any citizen of Ontario who is threatened—unfortunately it happens more often to women than to men. At the very least, they should expect that they could get a restraining order against a person who has made threats against them and has continued to do that over time. Restraining orders are available. I don't have a lot of experience with them, but it seems to me that because they are not given out, they are not put in place as often as perhaps they should be. It would seem obvious that a restraining order should have been in place in this particular case, and since it was not, I make the assumption

that they are too difficult to get. They require too much time; they require lawyers; they require something that should not be a restriction to getting a restraining order. I think that's something this bill could have done. It could have made restraining orders more available to people who are being threatened, who feel that their life is in danger. That would have been one of the minimum things this bill could have done, creating a tool that would help get the job done, that would help protect human life, particularly this type of human life. All human life is important, but in this case there's someone who was being threatened and was left to fend for themselves.

In a civilized society we have a police force that protects our community. It protects everyone in our community—including perpetrators. It didn't do an adequate job in this case. There are other examples of these kinds of things in Ontario as well. This has been ongoing. To have a piece of legislation going through the House which does not add the one essential tool to the police and to the people who are threatened by these kinds of threats that are put out is a shame. I think if the government had been more co-operative in taking advantage of the experience that this caucus has in this case—particularly with Mr. O'Toole, the member for Durham, and his experience in this area—this would have been a much better piece of legislation. It would have been something we could have all agreed on, and perhaps in agreeing to it we could have avoided bringing in the time allocation motion that has become a bit of a hallmark with this government in the last two weeks before Christmas. I remember when I first arrived here people explained to me that this was referred to as the silly season, and perhaps that's the case. But the government wants to put through as much legislation as they can.

The citizens of Ontario are certainly a little distracted at this time of year. We're all going out Christmas shopping—at least some of us are. The members of the House, I'd suggest, with the agendas that we've had in the last month or so, haven't had the time to go Christmas shopping, so we're going to be last-minute shoppers. But as we go out and shop, I think we should all remember that Lori Dupont won't be shopping this Christmas. If this legislation had been stronger and had restraining-order clauses in it making it easier and quicker to get those adopted, to get those restraining orders and to make the police aware that the restraining orders were to be responded to in a very fast and determined method, this would have been a much better piece of legislation. It's a shame to see this go through on time allocation when the opportunity was there to do something that was very positive.

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

Mrs. Christine Elliott: I am pleased just to make a few comments with respect to Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters.

As other speakers, my colleagues, have noted, it is a shame that this bill has been time-allocated, because it is

a tremendously important issue that we're seeing increasingly in the workplace and in homes in parts of this province. I think it's something we really need to make a concerted effort to deal with. I fear that we've lost a few opportunities that have presented themselves this year in the Legislature, not just on this bill but also on Bill 133, which was the act to amend the Family Law Act and other statutes, where we argued more or less the same thing: that this is a situation where we're dealing with workplace violence, domestic violence. There is a need to have stronger protections in place for victims of violence of this nature, who are still predominantly women, although there are some men who are affected by this as well.

Of course, this arises primarily from the tragic case of Lori Dupont, who was murdered by her boyfriend at her workplace in a hospital in Windsor. I think we have had an opportunity to really strengthen some of the protections for people who are victims of domestic violence, but we haven't taken the opportunity to deal with them in this bill, as we failed to do with respect to Bill 133.

It's interesting that there are really two main sections to this bill. One actually requires employers to develop policies and procedures dealing with workplace violence and harassment, which is sort of an internal situation when you think about people inside the workplace not subjecting other workers to this kind of violence and harassment. But the other part that it deals with, which is the opening that we have to really deal with this in a significant way with respect to domestic violence, is section 32.0.4, which states, "If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker."

It's a pretty weak attempt, I would say, to protect victims of domestic violence in this way. What would be "every precaution reasonable"? Is it reasonable to put the onus on the employer in this particular situation, because they aren't allowed to ask a lot of questions, they aren't allowed to invade the privacy of the people who work for them, and if they simply don't know about a situation, then how can they reasonably protect that person?

I would submit to you that had we had the opportunity to debate this more fully and consider it more fully, we perhaps would have come to the conclusion that to have access to restraining orders 24/7 would have been in the best interests of those people who are being subjected to this kind of violence.

I really think we are not paying the attention that we need to be paying to this problem. We argued that with respect to Bill 133 as well. In my own view, I think that we really need to have a separate domestic violence statute to signal to people in this province that we are serious about protecting people, that there are too many victims who are out there who don't have the substantial protection of the law, and just passing this workplace safety bill is not going to go the necessary way in order to fully protect them.

While this is worthwhile, we do need to have more protection in the workplace. Again, I fear it is another opportunity lost, where we really could have come up with an excellent piece of legislation, and we let that opportunity go. So it is unfortunate. It goes some way to protection, but unfortunately it misses the mark and doesn't reach the goal that is really intended here.

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

Mr. Ted Arnott: I'm very pleased to have this chance to participate in debate this afternoon, albeit with the qualification that I'm disappointed that we're dealing with yet another time allocation motion from this government to curtail debate on another important public policy issue.

1510

As was pointed out by a number of my colleagues this afternoon, of course, we are all quite aware of the time of year that we're in and looking forward to spending some more time with our families over the Christmas holidays. But that doesn't take away from the important responsibilities we have here and the need to scrutinize legislation that the government would put forward, the need to encourage thoughtful consideration and debate on those subjects. Yet, here we find yet another time allocation motion.

It would appear that the government is trying to ram through as much legislation as it can before the House rises. Likely they have a plan for a major cabinet shuffle, because the government is in disarray, as we all know, as even the backbenchers on the government side are well aware, and many of them will have high hopes for the opportunity for promotion. The fact is that the government will likely conclude over the Christmas holidays that they need a fresh start. Certainly the poll numbers, which must be disturbing them and forcing them to stay up late at night and perhaps lose sleep, will motivate them to want to start afresh in the new year.

Here we are with Bill 168, which is an important piece of legislation, as I said earlier. I'm pleased to have had the chance to hear some of my colleagues' thoughts on this issue: the member for Whitby-Oshawa, the member for Halton and the member for Durham.

I want to congratulate and commend the member for Durham for the important work that he's done on this issue. It was his private member's bill, I think Bill 10, some time ago, the short title being the Lori Dupont Act, that brought a lot of attention to the need for access to restraining orders seven days a week, 24 hours a day, to ensure the protection of certain people who are in situations of harassment. To a large degree, that bill provided a focus upon which the government decided to introduce its own legislation. Unfortunately this bill is coming up short in that respect, and it's obviously an issue of severe concern.

We know that this bill, as presented, is intended to amend the Occupational Health and Safety Act to add the definition of workplace harassment: "engaging in a course of vexatious comment or conduct against a worker

in a workplace that is known or ought reasonably to be known to be unwelcome.”

The bill would require employers to prepare a workplace harassment policy and develop and maintain a program to implement that policy. A program would be required to “include measures and procedures for workers to report incidents of workplace harassment; and set out how the employer will investigate and deal with incidents and complaints of workplace harassment.”

The bill would include the previously absent definition of “workplace violence” from the Occupational Health and Safety Act.

The bill, as I understand it, is intended to require employers to “prepare a policy with respect to workplace violence” and develop and maintain a program to implement that policy.

The program would “include measures and procedures for summoning immediate assistance when workplace violence” is threatened or occurs, and “measures and procedures for workers to report incidents or threats of workplace violence.”

The program would also set out how employers “will investigate and deal with incidents, complaints or threats” ... “or complaints of workplace violence” ... “that may arise from the nature of the workplace, the type of work or the conditions of work.”

Employers who are aware or “ought reasonably to be aware that domestic violence ... may occur in the workplace” are expected to “take every precaution reasonable in the circumstances” to protect a worker who’s at risk of physical injury. Of course, our member for Whitby–Oshawa pointed out that that definition is obviously very vague and can be interpreted in so many different ways.

I’m told that proposed amendments to the Occupational Health and Safety Act would extend the grounds for work refusal to allow a worker the right to refuse where he or she has a reason to believe that “workplace violence is likely to endanger himself or herself.” Employers would be prohibited from penalizing an employee for refusing work on grounds outlined in the Occupational Health and Safety Act.

These proposed amendments would also provide the authority to make regulations regarding elements to be contained in any policy required under the Occupational Health and Safety Act; restrictions, prohibitions or conditions respecting workers or workplaces and the risk of workplace violence; designating a person to act as a workplace violence and/or harassment coordinator, in addition to existing duties; the application of the work refusal provisions to those with a limited right to refuse, such as firefighters; the application of workplace violence provisions to the taxi industry—independent contractors, not employees.

Again, this is what the government would have us believe: that they’re well intentioned in this respect, and that this bill is going to solve a significant problem. Certainly our suggestion from this side of the House is that the bill would have been much, much stronger had it

included the provisions of Bill 10, which my colleague John O’Toole moved in this House some time ago.

So here we are. I’m sure that the vote is going to take place fairly soon. Our caucus would again suggest that time allocation is not an appropriate way of dealing with matters such as this on a routine basis, and we are going to be voting against that time allocation, I have no doubt. I hope that the government will take the message back when they reconvene in terms of their own private internal discussions, and we would expect and hope to see higher standards of appropriate behaviour from this government in the coming days.

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

Mr. Norman W. Sterling: I want to talk a little bit about time allocation and this party continuing to use this day after day for each and every piece of legislation they bring forward here in the Legislature.

I think this government has now outstripped the former government in terms of the use of time allocation. They have time-allocated more bills than the previous government did that they complained so much about. They’ve done it by not only time-allocating single bills, as with this particular bill, but they’ve done it by time-allocating many omnibus bills. So, when you time-allocate a bill that has 21 different pieces of legislation in it, you are—

Interjection.

Mr. Norman W. Sterling: Bill 212 is an example, as my colleague says—you are time-allocating ad nauseam. That seems to be the plan of this House leader and this government now. We’ve changed the standing orders dramatically so that the opposition has little chance to delay legislation, to negotiate amendments or do any of that. So we’ve lost, in effect, all of the features of a democratic situation that we need in this province of Ontario.

With regard to this legislation, we don’t have great exception to this piece of legislation. I think it’s the kind of legislation, if this government had been working hand in hand with the opposition—and granted, for instance, a decent set of hearings across Ontario on the HST bill—they could have gained our co-operation with regard to passing acts like this. But they have been absolutely stubborn with regard to saying to the opposition, “We are in control. We, the government, are in control and you guys don’t count. We don’t want to hear from you. We don’t want to hear about any kind of reasoned amendments. We don’t want to go out and hear the public speak about our bills, because we know, for instance, with regard to HST, how unpopular that particular matter is. So we’re going to avoid all the public hearings we can. We don’t want to give the people in eastern Ontario”—which I represent part of—“the opportunity to speak on this legislation. We don’t want to give them the opportunity to speak on any legislation. We’ll just ram it through as quick and as fast as we can.” The government wants desperately out of here on Thursday, December 10, so they don’t have to face question period.

As you know, that is, I believe, the strategy of this government. I can see it. It's very, very clear. Perhaps the only transparent thing about this government is the fact that they want out of here at any cost, and in order to do that, they are ramming through legislation at an unprecedented rate.

It is really unfortunate that debate in this Legislature is truncated, that there isn't an opportunity to go to committee hearings so the government can listen to argument for amendment to that particular legislation. In this particular bill, we feel it could be amended and made much better.

It's unfortunate, but this government is showing all the signs of a second-term government, that the only way that they can pass legislation and gain that legislation is not through acceptance by the opposition, not through acceptance by the public, but to batten down the hatches, go straight ahead—"We're always right"—and that always leads to a losing team in the end.

1520

I do wish they would change their tactics. I believe that all members of my party are quite willing to sit next week in order to have legislation thoroughly considered. We'd love to have more hearings on the HST in Ottawa, in the former city of Vanier. We would love to have hearings in that particular area, because those people are very upset with regard to the HST. In fact, a poll recently showed that over three quarters of the people in Ontario are against the HST. But of course they're not going to hear that, because they're not going to allow public hearings as we go out.

We are going to vote against this time allocation motion, because this is not the right way to conduct a government; this is not the right way to pass legislation in this Legislature.

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

Ms. Cheri DiNovo: It's certainly an honour and a privilege to speak about Bill 168, in light, I should say, of our leader Andrea Horwath's Bill 29. It's not an honour and a privilege ever to have to speak to a closure motion, particularly on a bill like this, where the process was truncated when we really wanted as many deputants as possible to come forward and to hear as many stories from women as possible. It really, in a sense, is another silencing of women.

You know, for many, many years in the very bones of this Legislature, women have been silenced. Here we have, by an ironic twist, the government silencing debate on a bill that purports to help women, shutting down the number of deputations, shutting down the number of speakers who can speak to the bill and, again, shutting down the input of women on a bill that has been a very, very long time coming.

I harken back, of course, to its genesis, which was Bill 29, Andrea Horwath's bill: a much stronger bill and a bill that the families of Lori Dupont and Theresa Vince, who have gone through phenomenal tragedy, really wanted to see the government put in place.

Quite frankly, we understand the way this place works: The opposition gets its say; the government gets its way. But we really would have expected and hoped—certainly women who are active every day in the struggle against violence against women really would have hoped—that this bill would be stronger in its language, and more time given to hear deputations, in three ways.

I have to say that I think over 20 amendments were brought forward by the New Democratic party to strengthen Bill 168. Each and every one was voted down by this government—by the McGuinty Liberals. They weren't our amendments—I want to make that very clear—they were amendments suggested by the deputants. Who were these deputants? Well, just about every organization involved in the counsel, the shelter and the legal voice of women who have suffered from violence, and the families themselves that were the inspiration for the bill.

We heard from Lori's mother. We heard from Theresa's daughter. They came and gave such courageous testimony. They demanded such simple amendments, but amendments that would have given teeth to this bill, and amendments that would have saved their daughter's and their mother's lives. Those were the amendments that were voted down by the McGuinty Liberals—amendments that would have saved these two women's lives—and here we are, silencing yet again the process of women speaking about violence against women.

Really, I can't fathom how ironic and sad that is, particularly in the week of December 6, when all of us across this nation lament the murder of those women at L'École Polytechnique by Marc Lépine. That truly was a silencing of women in the workplace; truly silencing women by killing them.

It was truly a silencing of Lori Dupont when she was killed by her estranged partner in her workplace. It was truly a silencing of Theresa Vince, who was silenced once and for all by the manager when she worked at Sears. Those two women's bodies, souls and families, and all of those who have worked for this day, call out to hear their voices finally heard. And yet here we are: We have 27 minutes left of debate on possibly one of the most important pieces of legislation around women's rights.

These are the three ways in which they asked—in fact, demanded—of the government that the bill be strengthened. Number one, they all, to a person, demanded that the definition of violence be extended to include harassment and threats leading up to violence; that it's not just about the violent act; it's about all the little actions—in the case of Lori Dupont, 44 different times that the history that was written that day with her death could have been undone, 44 different times that that hospital, her workplace, could have acted to save her life and refused or did not, for a variety of reasons. And not one of those 44 times was really an act of violence in the traditional meaning of the word.

When we talk about women who are under threat, we inevitably talk about women who are being stalked or

some version of stalking. And when you look at the component parts of what makes up stalking behaviour, you're not looking at somebody being violent in any one of them; you're looking at really some pretty simple actions that in and of themselves could be deemed really inconsequential. But when you look at all of them together, that's when they gain consequence and import. That's when they become dangerous.

This bill, as it is written, doesn't get at that.

Look at the case of Theresa Vince. You see classic stalking behaviour. You see a man buying coffee for her, phoning her at home—maybe once too often, maybe 10 times too often, but it's just a phone call; it is just a cup of coffee; it is just a gift. But it's all of those little behaviours put together that constitutes a danger. And really the only person who can comment on that danger with any alacrity and with any surety is the woman, the victim herself.

We wanted to see a bill that would capture that, that would really allow women to find some safety. Unfortunately, this doesn't capture the nuance of stalking behaviour.

There was a deputant who talked about, for example, the role of women on the Toronto transit authority. Imagine being a woman driving a streetcar late at night. Imagine if your estranged partner, the one who's stalking you, the one who is a threat to you even if they haven't threatened you per se, threatened violence per se, just sat next to you for every single shift. Anybody—anybody—would say that's stalking behaviour; that's dangerous. We know where that kind of behaviour leads.

We lose a woman or two a week in this country because of exactly that kind of behaviour that has an explosive end. It isn't explosive as it is occurring. It isn't explosive at its beginning. It's explosive and deadly at its end, though. Only the woman knows that, and she knows it for sure, and she could tell anyone, any supervisor, any manager of her workplace, that this is going to have a violent end if they don't act.

Yet this bill, Bill 168, doesn't capture that. It doesn't give her recourse. In fact, if anything, it gives the management where she works recourse to say, "Well, you know, everybody's allowed on the TTC."

You could say the same to Lori Dupont: "You know, a doctor's allowed in the hospital." You could say the same to Theresa Vince: "Well, it's a manager. He's just trying to be nice. He's just phoning you; he's just buying you coffee; he's just offering you presents." Management, with the way Bill 168 is worded, has that out. They have the out to say, "Well, you know, he's just being friendly."

1530

For all of the women, and I know there isn't a woman alive who—the stats say something like one in two women has experienced harassment, the kind of harassment that should be captured by Bill 168. Quite frankly, I've never met a woman who has not been harassed at some point in her life by somebody—some unwanted attention. For the vast majority of women, of course, it

does not become deadly the way it did for Lori Dupont or Theresa Vince, but every woman knows what constitutes stalking in her own situation, what constitutes undesirable behaviour to the point that the authorities should be notified so that management should protect her. Every woman knows that—every woman.

Both Theresa Vince and Lori Dupont tried to wake people up, tried to say, "There's a problem here. Do something." I understand that the government even recognizes that. Otherwise they would not have gone through the effort of bringing Bill 168 to the floor of this assembly. They understand as well that something has to happen to protect women like Lori and Theresa, but the problem is that with the wording in the bill, it doesn't.

The second thing, and I talked about it, was stalking: a series of actions needed to be captured, as well as an extension of the definition of violence.

Also, finally, the ability to remove oneself to a safe place. Unfortunately, and I really mean unfortunately, this bill does not capture that. The wording of the bill could have been written by a manager: "You can remove yourself from an unsafe place as long as you don't leave work." Imagine what that meant for Theresa Vince or Lori Dupont. Imagine what that means for someone who sees the stalking behaviour, who knows that this is escalating behaviour and that it starts with the phone calls, with the coffee, with the presents. Then the phone calls increase. Then the harassment increases. They know. Anyone who works with women, in terms of violence and abuse, knows that this is a pattern that ensues, and that the woman has to make herself safe at any cost when she recognizes that this pattern is escalating.

So what does that look like? For a nurse, it looks like getting somewhere away from the person, and Lori didn't have that opportunity. For Theresa it looks like getting away from the person, but Theresa didn't have that opportunity. Quite frankly, one can see the same situation emerge even after the passage of Bill 168, because a woman might say to her manager, "I don't feel safe," and the manager can say, "Well, why not?" She'll say, "Well, this"—reaming off the countless behaviours, all of them in and of themselves not dangerous, all of them in and of themselves not constituting violence, all of them in and of themselves not covered by Bill 168.

Picture that woman alone at night on the TTC, with her stalker sitting right across from her: "He's a paying customer; it's his right to be there. Paying customer; it's a public service." With Lori Dupont: "It's the doctor's right to be there. It's a hospital." With Theresa Vince: "It's the manager's right to be there. It's his workplace too." Imagine them appealing to someone within their company and saying, "I don't feel safe. I just don't feel safe, and here is why, and I need to get somewhere safe." Somewhere safe isn't the streetcar, isn't this hospital, isn't this office at Sears. It might be far away. It might be a shelter. It might be home. It might be somewhere that they can get a restraining order. It might involve police. But whatever it is, chances are that it's not around the workplace. Chances are it isn't, and that's what Bill 168

is supposed to be about: protecting that woman in her workplace. But it's not limited. It doesn't mean she has to stay in her workplace to be protected. It means she needs to get somewhere safe so she's not killed.

Again, the devil is in the details. In this case the death is in the details: the deaths not only of Lori Dupont and Theresa Vince but of every single one of those tragic statistics across the country.

One looks back and wonders if there were any little details, probably none of them violent in and of themselves, that pinpointed to Marc Lépine and the people who were around him that something really tragic was about to ensue with that young man. I imagine there were. I imagine there were all sorts of little things, little behaviours, little statements, little actions that in and of themselves weren't particularly frightening, but added together really made for a totally terrifying outcome.

At the Bill 168 committee, despite the truncated time, despite the silencing of some of the voices that wanted to come forward, we heard from unions. We heard from the families of Theresa Vince and Lori Dupont. We heard from the Registered Nurses' Association of Ontario—in fact, kudos to them for all they've been through—and they brought forward some wonderful suggestions as amendments, amendments, as I say, that were mirrored and reflected in the New Democratic Party's amendments, none of which were accepted by the government. Let me say that again: none of which were accepted by the government. None of the RNAO's suggestions for amendments were adopted by this government.

One of the amendments they brought forward was to look at the very—and this is quite revolutionary in a sense, because this is starting to speak to the very roots of violence against women in the workplace. One of the RNAO's suggestions was to look at the medical advisory committees and the way they're made up. Why are they only doctors? Imagine, if you were a nurse, and your abuser/harasser is a doctor, and the committee you have to go to appeal to is nothing but doctors. It doesn't even make sense for patient care, and that is what RNAO is saying. They would like to see nurses on that committee. They'd like to see dietitians, and they would like to see that committee reflect the fullness of the reality of hospital health care. It doesn't. It's a suggestion.

We didn't have high expectations for that amendment, but certainly we had high expectations for other amendments, which we thought were practical, which were to the point, which just required some change in wording—again, all rejected. Suggestions brought forward by the Lori Dupont family, by the Theresa Vince family—all those amendments rejected, rejected, rejected. Not one of them passed.

Again, I come back to it. I understand the way this place works. I think women across Ontario understand the way this place works: Government has its way; opposition gets its say. But, please, surely the voter or constituents, women who are in danger, expect a collaborative effort so that they might be safe, so that we might prevent further deaths. That's all they're asking

for. I'm sure they didn't come wanting to support one party over another. They didn't come as shills to the Progressive Conservatives or the Liberals or the NDP. They simply came as people who had loved someone and lost them, who really wanted that death to count for something; who wanted that death to be the beginning of a new change in the legal outlook of this province, the province of Ontario, towards women at risk. That's all they asked.

They would have been very happy had Bill 168 been written right out of the gate with those amendments in it. They would have been very happy. They would have been happy, really, if Bill 168 had been Bill 29. That's what would have made them happy. But since it wasn't, we did our due diligence as members of the opposition. We brought in what the deputants asked for—that's all. We just brought in what the deputants uniformly, across the spectrum, wanted. And uniformly, across the spectrum of employees, unions, organizations—they were refused.

1540

Why does this sort of thing happen? One can only wonder. But here's a suggestion—I made it, actually; it's still on the order paper. It's simply a suggestion as to what might work, what might take us a step or two forward when we confront violence against women, because quite frankly, I'm really tired and sick of it.

As a woman who has been active around this issue for as long as I can remember being active around anything, we still see the same numbers. We still see the same numbers of deaths. We still see the same high incidence of abuse. We still see harassment in the workplace. We still see the same few women who represent constituencies; that is, in this place. By the way, one of the worst records for electing women anywhere in the world is in Canada. We still see women making 71 cents for every dollar made by a man. We still see women who can't find daycare in Ontario—only one in 10 children have a spot. We still see women getting harassed, getting abused and then finding out there is not a shelter bed for them; we still don't have enough shelter beds for women.

We have made some gains, no doubt. Women have made gains. It's not all negative. We've made amazing gains in my lifetime. But what are those gains worth if we are always on the defensive against some man who thinks he knows better for us than what we know we need for ourselves? That's the root of abuse. The root of abuse is the power men wield over women, and it's a structural power. It's a power that hasn't really changed, even though we've softened it around the edges. And again, how do we get at that?

Well, we can't get at it by playing partisan politics—I'm sorry, my friends; we can't. We—and I'm talking to women here—have to get at it by coming together as women. That's why I brought forward a motion saying that we should have an all-woman, all-party committee that does nothing but look at violence against women in the province and how we can combat it. Irrespective of political stripe, irrespective of partisan politics, we need that.

How motherhood-and-apple pie can a motion be? That seems to me an obvious one; it seems to me so obvious. Surely we could all agree on that. Then we could go back to fight for what we think will work in our respective caucuses, right? We came together as women, we agreed on steps we could agree on and then we went back to try to bring it forward. Surely that might be a step in the right direction. I think it would be.

Quite frankly, wherever women have made gains in workplaces—or in any other place, for that matter—around this planet, they’ve come together as women to struggle for what they know they need. Why should this place be any different, I ask you? Why should this place be any different? Well, in a sense, this is where all laws are birthed. So this place, even more than any other place, should be a place where women, irrespective of political stripe, can come together on a committee to try to decide on ways of moving forward against harassment and violence against women.

I don’t pretend to have all the answers. I listened with as much interest as, I hope, my colleagues across the aisle to the deputants who came before us for Bill 168. I listened—it was impossible to listen without tears in your eyes—to the deputations of Lori Dupont’s mother and Theresa Vince’s daughter. Yet why can we not embody what they are calling on us to do? I say that unfortunately it’s because partisanship trumps women’s needs. That’s what happened: Partisanship trumped women’s needs, and in particular the needs of the Lori Dupont family and the Theresa Vince family. They had very specific amendments they asked for, as did others. They didn’t get them. Sad. Why? Because again, the Liberal Party voted as the Liberal Party, as instructed by the corner office, instead of the women in the Liberal Party, in cabinet, voting for women. That’s another reason why we’ve got to get together finally.

Anyway, it’s just an obvious thing—one would think it would be very obvious. Honestly, my daughter, who is not at all politically active, said, “That makes sense, Mom.” It makes sense, but it’s never going to happen here unless we have some independent movement from women from the other side. So again, a plea to you to at least, even if you’re not listening now, look back over the Hansard; look at that motion and think about it. What a revolution that might be in the legislative process, that all of a sudden we could, as a group, come together and act—guess what?—the way women never do: for their own interest. Women act for everybody else’s interest, and we do the same thing here. I know we do. We act for other people’s interests, presumably our constituents’, we hope. But here, we’re just asking one to think a bit and act only for women’s interests for a change.

So here we are. We’re dealing with a closure motion. It’s a motion that is going to truncate debate. It’s going to shut down time when women could speak out about this bill. It’s going to limit dialogue about violence against women, one of the most intractable problems of our country and our province and our city. It’s a problem on which, trust me, I’ve had groups in my office, from our

local police divisions to shelter workers to everybody else, and it’s something when you see a superintendent of a police division with tears in her eyes because no matter what they do, every year there’s another death.

So as legislators and as women, that hurts. It hurts because here is an opportunity, and unfortunately, because of the closure motion, it’s an opportunity missed. Now, don’t get me wrong. We in the New Democratic Party are going to vote for Bill 168. What choice do we have? It’s better than nothing. I would love to have a nickel for every time I’ve stood in this place and talked about Liberal legislation and said, “It’s better than nothing,” but, quite frankly, better than nothing is not nearly good enough. In the week that commemorates December 6, in a bill that presumably answers the requests of the Dupont and Vince families, just a little isn’t enough. I’m sorry; it’s not enough.

The simple question that they had—and that’s why they brought forward these amendments, these families and organizations—was: Would this bill, as it is written, have saved the life of Lori Dupont or Theresa Vince? The simple answer that they all gave was no, that without these amendments, it would not. How can that voice be ignored? How can it be shut down? How can it even be limited in terms of a closure motion so that we can’t have fulsome debate about it?

Again, looking back over the simple little motion that’s on the order paper about an all-women, all-party committee to look at one specific issue, this is the sort of thing one hopes the federal government does. Why can’t the provincial government do the same? It’s a very simple request. Again, it’s not because we want the glory over here for Bill 29. It’s not that. It’s not because I want to see my motion pass. If the government had brought in under their own steam Bill 29, we might have raised a hand and said, “Well, give thanks where thanks is due, to our leader, Andrea Horwath,” but we would have rejoiced that the bill had seen the light of day. If the government had brought in this motion that’s on the order paper about an all-women’s committee to look at violence against women, quite frankly, my friends, I would just celebrate you. I would say that for one of the most important issues that we could address in this Legislature, finally we’re all coming together.

We’ve seen it done. Mr. Klees from Newmarket—Aurora and I and Dave Levac from Brant all together co-authored a bill, the first in Canadian history—that’s sort of sad and glad at the same time, but the first time in Canadian history that three parties co-authored a bill, to recognize the horror that was the Holodomor once a year. It’s the right thing to do—simply that. Everybody agrees it’s the right thing to do.

I would really offer the government this: that if that was the right thing to do, then an all-party, all-women committee looking at violence against women is the right thing to do too, and by extension it would have been the right thing to do to bring in the amendments suggested by the Vince and Dupont families and by all of the other groups that work with abused and killed women and their

families. It would have been nice if their amendments had been made part of Bill 168.

1550

Here we are: another closure debate, another better-than-nothing bill, another commemoration of December 6, another mention of the deaths of Lori Dupont and Theresa Vince, another day in the lives of women across this nation where they're returning to homes that are far from safe.

I was speaking to my best friend about this the other day, and I was saying that for all the work of our lives, at least when we go home, it's a safe place; it's a loving place. We're lucky; we're blessed. But for many women that's not the case. And then, guess what? For more women it's not the case that when they get to work it is a safe place. It's not a safe place for many women. After the passage of Bill 168, it still won't be a safe place for those women. It still won't be a safe place for those women.

The tragedy is so immense; it really is. The numbers are so horrifying. If we have not experienced the horror that the Dupont family and the Vince family went through, we women have all experienced at least a little bit of it in our lives; just about every woman has. Enough to know to maybe stay away from that guy, enough to know to get some help because of that guy, enough to know that maybe we can quit our job—maybe the option to quit our job. They didn't.

Maybe, just maybe, and this is truly a Christmas ask—an ask in the season of peace, hope, love and joy—an ask of the government that they look again at the way we confront this problem and think outside the box, finally, and look at something that's not partisan but actually has to do with women's safety, and actually put in place a committee that will look at this bill, and all bills and all possible laws relating to this, and actually move ahead as women for a change—not as Liberals, New Democrats or Tories, but as women.

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

Mr. Frank Klees: In the time I have remaining, I want to share with members of the Legislature a letter that was sent to the standing committee—copied to me—by Mr. Edmund Healey. Mr. Healey's daughter, Brenda Healey, was brutally murdered by someone she met in the workplace. I think it's important that we as members of this Legislature listen to the words written by Mr. Healey and that they be considered in their context, and may well inform members in terms of how they vote on this bill:

"I would like to tell you today of the violent murder of my youngest daughter, Brenda Ann Healey, how the event is related to Bill 168 and why it should be passed into law.

"March 7, 2008, was a cold, snow-filled day in Newmarket. Brenda Healey awoke, dressed, had breakfast and then went to work. This would be the last day of her life. Brenda was 27 years old, in the prime of her life; she

was happily in love and engaged to be married to her partner of seven years, Scott Atherton.

"Brenda was a driver for a company called Mobility Transportation Specialists, a contractor on behalf of York Region Transit, driving a vehicle out of Pefferlaw. Brenda's job was to drive disabled, ill and mentally challenged clients to various appointments. Brenda enjoyed driving her clients and had a good relationship with many of them. Brenda was trained on how to handle the needs of her clients based on their circumstances. However, at no time was she given any training on harassment or violence in the workplace, which could have saved her life.

"Police clearance, driver's abstract and insurance clearance were all a condition of Brenda's employment. Most clear-thinking people would assume that your superiors and fellow employees would also have to follow these same rules and guidelines. However, this was not the case.

"At the end of her workday, Brenda was told to meet Stephen Daniel, her co-worker/supervisor, a person in a position of trust. Brenda was told to meet Daniel to collect her paycheque and turn in her driver's reports as well as those of a fellow driver. They met at a house in Sutton. There, she was brutally assaulted and murdered.

"Unbeknownst to Brenda, Stephen Daniel had a violent criminal past. Daniel had been charged with attempting to murder a woman in 1999 and was convicted of aggravated assault, after which he spent a very short period of time in prison (seven months). Stephen Daniel's criminal record involving violent crime was known to his employer.

"I believe that if the employer had disclosed to Brenda Stephen Daniel's violent criminal past, she would not have agreed to meet him after hours to pick up her paycheque, and she would be alive today. Although Brenda's murder did not take place at the workplace, it was committed by her colleague, who was infatuated and obsessed with her. Brenda was being stalked and did not know it.

"Brenda's murder is another example of workplace harassment that escalated and ended tragically. How many more examples do we need before we recognize that change is required immediately?

"I believe that disclosure of people who are violent, such as Stephen Daniel, should be made to all employees so that they can make informed, intelligent decisions that could possibly save their lives.

"I do believe that Bill 168 will help address this issue and in particular, the paragraph concerning disclosure of information about a violent person ... and will possibly save lives of unsuspecting people."

Mr. Edmund Healey has expressed his view of why this bill, if not perfect, if not going the full distance in terms of what we would like it to do, at least begins to address a serious issue left undone, one that resulted in the death of his daughter. I leave these words with my colleagues for consideration as they deliberate on their decision regarding the legislation before us.

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

Ms. Smith has moved government notice of motion 170. Is it the pleasure of the House that the motion carry? Carried.

Mr. Mike Colle: There was a no.

The Deputy Speaker (Mr. Bruce Crozier): There was a no? If other members say there was a no, I'll accept that and say: All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried—oh, sorry. I'm not looking all around today.

Mr. Frank Klees: It was already carried.

The Deputy Speaker (Mr. Bruce Crozier): No. There were five members standing in their place. I was looking to the left, I'm sorry, and I didn't look to the right. So call in the members. This will be a five-minute bell—a 10-minute bell. Boy, we're having trouble getting through this one.

I have received a note to the Speaker of the Legislative Assembly that government order 170 be deferred to December 8, 2009, signed by the chief government whip.

Vote deferred.

BARRIE-INNISFIL BOUNDARY
ADJUSTMENT ACT, 2009

LOI DE 2009 SUR LA MODIFICATION
DES LIMITES TERRITORIALES
ENTRE BARRIE ET INNISFIL

Ms. Smith, on behalf of Mr. Watson, moved third reading of the following bill:

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 3, I am now required to put the question. Who moved the bill originally? Ms. Smith? Boy, oh boy. You just did it a moment ago, didn't you?

Ms. Smith has moved third reading of Bill 196. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Call in the members. This will be a five-minute bell.

1600

I would like to advise the House that I have received, pursuant to standing order 28(h), a request that the vote on the motion by Minister Watson on Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil, be deferred until December 8, 2009, signed by the chief government whip.

Third reading vote deferred.

ORDER OF BUSINESS

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion regarding second and third reading of certain private bills.

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

Hon. Monique M. Smith: I move that the orders for second and third reading of the following private bills shall be called concurrently, and that the Speaker shall put the questions immediately without further debate or amendment: Bills Pr15, Pr18, Pr25, Pr27 and Pr28.

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

Motion agreed to.

ALLAURA INVESTMENTS LIMITED
ACT, 2009

Mr. Klees moved second reading of the following bill: Bill Pr15, An Act to revive Allaura Investments Limited.

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

Second reading agreed to.

ALLAURA INVESTMENTS LIMITED
ACT, 2009

Mr. Klees moved third reading of the following bill: Bill Pr15, An Act to revive Allaura Investments Limited.

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

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

Third reading agreed to.

1516495 ONTARIO INC. ACT, 2009

Mr. Ramsay moved second reading of the following bill:

Bill Pr18, An Act to revive 1516495 Ontario Inc.

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

Second reading agreed to.

1516495 ONTARIO INC. ACT, 2009

Mr. Ramsay moved third reading of the following bill: Bill Pr18, An Act to revive 1516495 Ontario Inc.

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

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

Third reading agreed to.

CEN-TOWER INVESTMENTS LIMITED
ACT, 2009

Mr. Bailey moved second reading of the following bill:

Bill Pr25, An Act to revive Cen-Tower Investments Limited.

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

Second reading agreed to.

CEN-TOWER INVESTMENTS LIMITED
ACT, 2009

Mr. Bailey moved third reading of the following bill:

Bill Pr25, An Act to revive Cen-Tower Investments Limited.

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

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

Third reading agreed to.

BRISMAIR PROPERTY
MANAGEMENT INC. ACT, 2009

Ms. DiNovo moved second reading of the following bill:

Bill Pr27, An Act to revive Brismair Property Management Inc.

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

Second reading agreed to.

BRISMAIR PROPERTY
MANAGEMENT INC. ACT, 2009

Ms. DiNovo moved third reading of the following bill:

Bill Pr27, An Act to revive Brismair Property Management Inc.

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

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

Third reading agreed to.

1105481 ONTARIO INC. ACT, 2009

Mr. Kular moved second reading of the following bill:
Bill Pr28, An Act to revive 1105481 Ontario Inc.

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

Second reading agreed to.

1105481 ONTARIO INC. ACT, 2009

Mr. Kular moved third reading of the following bill:
Bill Pr28, An Act to revive 1105481 Ontario Inc.

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

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

Third reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day.

Hon. Monique M. Smith: We have no further business today, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): There being no further—

Hon. Monique M. Smith: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): I was really anxious to get going.

Ms. Smith has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

This House is adjourned until 9 of the clock on Tuesday, December 8.

The House adjourned at 1607.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

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

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB) Fonseca, Hon. / L'hon. Peter (LIB)	Oakville Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP) Gerretsen, Hon. / L'hon. John (LIB)	Nickel Belt Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB) Hoy, Pat (LIB) Hudak, Tim (PC)	St. Paul's Chatham–Kent–Essex Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB) Jeffrey, Linda (LIB) Johnson, Rick (LIB) Jones, Sylvia (PC) Klees, Frank (PC) Kormos, Peter (NDP) Kular, Kuldip (LIB) Kwinter, Monte (LIB) Lalonde, Jean-Marc (LIB) Leal, Jeff (LIB) Levac, Dave (LIB) MacLeod, Lisa (PC) Mangat, Amrit (LIB)	Oak Ridges–Markham Brampton–Springdale Haliburton–Kawartha Lakes–Brock Dufferin–Caledon Newmarket–Aurora Welland Bramalea–Gore–Malton York Centre / York-Centre Glengarry–Prescott–Russell Peterborough Brant Nepean–Carleton Mississauga–Brampton South / Mississauga–Brampton-Sud	Third Party House Leader / Leader parlementaire de parti reconnu
Marchese, Rosario (NDP) Martiniuk, Gerry (PC) Matthews, Hon. / L'hon. Deborah (LIB)	Trinity–Spadina Cambridge London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB) McGuinty, Hon. / L'hon. Dalton (LIB)	Thunder Bay–Atikokan Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Consumer Services / Ministre des Services aux consommateurs
McNeely, Phil (LIB) Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Orléans Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC) Miller, Paul (NDP) Milloy, Hon. / L'hon. John (LIB)	Parry Sound–Muskoka Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB) Moridi, Reza (LIB) Munro, Julia (PC)	Huron–Bruce Richmond Hill York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O’Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L’hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l’Assemblée législative
Phillips, Hon. / L’hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister of Energy and Infrastructure / Ministre de l’Énergie et de l’Infrastructure
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L’hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l’opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L’hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
Smitherman, George (LIB)	Toronto Centre / Toronto-Centre	
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L’hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L’hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L’hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l’Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L’hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l’Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l’opposition officielle
Zimmer, David (LIB)	Willowdale	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Garfield Dunlop
Vice-Chair / Vice-président: Robert Bailey
Robert Bailey, Gilles Bisson
Jim Brownell, Kim Craiton
Bob Delaney, Garfield Dunlop
Phil McNeely, John O'Toole
Khalil Ramal
Clerks / Greffiers: William Short (pro tem.), Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-présidente: Laura Albanese
Laura Albanese, Wayne Arthurs
Toby Barrett, Kevin Daniel Flynn
Eric Hoskins, Pat Hoy
Michael Prue, Peter Shurman
Charles Sousa
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Président: David Oraziatti
Vice-Chair / Vice-présidente: Helena Jaczek
Helena Jaczek, Kuldip Kular
Amrit Mangat, Rosario Marchese
Bill Mauro, Reza Moridi
David Oraziatti, Joyce Savoline
John Yakabuski
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Howard Hampton, Ernie Hardeman
Rick Johnson, Lisa MacLeod
Yasir Naqvi, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Ted Chudleigh
Christine Elliott, Peter Kormos
Jeff Leal, Dave Levac
Leeanna Pendergast, Lou Rinaldi
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Khalil Ramal
Bas Balkissoon, Jim Brownell
Bob Delaney, Joe Dickson
Rick Johnson, Sylvia Jones
Norm Miller, Khalil Ramal
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-président: Ted Arnott
Ted Arnott, France Gélinas
Phil McNeely, Jerry J. Ouellette
David Ramsay, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Kim Craiton, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-président: Vic Dhillon
Sophia Aggelonitis, Vic Dhillon
Cheri DiNovo, Linda Jeffrey
Sylvia Jones, Jean-Marc Lalonde
Carol Mitchell, Shafiq Qaadri
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

**INTRODUCTION OF BILLS /
DÉPÔT DES PROJETS DE LOI**

Ontario Energy Board Amendment Act (Door-to-door Electricity Retail), 2009, Bill 230, Mr. Brown / Loi de 2009 modifiant la Loi sur la Commission de l'énergie de l'Ontario (vente d'électricité au détail par voie de démarchage), projet de loi 230, M. Brown

First reading agreed to.....	9083
Mr. Michael A. Brown.....	9083

MOTIONS

Order of business

Hon. Monique M. Smith	9084
Motion agreed to	9084

PETITIONS / PÉTITIONS

Taxation

Mr. John O'Toole.....	9084
-----------------------	------

Rail line expansion

Ms. Cheri DiNovo.....	9084
-----------------------	------

Public transit

Mr. Mike Colle.....	9084
---------------------	------

Taxation

Mrs. Joyce Savoline	9085
---------------------------	------

Employment insurance

Mr. Mike Colle.....	9085
---------------------	------

Taxation

Mr. Ernie Hardeman.....	9085
-------------------------	------

Diagnostic services

Mme France Gélinas	9085
--------------------------	------

Mental health services

Mr. Bill Mauro	9085
----------------------	------

Taxation

Mr. Robert Bailey	9086
-------------------------	------

Public transit

Mr. Mike Colle.....	9086
---------------------	------

Hospital funding

Mr. John O'Toole.....	9086
-----------------------	------

Taxation

Mr. Robert Bailey	9086
-------------------------	------

Taxation

Mr. Ernie Hardeman.....	9087
-------------------------	------

Sale of domestic wines and beers

Mr. Robert Bailey	9087
-------------------------	------

ORDERS OF THE DAY / ORDRE DU JOUR

Animal Health Act, 2009, Bill 204,

Mrs. Dombrowsky / Loi de 2009 sur la santé animale, projet de loi 204, Mme Dombrowsky

Hon. Leona Dombrowsky	9087
Mr. Ernie Hardeman.....	9088
Mr. Howard Hampton	9091
Mr. Rick Johnson	9094
Mr. John O'Toole.....	9095
Third reading vote deferred.....	9095

Time allocation

Hon. Monique M. Smith	9095
Mr. John O'Toole.....	9095
Mr. Howard Hampton	9097
Mr. Ted Chudleigh.....	9098
Mrs. Christine Elliott.....	9098
Mr. Ted Arnott	9099
Mr. Norman W. Sterling	9100
Ms. Cheri DiNovo.....	9101
Mr. Frank Klees	9105
Vote deferred.....	9106

Barrie-Innisfil Boundary Adjustment Act, 2009, Bill 196, Mr. Watson / Loi de 2009 sur la modification des limites territoriales entre Barrie et Innisfil, projet de loi 196, M. Watson

Third reading vote deferred.....	9106
----------------------------------	------

Order of business

Hon. Monique M. Smith	9106
Motion agreed to	9106

Allaura Investments Limited Act, 2009, Bill Pr15, Mr. Klees

Second reading agreed to	9106
--------------------------------	------

Allaura Investments Limited Act, 2009, Bill Pr15, Mr. Klees

Third reading agreed to	9106
-------------------------------	------

1516495 Ontario Inc. Act, 2009, Bill Pr18, Mr. Ramsay

Second reading agreed to	9106
--------------------------------	------

1516495 Ontario Inc. Act, 2009, Bill Pr18, Mr. Ramsay

Third reading agreed to	9106
-------------------------------	------

Cen-Tower Investments Limited Act, 2009, Bill Pr25, Mr. Bailey

Second reading agreed to	9107
--------------------------------	------

Cen-Tower Investments Limited Act, 2009, Bill Pr25, Mr. Bailey

Third reading agreed to	9107
-------------------------------	------

Brismair Property Management Inc. Act, 2009, Bill Pr27, Ms. DiNovo

Second reading agreed to	9107
--------------------------------	------

Brismair Property Management Inc. Act, 2009, Bill Pr27, Ms. DiNovo	
Third reading agreed to.....	9107
1105481 Ontario Inc. Act, 2009, Bill Pr28, Mr. Kular	
Second reading agreed to.....	9107
1105481 Ontario Inc. Act, 2009, Bill Pr28, Mr. Kular	
Third reading agreed to.....	9107

CONTENTS / TABLE DES MATIÈRES

Monday 7 December 2009 / Lundi 7 décembre 2009

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Ms. Cheri DiNovo.....	9071
Hon. Monique M. Smith	9071
Mr. John O'Toole.....	9071
Hon. Kathleen O. Wynne.....	9071
The Speaker (Hon. Steve Peters).....	9071

ORAL QUESTIONS / QUESTIONS ORALES

Workplace Safety and Insurance Board

Mr. Tim Hudak	9071
Hon. Dwight Duncan	9071

Workplace Safety and Insurance Board

Mr. Tim Hudak	9072
Hon. Dwight Duncan	9072

Taxation

Mr. Paul Miller.....	9073
Hon. Dwight Duncan	9073

Taxation

Mme France Gélinas	9073
Hon. Dwight Duncan	9074

Child protection

Ms. Sylvia Jones	9074
Hon. Christopher Bentley.....	9074

Taxation

Mr. Rosario Marchese.....	9075
Hon. Dwight Duncan	9075

Taxation

Mr. David Zimmer	9075
Hon. John Wilkinson.....	9076

Workplace safety

Mr. John Yakabuski	9076
Hon. Dwight Duncan	9076

Aboriginal children's services

Mr. Gilles Bisson	9077
Hon. Laurel C. Broten.....	9077

Greenhouse gas emissions

Mr. Phil McNeely	9077
Hon. John Gerretsen.....	9077

Municipal funding

Mr. Garfield Dunlop	9078
Hon. Dwight Duncan	9078

Diagnostic services

Mme France Gélinas	9078
Hon. Deborah Matthews	9079

Flu immunization

Ms. Sophia Aggelonitis.....	9079
Hon. Deborah Matthews	9079

Hospital services

Mr. Ted Chudleigh	9080
Hon. Deborah Matthews	9080

Diagnostic services

Mme France Gélinas	9080
Hon. Deborah Matthews	9080

Annual report, Auditor General

The Speaker (Hon. Steve Peters).....	9081
--------------------------------------	------

Notice of dissatisfaction

The Speaker (Hon. Steve Peters).....	9081
--------------------------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Firefighters

Mr. John O'Toole.....	9081
-----------------------	------

Student achievement

Mrs. Carol Mitchell.....	9081
--------------------------	------

Victims of crime

Mr. Ted Chudleigh.....	9081
------------------------	------

Merv Smith

Mr. Kevin Daniel Flynn	9082
------------------------------	------

Taxation

Mr. Garfield Dunlop.....	9082
--------------------------	------

Human rights

Mr. Peter Tabuns	9082
------------------------	------

Renewable energy

Mrs. Liz Sandals.....	9082
-----------------------	------

Taxation

Ms. Helena Jaczek.....	9083
------------------------	------

Taxation

Mr. Dave Levac.....	9083
---------------------	------

Continued on inside back cover