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**Tuesday 13 April 2010**

**Mardi 13 avril 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Deborah Deller

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Hansard Reporting and Interpretation Services  
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111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
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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  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 April 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 avril 2010

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

### ORDERS OF THE DAY

RETIREMENT HOMES ACT, 2010

LOI DE 2010 SUR LES MAISONS  
DE RETRAITE

Mr. Phillips moved second reading of the following bill:

Bill 21, An Act to regulate retirement homes / Projet de loi 21, Loi réglementant les maisons de retraite.

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

**Hon. Gerry Phillips:** I should inform the House that I'll be sharing my time with my parliamentary assistant, the member for Brampton West.

I'm honoured to lead off this debate. If passed, it's the first time in Ontario's history that we are going to regulate our retirement home industry and our retirement home sector. If passed, the legislation will establish a regulatory body that will have the authority to identify, license, inspect and regulate our retirement home sector. We also will establish care and safety standards for our retirement homes. Perhaps most importantly, we'll ensure that residents of those retirement homes have clearly defined rights in terms of expectations around their contract, their relationship with the retirement home operator and freedom from any abuse—zero tolerance of that. If passed, this legislation will, I think, establish the appropriate oversight of an important part of our province.

If I might, I just want to acknowledge briefly the tremendous work of the staff at the Ontario Seniors' Secretariat. I've now been the minister for three months, so I've inherited this project and I'm proud that I have inherited it. I want to acknowledge the dedicated work by our staff, some of whom are here today.

I also want to acknowledge the work that has gone on around the province; we've had consultations in 12 different cities. There have been well over 800 different individuals and organizations that participated in those consultations, and they very much helped to shape the legislation that we're looking at today.

I also want to acknowledge my predecessors. As I say, I've been the minister now for three months, so I have been lucky enough to have the responsibility for bringing

forward this legislation, but my predecessors really helped to shape this. Particularly, I want to acknowledge Aileen Carroll, who was the minister responsible just before me. Really, she devoted a lot of her time and attention to this, and I get an opportunity to bring to fruition, I hope, much of her work.

Why is the legislation important? I think all members of the Legislature understand the changing demographics in our province. In just a few short years, probably in four or five years, there will be more seniors, people 65 years of age and older, than there are young people under 15—quite a dramatic change. Our number of seniors will more than double over the next 20 years, so we need, as a province, to continue to evolve to ensure that we provide the environment that maximizes our opportunities for seniors.

I probably need to declare a conflict here, in that I myself am a senior, so I am particularly interested. I hope it's still appropriate that I proceed with this legislation.

My goal on behalf of the Legislature is, as I said earlier, to try and ensure that this province provides a maximum opportunity for seniors to live to their full potential. I would say that seniors can be anyone from a 90-year-old frail person in a nursing home to a 65-year-old person who is running marathons, continuing to be, perhaps, full-time employed in some endeavour and extremely active. I recognize and we recognize that breadth of seniors. We need to, in this province, ensure that we adapt to that complexity of seniors.

My own view is that there are six areas that we need to focus on. The one we often think of is health, but there's also safety and security for seniors—everything from elder abuse to ensuring that they are secure from financial abuse; ensuring that we adapt our employment and volunteer sector to accommodate our changing demographics; that the language we use is age-friendly; that our communities change and adapt to make sure that our seniors are fully accommodated.

Obviously, an important part is accommodation, where one lives. That's what this legislation is dealing with, a part of that. For the members' information there are, we believe, approximately 700 retirement homes in the province. When we say "we believe," they are currently not identified, and that's part of what this legislation will do. The estimate is 700 and there are approximately, we believe, 40,000 people who live in these retirement homes. It's an important part of our province.

### 0910

When we think of retirement homes, many of us think of the quality homes that exist in our communities, very

well run, serving our seniors very well. We also recognize that there are some that aren't as well run and some that aren't serving our seniors as well as all of us would like.

I think all members of the Legislature appreciate the important role that seniors have played and continue to play in our province, and the responsibility we have to ensure, to the best of our ability, that when they select a retirement home, they can be confident of the safety and security and the treatment they will receive in that home.

I'm about to turn my opportunity here over to my parliamentary assistant, but I just want to say that I think this proposed act, if passed, will be an important additional milestone in the province of Ontario: the first time we regulate and license retirement homes. It is a solid step forward.

I look forward to the debate—I make the assumption that this bill will move to committee, where the public will have some opportunity, but that will be up to the Legislature to decide—and then to ultimate passage of the bill and, for the first time, as I say, the regulation, licensing and oversight of our retirement home sector.

With that, I'd like to turn the opportunity over to my colleague the member from Brampton West.

**The Acting Speaker (Mrs. Julia Munro):** The member for Brampton West.

**Mr. Vic Dhillon:** It's a pleasure to share time today with Minister Phillips, the minister responsible for seniors, and it's with great pride that I'm able to give this very important issue the time it deserves.

As the minister has mentioned, the proposed Retirement Homes Act is about our loved ones. Seniors have a very special place in our lives, whether it's in their role as a mentor, grandparent, parent or friend. We count on their wisdom, experience and advice, and we want nothing more but the very best for them and the 40,000 seniors living in retirement homes today.

If passed, this act would create and protect residents' rights including, among other things, the right to know the true cost of accommodation and the right to live in an environment that promotes zero tolerance of abuse and neglect.

The journey up until this point has been a long one, but I think we can all agree that anything that's worth doing well takes time. We're talking about improving the quality of life for our loved ones, and that means we want to make sure we're doing this right.

The hard-working staff at the Ontario Seniors' Secretariat went across the province in 2007 to talk to more than 800 people in 12 cities about retirement homes. We talked to a lot of seniors, retirement home operators and seniors' advocates. They told us what's working and what's not working, and they discussed expectations.

Here's what people told us during those consultations. One message came through loud and clear over and over again from operators, residents and their families; that is, that the retirement home sector should be regulated. Participants also said we should recognize the range of care services available across the sector.

They told staff that any proposed regulation should not restrict the flexibility of operators to decide which care services to provide, and should not limit seniors' choice about where they live. They also asked to keep the cost of regulation reasonable.

When asked about what the standards should cover, most felt there should be standards for any care service offered by a retirement home operator. More specifically, many participants said there should be standards for infection control and evacuation procedures. Groups in almost every city also felt there should be standards for assessment of residents' care needs to ensure that residents are able to make an informed choice about their care and accommodation.

There was virtually unanimous agreement that restraints should not be permitted in retirement homes but that personal assistance devices, if used properly, would be okay.

Every group was asked who should be responsible for ensuring that care standards are met. Most agreed that enforcement should be handled by a third party—an independent body. Many groups told us that the responsibilities of an independent body should include helping homes meet requirements, inspecting homes, enforcing care standards and dealing with consumer complaints.

We also asked groups about what should happen to homes that don't meet the standards. Most felt that the public had a right to know which homes were not meeting the standards, but only after operators had failed to take the proper steps to correct the problems. They told us that an independent body could and should use a variety of measures to ensure compliance with standards, starting from the least punitive fines, and only after other measures are exhausted should a licence be revoked.

We went away from those consultations, and armed with the insights and recommendations we heard, we went to work. Staff at the Ontario Seniors' Secretariat worked very hard with colleagues in other ministries, from the Ministry of Health to the Ministry of Municipal Affairs and Housing and the Ministry of Community Safety and Correctional Services, to develop legislation that, if passed, would not only ensure informed choice for our seniors but also ensure the viability of an industry that is expected to grow considerably over the next few years.

How will it do this? The proposed bill is split into several parts: fundamental principles and definition of a retirement home; the creation of the Retirement Homes Regulatory Authority; licensing requirements; residents' rights, care and safety; enforcement; appeals of licensing decisions or orders; and finally, important details such as the creation of regulations and a public register listing all retirement homes, their size, location and inspection results.

The first part is about the fundamental principles that the minister responsible for seniors told us about before. A retirement home is to be operated so that it is a place where residents live with dignity, respect, privacy and autonomy, in security, safety and comfort, and can make

informed choices about their care options. The proposed legislation defines a retirement home as a place that is occupied primarily by a person over the age of 65 who is unrelated to the owner, where there are at least two care services available from a list of 10, and potentially more, through regulations, if we find they are needed. The minimum number of residents would be set at six through regulation so that we would have the flexibility to change this number if necessary.

The proposed legislation would apply to rental accommodations and would not include condos or life leases.

The second part of the proposed act would establish the Retirement Homes Regulatory Authority. This authority would be responsible for licensing homes, educating operators and staff, and ensuring compliance through issuing orders and revoking licences, if necessary. Specifically, this part would establish the board of directors' qualifications and reappointment; define the mandate of the authority; provide the ability to set and collect fees, and to use these funds collected to carry out the mandate of the authority; create the positions of registrar, risk officer and complaints review officer within the authority and outline their responsibilities; require the authority to establish a code of ethics; and establish an emergency fund.

The next section includes licensing requirements for all retirement homes. No retirement home would be able to operate in Ontario without a licence granted by the registrar. This part of the proposed act would also set out the following process for licensing requirements: eligibility criteria; the registrar's powers, including the ability to make inquiries, conduct investigations and inspections, grant and refuse a licence, and impose conditions on those licences; the process for granting, refusing or placing conditions on a licence; and all reasonable costs associated with the registrar's investigation or inspection to be paid by the applicant.

The proposed Retirement Homes Act would establish residents' rights that would be fully respected and promoted by the licensees of any retirement home in Ontario. The following protections would be included: the right to clear information about the contents of a resident's contract with the retirement home, specifically the different types of accommodation and care services provided in the home and their costs; the right to an individualized plan of care based on an assessment of a resident's needs; the right to contract with external care providers if residents so choose; and the right to know about the protections available to residents, including the home's complaints process and whistle-blowing protections. Licensees would be required to comply with care and safety standards, which would be set out in regulation.

#### 0920

We're looking at several approaches to the development of standards to ensure we come up with the best fit for Ontario. We would work with industry partners and seniors' groups to ensure the standards address the broad range of care needs of residents; these standards are

workable in Ontario's retirement home sector; and they allow for more informed decision-making, safety and consistency across all retirement homes.

A possible care standard could involve extra training for front-line staff on abuse recognition and prevention and mental health issues, including caring for persons with dementia, behaviour management and the use of personal assistance devices. It could include setting maximum limits for the temperature of bath water.

Safety standards could detail requirements such as specific skills and training for staff in dealing with emergency and evacuation procedures. They could include certain requirements for infection prevention and control programs or a written policy to promote zero tolerance of abuse and neglect of residents.

All retirement homes would be required to develop a plan of care for every resident upon entering a home. This plan would need to be reviewed at least every six months, based on an assessment of a resident's care needs, and would require a resident's full participation and permission.

The next section of the proposed act also spells out the following protections:

Zero tolerance of abuse and neglect: Licensees would be required to protect residents from abuse by anyone and ensure that residents are not neglected by staff. Licensees would be required to develop a written policy on zero tolerance of abuse and neglect.

An absolute prohibition on the use of restraints: The prohibition would not apply to the common-law duty to restrain a person when there is imminent harm possible to the person or others. Every licensee would need to keep records about how often this common-law duty has been used.

Licensees would only be permitted to use personal assistance devices if they are included in a resident's plan of care; for example, temporary supports to help keep a person upright. The use of these devices would have to be considered by the resident or the resident's substitute decision-maker and used according to the manufacturer's operating instructions.

Licensees would have to ensure that staff do not confine a resident to a secure unit unless certain rules set out by the act are met. For example, the use of confinement would have to be outlined in the resident's plan of care and consented to by the resident or the resident's substitute decision-maker. Residents would also have the right to contact a rights adviser on these situations.

Licensees would have to establish a residents' council if requested by the residents of the retirement home. Licensees would have to provide an assistant to support the council, respond to items raised by the council and not interfere with the council's operations.

Licensees would be required to screen staff and volunteers and ensure they receive minimum training in areas such as care and safety.

I'm very proud to say that improved fire safety is another important protection we're reinforcing in our proposed act. We recognize the importance of the build-

ing and fire codes as the primary source for fire safety, so our proposed act would require every retirement home to comply with all existing fire and safety requirements under those codes. If this legislation passes, we would, for the first time, have a public listing of retirement homes that would include information on whether they have sprinklers. This information would support people in their choice of retirement home, and help our fire and police services know more about the retirement homes in their communities.

It's worth noting that sprinklers are just one of many tools we can use in addressing fire safety. In fact, a recent letter from the Ontario Professional Fire Fighters Association states that sprinklers "are not a magic bullet." The letter goes on to say that "all factors must be considered, from existing code compliances to implementing approved fire safety plans to proper emergency response capabilities."

This legislation, if passed, would require all homes to have specific evacuation plans for fire and other emergencies. It would also require that all retirement home staff be trained in fire prevention and safety. Further to these measures, retirement homes would be required to include any fire and safety plans in the information packages given to every resident, and an explanation of the measures to be taken in case of a fire would have to be posted in the home. We know that there are particular concerns about fires that occur at night. Our proposed legislation would require that information about nighttime staffing levels also be included in that information package.

These measures would not only give seniors important information about fire safety as they consider retirement home accommodations; they would also reassure residents living in licensed retirement homes that fire and building code requirements have been met, that staff have been trained and that there are emergency and evacuation plans in place.

The next part of this Retirement Homes Act deals with the enforcement powers of the authority's registrar. This includes inspections, the complaints process, different orders that can be made by the registrar and offences under the act.

This section would include: the timing of inspections, including surprise inspections, and the powers of the inspector; the circumstances for when a warrant is required; and the emergency powers available to the inspector when faced with extenuating circumstances.

It would also set out the process for complaints to the registrar. In addition to obligating retirement homes to have an internal complaints process for residents, the act would, if passed, give residents, their families or caregivers the right to go directly to the authority's registrar with concerns about care and safety. The registrar would review each complaint and, based on the nature of the complaint, investigate further and take appropriate action or decide to take no action. The registrar would then notify the complainant about the decision. Complainants who are unhappy with the registrar's decision would be

able to write to the complaints review officer to review the process used by the registrar to reach his or her decision. The complaints review officer would ensure that all information was considered in making the decision.

Orders of the registrar would be broken down into various separate categories: a person suspected of operating a retirement home without a licence would be ordered to either apply for a licence or cease operating a retirement home; a licensee who has breached a requirement under the act would be given a compliance order; orders to employ or retain, at the licensee's expense, one or more people to manage or assist in managing the retirement home; orders to pay a financial penalty; and finally, as a last resort, revoking the licence for the retirement home.

Before a revocation order can be made, a notice of intent would first be sent to the licensee to allow the licensee time to respond to the issues raised by the registrar.

I'd now like to talk about how the proposed act deals with the appeals process for anyone served with a licensing decision or a registrar's order. Anyone served with a licensing decision or a registrar's order would be able to appeal the registrar's decision to the Licence Appeal Tribunal. They could also appeal the tribunal's decision to Divisional Court on questions of law.

#### **0930**

There are other general, but key, requirements set out by the act, including:

- creating a public retirement home register by the authority, listing details about the licensed retirement homes, including location, number of residents, inspection results and whether or not they have sprinklers;

- confidentiality clauses to protect information collected by the authority;

- protection for whistle-blowers; and

- regulations for caregivers; different classes of licences, defining what constitutes physical, financial, verbal, emotional or sexual abuse; licensing requirements; and financial penalties, which include the amounts and criteria, and this information to be included in an order for payment; information governing the review by the LAT of the proposed order for payment of an administrative penalty; and regulations leading to how the emergency fund would be used.

There would also be a requirement for a review of the act to be undertaken by the minister within five years of proclamation, and for this review to be tabled in the Legislature.

In conclusion, this proposed act addresses virtually all of the recommendations we heard during our consultations, from requiring care standards for any care service offered by a retirement home, to establishing a third party independent regulatory body to enforce those standards, to creating and protecting residents' rights. Ultimately, this act is about ensuring that Ontario's seniors are able to maintain the independence they hold dear. It's about ensuring they are treated with respect and that they can have peace of mind knowing they are able to make

informed choices about living in any retirement home in the province of Ontario.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. John O'Toole:** I'm very pleased to respond to Bill 21. At this point, I'm actually anxious to hear from our critic, the member from Cambridge, who has studied the bill and who, I think, has a lot of valid comments. I'm only responding to his remarks in the media with respect to the introduction of this bill, and I think he summed it up quite succinctly when he said that the government is really avoiding the obvious question of the backlog in emergency rooms in our hospitals today.

This is primarily caused by ALC—alternative level of care—patients, who can't be discharged because they have accompanying medical issues, which puts a lot of costs onto the hospitals, and there is a jam-up with the family. What's missing here is a plan for long-term care. In the election they promised—they make a lot of promises, but most of them never come true. The real issue here is that the promise that they were going to create or at least modernize some of the long-term-care facilities in Ontario simply hasn't happened. Unfortunately, the families and the individuals are in a situation that isn't particularly good for them.

The other part of it is that there was the inquest of the 92-year-old woman who died in a retirement home, suggesting that the case there was that she really should have been in a more appropriate setting. I am interested in the remarks, in a few minutes, by our member from Cambridge, who has worked on this and is very familiar with the issues involved.

At the end of the day, I think that vulnerable people were probably in favour of a good part of this bill. I can tell from personal experience that regulation is already happening in my riding. I have power of attorney for my mother-in-law, who fell and couldn't be discharged. Eventually, the hospital wanted the bed, and pretty soon I had to pay for retirement. There is no funding in retirement homes and that's the real issue here. There's no money—

**The Acting Speaker (Mrs. Julia Munro):** The member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** I must say that I have been waiting for the regulation of retirement homes for a long time. The bill was a long time in coming, and I was kind of glad that it finally came out. So this is a little positive step.

I would say that the aim of the bill is what we all want: We want to protect the frail elderly, who make up the great majority of people who live in retirement homes. We want to give them some sort of protection and make sure we protect them from abuse at every level, and the bill aims at doing this.

Unfortunately, there is an ocean between what the goals are and what will actually come out. One of the key pieces of the bill is the establishment of an oversight mechanism. There is nothing in the bill that prevents the oversight mechanism from being dominated by the major

players within the industry. Basically, you would have the owners and representatives of retirement homes policing themselves. This is a system that does not give the frail, the elderly in Ontario the protection they deserve and the protection that the government has set out in this bill to provide, and that brings me great worries. When the introduction by the honourable minister and his parliamentary assistants was laid out—I think they're going in the right direction, but I think the bill needs stronger teeth in order to achieve what they wanted to achieve. At the end of the day, we want the tragedy that happened in Ottawa, where a woman died, the tragedies that are happening right now in retirement homes, to end. This bill is not going to do that.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Jeff Leal:** I certainly appreciated the comments this morning of the minister without portfolio responsible for seniors in the province of Ontario and indeed his parliamentary assistant. It goes without saying that this legislation, Bill 21, I think is something that will pass this House. I think in many ways it's a non-partisan issue, because we're all very concerned about our elderly citizens in the province of Ontario. Many of them, of course, are veterans. I know the youngest of those World War II veterans are in their mid-80s. I was just recently reading in a Legion publication that in fact 400 to 500 World War II veterans are dying each week now across Canada, because they are a very declining group. And there are others, the people who have made investments in our communities. Those community leaders now find themselves in retirement homes. This piece of legislation will bring about a framework to make sure that a spouse, a loved one, a family member can have confidence in what is taking place in our retirement homes across the province of Ontario.

This piece of legislation is certainly long overdue, and I salute previous ministers for seniors in the province for working on this particular area for a lengthy period of time. Over 800 people have participated in the public consultations, and it would be my view that all parties in this House will work in a very co-operative spirit to make sure that Bill 21 is the very best piece of legislation possible to look after our very fragile citizens in the province of Ontario.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions?

**Mr. Randy Hillier:** This Bill 21, although well-intended, causes me a little bit of concern as I read through it. It's clear, from my reading of it, that the government is confusing long-term-care facilities and retirement homes, and actually maybe creeping and pushing or increasing the role of retirement homes into that of a long-term-care facility. Listening to the member speaking, talking about frail elderly people and war veterans etc., not everybody—I would put this position forward: People who go to retirement homes are actually independent living members of society, residents. They're going to a retirement home. They fully have their facul-

ties and are competent and capable of living independently. This bill is transposing that view that everybody who goes to a retirement home is in need of government oversight and care.

I think the member from Durham hit it on the head here. Is this the result of this government not providing adequate resources in the long-term-care facilities? Are they not building enough beds for long-term care and alternative levels of care and therefore now trying to impose long-term-care requirements in the retirement field? If you look at what a resident retirement home is in the act, it really opens it up to any apartment building of more than six units that would fall under this act.

I really would like the government to reconsider and take another look at this bill and how it's going to affect—

**0940**

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Response? The minister without portfolio and responsible for seniors.

**Hon. Gerry Phillips:** I appreciate the comments from my colleagues here.

To the member from Nickel Belt: She makes a reasonable point on the oversight body. Her concern, I think, was that it not be dominated by the industry spokespeople. I think I can reassure her on that. Firstly, the chair would be appointed by the government, so we have control on that. We would appoint not a majority of the board members but a significant number of the board members. We have told the industry that we're looking for board members who understand the industry but are not there representing the industry. As we go through the debate, I hope she'll feel confident that the regulatory body will be representing the interests of the residents pretty clearly.

I appreciate the comments from my colleague from Peterborough that this is about finding ways that we provide accommodation with confidence for our seniors.

To the members for Lanark-Frontenac-Lennox and Addington—my apologies; it's a long one—and Durham: They both made the same point, I think. We are responding here to province-wide consultations from people who are residents of retirement homes, seniors' organizations and industry.

This is about retirement homes. I'm happy to debate long-term-care homes and what we've done there. I think we've added at least 8,000 new beds there. But this is about retirement homes and responding to the consultations—

**The Acting Speaker (Mrs. Julia Munro):** Thank you very much. Further debate?

**Mr. Gerry Martiniuk:** I'm pleased to rise today to discuss Bill 21, a bill with some 127 clauses dealing with upgrading the retirement home field, which at the present time has no licensing and little in the way of regulation other than that dealing with the physical surroundings under municipal bylaws.

In order to discuss retirement homes, we have to discuss how we are going to treat our seniors in the future. I,

like the honourable minister, happen to be a senior but that doesn't change things. We are both, I believe, intent on ensuring that our seniors live comfortable, capable lives and are treated with respect.

However, we have to define what we're dealing with. Retirement homes at the present time are basically unregulated. This act, for the first time, will regulate them by the provincial government, and that is a good thing.

This is a private enterprise, or non-profit enterprise, dealing with retirement homes. There are approximately 43,000 residents in retirement homes in the province of Ontario. The homes receive nothing in the way of assistance from this government. They are totally separate from this government. They do not receive any funds from this government for caring for their seniors.

So who pays for it? Well, the seniors do. The seniors pay for not only the rent and the food, but they pay for every single service. Those services that are the most important when you're dealing with a senior are personal services.

Now, let's turn for a moment to long-term-care facilities. They are very similar, if you look at the plan, to retirement homes except that they do receive a subsidy—it could be as high as \$40,000 per resident—and that money is allocated for their personal care. It's a very expensive project. Here we have long-term-care residents whose homes or residences receive \$40,000 per resident in subsidies from this government, and we have retirement homes that receive nothing in the way of subsidies from this government. So when the retirement homes talk about personal care, that is all going to be borne by the resident.

There's nothing wrong with that. We can have two standards: long-term-care facilities and retirement homes. The only problem would seem to be the negligence of this government in establishing more long-term-care beds that will be required for the seniors in this province. As the minister said, in a short 10 years, our seniors are going to double. We have just seen the beginning of the baby boomers starting to retire and starting to require greater service in their advancing years.

What's happening in the long-term-care-facility world? I could discuss that for hours, but I chose an article by Christina Blizzard of the Toronto Sun which, I think, gives the flavour of what's going on in long-term care.

"It's barbaric. Imagine asking a family to put their frail, 89-year-old mom with failing eyesight into a home almost three hours away from her family, her friends, her doctors and her support system.

"Yet that's the devastating choice that's being offered Maureen Cross in the northwestern Ontario town of Kenora.

"After surgery in Winnipeg, Cross's mother, Bernice, decided she could no longer live alone and needed to be in long-term care.

"She was not in any shape to go anywhere except there," Cross said in a telephone interview.

"She feared being by herself."

"Imagine the shock she got when she was told by the community care access centre ... that her mother would



have to go to a home in Fort Frances, a two-and-a-half-hour drive from her home.

"She's not alone. Right across the province, alternate level of care ... patients—those who are chronically ill and need long-term care—are being told they can't stay in hospital and must move to a long-term facility that may be hours from friends and family.

"Kenora-Rainy River MPP Howard Hampton says" the LHINs "are being told to get chronically ill patients out of hospitals and into long-term facilities.

"Without enough beds, though, patients are being forced into neighbouring communities, or wherever a vacancy occurs.

"New Democrat health critic France Gélinas says she's been dealing with this issue in her Nickel Belt riding for the past five years. Now it's spreading across the province."

It's happening in Cambridge; it's happening in our region. We have, as I understand it, about 36 individuals, seniors, who now call the Cambridge Memorial Hospital their home—their home, ladies and gentlemen.

Members, a hospital is not a home; it is a place where one goes when one is ill. But they are there. They call it their home now because there is no place for them to go.

"When a hospital gets too backed up with ALC patients, it asks for a 1-A classification, meaning it gets priority to transfer the patient to the first available long-term-care facility, no matter where it is.

"That's causing heartbreak, with husbands and wives being split up."

In my short tenure as an MPP, I've had at least two cases where husbands and wives were in fact split up. If you can imagine individuals who have lived together—in matrimonial bliss, we all like to think—for many, many years, and now they are sent to separate cities. Now, they were corrected by the community care access centre in our area. However, it did occur and it lasted for months.

**0950**

"The irony in Kenora is there are 20 beds available in a home for the aged. They just don't have the funding to open them, Hampton reports.

"This is disgraceful.

"In many ways we have a wonderful health system. We have skilled doctors and caring nurses who go the extra mile for patients.

"Sadly, to access that care, patients often have to negotiate a bureaucratic nightmare of red tape.

"The government has downloaded responsibility for health spending to these faceless LHINs"—and now I am afraid that they are going to be downloading the costs of taking care of our aged in retirement homes by privatizing our health care system.

"At the very time when our parents and grandparents most need their loved ones around them, they are shipped off to an unfamiliar place to die among strangers.

"People who have lived and worked all their lives in communities like these should be allowed the dignity of being cared [for] close to the family, close to those who love them, in their final days.

"This is a heartless bureaucracy gone crazy. You can't ship frail old people out of town just so you can balance the books."

Unfortunately, I believe that's what's happening in our long-term-care facilities, and to find out what this government is doing is very difficult. We've been trying now for a few weeks, and it's most difficult. So, like the public, let's find out what the government is doing.

I went to the website of the Minister of Health, and it says on the website at the present time, "As of February 14, 2008, the following beds have opened since October 2003"—which is the date of the election of the McGuinty government. It's headed, "7,712—new"—7,712 beds have opened. What does that mean? Notice the careful word "opened"—not tendered, not approved, not subsidized, not built by the government, but opened. Most of those beds, quite frankly, were part of a program of the former government to build 20,000 new beds in this province; of course, not all of them were built, but they were all tendered. So there was no further tendering required, there were no further approvals required, and most of those 7,712 beds were, in fact, a slop over of part of those 20,000 beds.

This government did redevelop 8,958, which is a good thing; that's great. Some of them needed redevelopment, and that was done. Unfortunately, it does not add to the number of new beds, though I certainly applaud the government for redeveloping these beds.

Then it says, "In the summer 2007"—coincidentally, by the way, with the upcoming election, which I guess was in 2007, the last one—wow: 2,412 new beds. We're talking about 76,000 beds outstanding in the province of Ontario, and this government, for the first time after four years in office, is planing to build 2,412 beds. Wow. They went to all the openings with the bells and whistles, and they cut the ribbons because they had nothing to do with it. They did not approve those beds. They did not subsidize those beds in any way. The building of them—they did not get a building permit. They didn't tender them—that was already done. All they did was cut the ribbon, and on their website they say they've opened 8,800 beds. I don't even know whether they've opened up the 2,412 they planned in 2007.

We are having difficulty finding information, but if we go to the secretariat of seniors to find out what's going on, I think—it's much more honest, if I may put it that way, and knowing the minister, I can understand why.

It says that since 2003 the government has redeveloped 8,032 beds—which is close to the 8,958 redeveloped, according to the Minister of Health—and will be opening an additional 1,942 beds over the next few years. That's great. It's a pretty paltry amount of beds, considering we have all of these people piling up in our hospitals. What disrespect.

Our seniors have worked in this country. They have built our wealth, they have raised we who sit in this House, and we make them live in a hospital and call the hospital their home. That is not respect. Maybe we didn't

intend it, but it is not respect from any member of this Legislature.

What is happening? I think the following beds have been open since October, the 7,712. We know that maybe 1,900 of those were approved in some way by this government, but I don't think so. This reference in the secretariat website doesn't mention one new bed, except that there are plans to build 1,942 new beds, which I don't understand because it says in the—what confusion; what confusion between two silos of our government. They don't know what the right hand and the left hand are doing.

It definitely says—this is the Ministry of Health—that in the summer of 2007, 2,412 new long-term beds were awarded to meet the growing demand in key communities across the province. If there were beds being built in long-term-care facilities by this government, then by their own website, it looks like it's something in the order of a maximum of 4,000. Considering they've been elected twice now, that's eight years. So they've possibly built that amount, which, if I take a look at the arithmetic—and I'm not good at arithmetic—76,000 beds presently exist, and those beds, well, that's less than 4%.

How are we possibly going to give our long-term-care people, our seniors, who we know are going to double—how is this Legislature going to care for these people if we're not building long-term-care facilities, which cost this government \$40,000 a bed per year? Where are these people going to go? Can we leave them in the hospital? A hospital is not a home. I think we all agree that they shouldn't be in a hospital—plus it's extremely expensive for them to reside in the hospital with all the hospital services and take up a bed that is needed for individuals in the acute care process.

So where are they going to go? Are their kids going to take care of them? Possibly. Can they stay in their homes? That's the best alternative of all. And this government has started a program—I don't agree that it's strong enough or large enough. However, they have recognized that the best place for a senior is in their home. So if they can't be in their home and they need care, where are they going to go?

**1000**

The long-term-care facilities are full. So, in effect, the government has put a cap on their spending for long-term-care facilities: \$40,000 a bed, and that is for the present 76,000 beds, and if we don't increase that, then they put a cap on that. And let the rest of them go to a privatized retirement home. So we can see what is happening. The seniors who are looking for a place where they can receive care are now going to be moved to private enterprise, and they are going to pay.

We know that many of our seniors unfortunately do not even have pensions. I think 70% of the residents of Ontario are not involved in a pension plan, including the members of this Legislature, by the way, who voted to do away with our pensions in 1995.

**Mr. John O'Toole:** Who the heck thought of that idea?

**Mr. Gerry Martiniuk:** Yes. I must say, unfortunately—

*Interjections.*

**Hon. James J. Bradley:** Don't you have a pension?

**Mr. John O'Toole:** Yes, we do. We have one. It's called a defined contribution plan.

**Mr. Gerry Martiniuk:** We won't get into that, but I must admit I have made some bad mistakes in my life, and that happens to be one of them.

**Mr. John O'Toole:** Way to go, Gerry.

**Mr. Gerry Martiniuk:** So where are we? We're going to be cut off early today and I'll have to continue tomorrow or the next day, whenever the government chooses to schedule it.

The question is, if we're going to get this enormous shift of our seniors—our seniors say they cannot take care of themselves. There are seniors who require personal care. Where are they going to go? This government says, "I don't think you're going to come to a long-term-care facility because we're not building any anymore, or if we are, they're just minute amounts."

So where in heaven's name are the seniors in need going to go? They're going to have to go to a retirement home, and that is why this bill is presented at this time. The need is there. Everybody admits it. Double the seniors in a short 10-year period, a decade, and they will not have a place to live, so they're going to have to go into retirement homes.

We're building up a mini long-term-care facility. It's becoming the same because services will be offered. They'll be able to bring in services from outside. However, it is going to be at their dollar, and if they don't have their dollar, I don't know who is going to take care of them. I guess they can apply for social assistance. They have their Canada pension, but that's all going to be taken away. And the services, again—are we really going to save any money? I don't know, but we certainly are going to cap the money that we are spending in the amount of \$40,000 a bed, because if we don't build these long-term-care facilities, if we don't build these beds, then the \$40,000 is not spent, so that will be a saving.

And, boy, to save money by privatizing our health care system—there are other ways. This government—no wonder it is scrambling to introduce the harmonized tax. It's scrambling for bucks, because it is in a corner. They have spent without reason over the past few years. They've increased the number of civil servants. They've increased the spending, and they don't know where the money is coming from.

We've been saying for seven years that this government has no plan, and it doesn't. Ad hoc, it's now starting to scramble to save money, and this retirement bill, though a good bill on its own—if they were building long-term-care facilities, I would be standing here with a flag and saying, "This is the best bill this government has ever presented to this House. We're going to look at the details, and we're going to vote for it wholeheartedly."

*Interjection:* "However..."

**Mr. Gerry Martiniuk:** However, what is the motive of this government? Do they really care about taking care

of our seniors in need? They haven't shown that in the past, by their lack of building of long-term-care facilities. They just haven't shown it. All of a sudden, eureka. They have been struck by lightning and they see the light. They realize that in only 10 short years, a decade, we are going to double our seniors.

Where are they going to live? Where am I going to live when I turn 80 to 85? Where is the minister going to live? We've got some seniors in our caucus, and we have some seniors across the—where are they going to live? Do they have enough money? They don't have a pension plan; I can tell you that. Are they going to be on social assistance?

**Mr. John O'Toole:** Some of them have pensions. I can tell you that right now.

**Mr. Gerry Martiniuk:** If they came from former professions, possibly they have them.

*Interjections.*

**Mr. Gerry Martiniuk:** We need a little order here. There's more talking going on from my side. I can hardly hear myself think.

*Interjections.*

**The Acting Speaker (Mrs. Julia Munro):** Order.

**Mr. Bill Murdoch:** We're helping you out.

**Mr. Gerry Martiniuk:** Please. Either listen or leave.

**Mr. Bill Murdoch:** You'd better not say that. We're listening. We're listening.

**Mr. Gerry Martiniuk:** I made my position clear: that this bill puts us on the slippery slope to privatized health care. We are shifting our future seniors' population from a government-run, subsidized long-term-care facility to a privatized, not-government-run—it is going to be governed by a self-governing body. It's not going to be governed by this government. As a matter of fact, on that self-governing body, a majority of the people, the directors, will have to come from the industry. That's right in the act. A majority of individuals will come from industry, not government appointees who are looking out for the public.

There's no doubt that this is privatization. The regulating of retirement homes tells me this government has no plan to invest in new long-term-care facilities and is abandoning the needs of seniors.

As I've already read to you from the Ontario Seniors' Secretariat, it says that they will be opening an additional 1,942—this is a promise made by that famous individual Premier McGuinty. I can't recall him keeping a promise. But his promise is—listen; this is big news. We're going to have a doubling of seniors within 10 years, and Premier McGuinty is going to build an additional 1,942 new long-term-care beds over the next few years. Can you imagine?

Well, you know, I have now been the member for Cambridge for approximately 14 years. For the last six or seven years, the minister or the Premier have arrived in my riding, or in the region of Waterloo, and when asked, "When will the extension of Cambridge Memorial happen? When will it be built?" the answer is always the same. It's wonderful.

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**Mr. John O'Toole:** Never.

**Mr. Gerry Martiniuk:** No, no, it's more clever than that: "It's not a question of its need, it's just a question of when." Well, that's an answer. It's a favourable answer, too. It tells me that sometime down the road, Cambridge Memorial Hospital will have an expansion which, way back in 1996, a health commission recognized as necessary because it's a fast-growing community.

**Interjection:** Who was the Premier then?

**Mr. Gerry Martiniuk:** It wasn't built under Premier Harris. But I must admit that this Premier, Premier McGuinty, has promised to build it, because it's not a question of why or whether it's needed. It's going to be built; the only question is when.

Well, listen to this: There will be "an additional 1,942 more beds over the next few years." By golly. How many years is that? What's "the next few years"? Does that mean it's going to be built next year, 1,900 beds? Two years from now, five years, 10 years? That's about as loosey-goosey as you can go, and those are the kinds of answers that we get. This government rules by announcements. It never gets things done, it just makes announcements—

**Interjection:** And promises.

**Mr. Gerry Martiniuk:** And of course promises. The papers pick it up, especially their favourite paper, that they leak all the information to and then it has to repay those favours. They just leak all this stuff, they make promises and announcements, and there never seems to be a completion or execution of those promises.

Hey, some people would say that's clever; it's almost Machiavellian. And it does happen. It works for a little while, because the people of Ontario and Canada are really open. They honestly believe that the Legislatures and the governments are working on their behalf—and for the most part, we are. I've never questioned the motive of any of the individuals in this Legislature, because we are all working for the good of the people of our constituencies and our province. No doubt about it. However, they do expect to see execution of promises. They do expect to see finalization of promises, and that is not occurring. That is one problem we have in our society, where people are looking, to some degree, askance at our politicians. They're saying, "Well, I don't know. They keep promising these things and nothing ever seems to happen." That "next few years"—I don't think it's going to be ready for me, let's put it that way.

To quote the press release posted by this government's website two months ago, "Ontario is rebuilding 4,183 existing beds and updating facilities at 37 long-term-care homes." The number seems to change every time I go through the paper and the websites. These are not new beds; these are existing beds, and you are insulting the seniors of this province by implying that are you in fact looking out for their future needs.

Many seniors in Ontario cannot afford to live at privately owned retirement homes. Rooms at retirement homes cost between \$1,500 and \$5,000 a month—as a

matter of fact, we have one that's more expensive in our riding—and they are not subsidized by any government.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mrs. Julia Munro):** It is now 10:15 and this House stands recessed until 10:30.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Hon. Carol Mitchell:** I'm very pleased to let everyone know in the House that Bette Jean Crews, the president of the Ontario Federation of Agriculture is here—if you'd please stand; Wilma Jeffray, the chair of Ontario Pork; Steve Illick, a director of Ontario Pork; John Gillespie, director, Ontario Cattlemen's Association; Judy Dirksen, the chair of the Ontario Veal Association; and Brian Gilroy, the chair of Ontario Fruit and Vegetable Growers. Welcome very much to all of you.

I just want to say there's a reception in rooms 228 and 230. All members are welcome, and they're looking forward to the conversation. Thank you for your hard work.

**Mr. Khalil Ramal:** I would like to introduce the parents of page Ahsan Irfan: the grandfather, Taj Rahim; the father, Nadeem Irfan; the mother, Tahira Irfan; and the sister, Aisha Irfan. They are in the east gallery.

**Hon. Mr. Wilkinson:** I'm delighted to introduce to my colleagues my uncle Tom Wilkinson, originally of Montreal, Charlottetown, Prince Edward Island, and now Ottawa, Ontario. He's joined by one of my brothers, Peter. Welcome to Queen's Park.

**Mr. Bill Mauro:** I'm very pleased today to introduce to the Legislative Assembly members of the Ontario provincial council of the Catholic Women's League. Visiting with us here and sitting in the members' east lobby, we have Shari Guinta, who is the president; Margaret Ann Jacobs, the past president; Anne Madden, who is the chair of the legislation standing committee; Marlene Pavletic, who is president-elect, and Marlene is from Thunder Bay; and Pauline Krupa, who is the chair of the resolutions standing committee. Pauline is also from Thunder Bay, an old east-ender.

I want to thank the Premier and many of the ministers, who have taken the time to find and accommodate this group for meetings in the last couple of days. Thank you very much.

**Hon. Kathleen O. Wynne:** I'd like to introduce the grandparents of page Sabina Midgen, grandmother Gloria Midgen and grandfather Sid Midgen, who are here with us today.

**Ms. Lisa MacLeod:** I'd just like to introduce a good friend of ours, Matt Gibson, who used to work for us here at PC caucus. It's nice to see him in the gallery today.

## POLISH COMMUNITY

**The Speaker (Hon. Steve Peters):** I just want to correct the Speaker's record from yesterday. I appreciated the comments that were made in regard to the Polish

community. I think it's important to reinforce that our heartfelt sorrow goes out to the Polish community all across Ontario. For the members' information, the flags will be flying at half-staff here at Queen's Park.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I'd ask all members to join me in welcoming this group of pages, and ask the pages to assemble for introduction, please.

I'd ask all members to join me in welcoming this group of legislative pages serving in the second session of the 39th Parliament: Andrew Bacic, Chatham-Kent-Essex; Harry Chen, Willowdale; Mitchell Erickson, Lambton-Kent-Middlesex; Darcy Feagan, Welland; Georgina Hadjiyianni, Pickering-Scarborough East; Kate Hickey, Timmins-James Bay; Aliyana Hirji, Richmond Hill; Ahsan Irfan, Markham-Unionville; Carrington Knight, Hamilton Centre; Zachery Lang, Kenora-Rainy River; Tara Leithead, Etobicoke Centre; Marie Leunissen, London-Fanshawe; Sabina Midgen, Don Valley West; Tudor Mititelu, Ottawa South; Ara Mooradian, Simcoe North; Courtney Mullally, Nickel Belt; Khaleel Rajwani, Scarborough-Agincourt; Kyle Rutherford, Oxford; Max Silverberg, St. Catharines; Owen Singer, St. Paul's; Andrea Strathdee, Perth-Wellington; and Avery Watters, Durham.

Welcome to our pages. I hope you enjoy your session. Please reassume your positions.

## ORAL QUESTIONS

### GOVERNMENT ACCOUNTABILITY

**Mr. Tim Hudak:** A question to the Premier: Premier, sadly, today marks six months since I called on you to hold a full public inquiry into the billion-dollar eHealth boondoggle. Sadly, for Ontario families, the Premier continues to ignore this. He won't send in the police to investigate, and now we see the same Liberal-friendly consultants who got rich at eHealth getting rich at the local health integration networks through favourable treatment.

Today, I announced a number of initiatives to improve accountability and transparency in government, including posting online all government contracts for goods and services worth \$10,000 or more. Premier, will you put that into play and will you call for a full eHealth inquiry, or will you do both?

**Hon. Dalton McGuinty:** I appreciate the question. I think it's important that we keep in mind some of the facts connected with eHealth. In particular, I want to quote from the Auditor General's report. He said, "We were aware of the allegations that 'party politics' may have entered into the awarding of contracts and that those awarding the contracts may have obtained a personal benefit from the firms getting the work—but we saw no evidence of this during our work."

I just want to take this opportunity to remind my honourable colleague of the specific finding made by the Auditor General, in spite of which my honourable colleague seems to make allegations without foundation

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

**Mr. Tim Hudak:** We know that the Premier has no intention of revisiting that billion-dollar boondoggle that saw Liberal-friendly consultants get rich and Ontario families get nothing in return. The result is that the same Liberal-friendly consultants are now getting away with untendered contracts and special deals at his LHINs. The Premier has given all kinds of excuses about procurement rules and asterisks and exceptions. We think Ontario families deserve better, and that's why we've brought forward reforms like posting all contracts \$10,000 or over online, expanding freedom-of-information laws to all provincial public bodies, and posting expenses for all employees of those bodies online.

Premier, will you accept these changes so Ontario families can track what you're up to?

**Hon. Dalton McGuinty:** The honourable member says that he's in favour of added accountability and transparency, but when we expanded the freedom-of-information legislation to cover OPG and Hydro One, they opposed that. We took it beyond that and expanded it to include universities and Cancer Care. I'm proud to report that our response rate for new requests is now at over 85%, in contrast to 50% with the Conservatives.

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We've also expanded the role of the auditor to conduct value-for-money audits on the broader public sector—for our hospitals for the first time, schools, universities and long-term-care homes.

We have made significant progress when it comes to enhancing accountability and transparency. The question, of course, that goes begging is why my honourable colleague did not support those efforts on our part.

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

**Mr. Tim Hudak:** Sadly, there is no doubt that the culture of entitlement has set in deep across the McGuinty government. It continues to this day to look the other way when the LHINs are involved in similar scandals as we saw with the eHealth boondoggle.

To date, we have seen some \$3.6 billion in sweetheart deals that have involved Liberal-friendly consultants. If he had adopted these accountability measures, we would not have seen eHealth, we would not have seen the Windsor Energy Centre, we would not have seen this kind of gross severance to HST tax collectors who have not lost a day on the job, the Samsung deal, Cancer Care Ontario or the LHIN scandals, just to name a few.

Premier, these are good proposals. They will let Ontario families be watchdogs over the provincial government. Why do you oppose these good accountability initiatives?

**Hon. Dalton McGuinty:** Let me speak to some of the other measures that we have put in place, which were opposed by my honourable colleague.

We have in place now a new law in Ontario called the Fiscal Transparency and Accountability Act. It forces the government to get the Auditor General to sign off on the books before an election so that we can never again have a hidden deficit. My honourable colleagues opposed that legislation. We have a new public service act which provides, for the first time, whistle-blower protection for our workers. My colleagues opposite opposed that as well. And when it comes to expenses, we have in fact tightened the rules for greater transparency around ministers, staff travel and meal expenses. We've also included in that number our 22 biggest agencies and our LHINs because we think that's the right thing to do.

#### GOVERNMENT ACCOUNTABILITY

**Mr. Tim Hudak:** Sadly, every time the McGuinty Liberals get their hands caught in the cookie jar, all we see from Dalton McGuinty is a crocodile tear and a commitment to do better.

I don't believe that anybody is beyond redemption. Premier, here is your chance to bring real accountability and transparency measures to bear that will let every Ontario family be a watchdog over government spending. If you had adopted these proposals, we would not have seen Cancer Care Ontario expensing \$75 for cupcakes for a baby shower. We would not have seen your \$2,700-a-day eHealth and LHIN consultants, who expensed at the same time \$3 lattes and muffins, because you would have had to post that proactively for every Ontario taxpayer to see.

Premier, I'll ask you again: Will you adopt these good proposals to improve accountability in provincial government?

**Hon. Dalton McGuinty:** I appreciate the ongoing efforts by my honourable colleague to make something of nothing, to lend the appearance of solidity, as somebody once said, to smoke.

Let me tell you about something else we've done, which my honourable colleagues opposed. They claim that they're in favour of transparency and accountability, but their actions state otherwise. When it comes to salary disclosure, we've expanded the sunshine list to include Hydro One and OPG workers. My honourable colleagues opposed that. We have also put in place new public reporting measures, for example, our wait times website, posted online so people know what's going on in their hospital. We have a patient safety website, where patient safety indicators and death rates are now posted online for the first time. We have a class size tracker. Again, it speaks to our—

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

**Mr. Tim Hudak:** Back the Premier: Premier, you've expanded the sunshine list all right; you've tripled it under your watch in government. It's now at 60,000 people, while Ontario families who pay the bills are left struggling. Ontario families want to know, because be-

hind every government contract and every government expense account is an Ontario family who pays the bill.

Your Liberal friend Steve Mahoney would have had to think twice before he spent \$272 on a GPS to find his way back from his trip to South Carolina. You wouldn't have seen the types of abuse at Cancer Care Ontario that saw contracts with your Liberal friends at Courtyard grow to some \$20 million and 22 secret agreements.

Premier, will you embrace these real reforms based on best practices to give Ontario taxpayers insight into your—

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

**Hon. Dalton McGuinty:** Again my honourable colleague stands in opposition to the specific measures we've put in place to heighten accountability and transparency.

I want to make reference to a story that appeared June 4, 2002, in the Tribune: "Former tourism minister Tim Hudak and his staff racked up booze and food bills of more than \$1,000 a month and put taxpayers on the hook for his \$12.25 fishing licence, according to government documents obtained by the Toronto Star." I think that speaks to the—well, it says something interesting about the position adopted by my honourable colleague today.

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

**Mr. Tim Hudak:** Premier, if you had adopted the—  
*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Members will please come to order. Minister of Economic Development, Minister of Municipal Affairs, the member from Peterborough.

Please continue.

**Mr. Tim Hudak:** Premier, had you adopted the Ontario PC accountability proposals for all public bodies for contracts worth \$10,000, then—

*Interjections.*

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

Start the clock. Please continue.

**Mr. Tim Hudak:** —then eHealth would have had to post the \$10 million in sweetheart deals handed out to Liberal-connected Courtyard Group. Cancer Care Ontario would have had to disclose the \$18.7 million they handed out to your friends at the Courtyard Group, and the Toronto Central, Champlain, South East, South West and Mississauga Halton LHINs would have had to post their untendered contracts with Courtyard too.

Premier, why do you stand against our proposal to post these expenses online so Ontario families know—

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

**Hon. Dalton McGuinty:** Speaker, I want to quote from the same story again: "Hudak and his office staff spent \$23,633.55 on travel, hotels, plants, meals and assorted other expenses, including gum, doughnuts and napkins."

Again I would ask, at a minimum, that my honourable colleague lend his support to the real and necessary

accountability measures that we've already put in place in Ontario.

## PUBLIC TRANSIT

**Ms. Andrea Horwath:** My question is to the Premier. In 2007, the Premier committed to building public transit in Toronto and across Ontario, declaring that "the time to make this sort of ambitious but realistic investment is now."

The jobs are still needed. The smog hasn't gone away. Parents are still scrambling to get home in time to feed the kids. Why has the Premier broken his promise?

**Hon. Dalton McGuinty:** We're proud of what we have been able to do, working with Ontarians, thus far when it comes to investing in public transit. Since 2003, province-wide we have invested \$9.3 billion, which, I believe, is about \$9.3 billion more than the previous government did.

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We have kept the commitment for all our projects. We have, however, adjusted the timetable. I know that my honourable colleague will recognize and understand that we have been struck by this great recession. It does call for some changes in terms of our timetable for making new investments, so we have decided to extend the period over which we will invest in new public transit projects in the city of Toronto and in the GTA. I think that's reasonable and responsible given our circumstances.

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

**Ms. Andrea Horwath:** In Toronto, light rail transit was going to provide people in some of the city's neediest neighbourhoods a better way to commute to get to work in the morning, to get home earlier to spend more time with their children, to get to school. Why is the Premier betraying these Torontonians and the neighbourhoods that they call home?

**Hon. Dalton McGuinty:** My colleague makes a good argument about the importance of investing in public transit. That's why we have made those investments, and that's why we will continue to make those investments.

We've made the largest investment in Toronto public transit in a generation, including the following: \$3.5 billion since 2003 to the city of Toronto; when it comes to the gas tax, \$688 million over the first five years of the program; and \$870 million to extend the TTC subway to York region. We've got two tunnelling machines that have been purchased, and work is under way.

We continue to make significant investments in public transit in the city of Toronto as we speak.

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

**Ms. Andrea Horwath:** The Premier may deserve some credit from his corporate buddies at SNC-Lavalin. He's moving full-smog ahead with a private diesel train that's going to take well-heeled business travellers from downtown to the airport, but a working parent in Rexdale or Mount Dennis or Malvern is going to have to keep waiting.

Why are the people who most need better public transit the ones most hurt by the Premier's broken promise?

**Hon. Dalton McGuinty:** I implore my honourable colleague to understand the nature of the financial challenge before us. We can't do everything as quickly as we would like. We never could, but especially as a result of this great recession, we've had to make some changes to our plans. So instead of taking money out of health care, out of schools or out of supports for our vulnerable, we've merely decided to stretch out the investment that we fully intend to continue to make in public transit projects in the city of Toronto. Again, I believe that's reasonable and responsible in the circumstances.

#### PUBLIC TRANSIT

**Ms. Andrea Horwath:** Back to the Premier. Toronto transit riders aren't the only ones getting railroaded by this government. The end of the bus replacement program leaves people in Ottawa, London, Hamilton, Sudbury and Windsor waiting longer. Their buses are aging, and it also is stopping cleaner hybrids from getting on the road.

Why is the Premier's restraint program whacking people who need public transit and want cleaner air?

**Hon. Dalton McGuinty:** Again, it's about making choices. My honourable colleague, through her line of questioning, would convey that somehow we can have it all. I'd love to have it all but we can't.

I can tell you what we have done, again with respect to investing in buses. Since 2003, we've invested over \$700 million for new TTC hybrid buses, subway cars, track repairs and improvements; another over \$400 million for replacements of over 200 streetcars; and we're, of course, also investing in highways and roads along the way.

It's a matter of making choices. It's a matter of making sure we give effect to people's priorities in the greatest way possible. That includes their health care, education, supports for our vulnerable, protection of the environment and continuing investments in our public transit system.

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

**Ms. Andrea Horwath:** The Premier is leaving people of Ontario without transit choices. That's the point of these questions. For transit to work as an alternative, it needs to actually be affordable. Ottawa transit users just saw their fares jump 8% to \$3.25, and the price of a monthly bus pass in Hamilton is up 22% over the past three years.

Does the Premier think that making transit users pay more is a good way of getting more people out of their cars?

**Hon. Dalton McGuinty:** Again, in an ideal world the cost of public transit would never go up again, but we don't live in that world, we live in this one. I think what we can do is commit ourselves, all of us, to making investments in public transit as quickly as we can and in keeping with our accountability for giving expression to other priorities embraced by the people of Ontario. So we

have found a way, in fact, to continue to invest in health care, to continue to invest in our schools. We've heightened supports for our vulnerable this year. We continue to have in place environmental protections. And the fact is, we continue to invest more in public transit. We just can't invest as quickly as we thought we might prior to the recession, with the fallout effect of that, but again, I think that's responsible in the circumstances.

**Ms. Andrea Horwath:** Let's be clear about where New Democrats stand on transit and where the McGuinty government stands.

On that side, they believe that private diesel trains are more important than light rail. On that side, they're willing to keep polluting buses on the road. On that side, they're willing to let fares rise and rise and rise.

Over here, we support Toronto's Transit City. Over here, we support better, more affordable public transit across Ontario, and we support the jobs that will come with increased public transit investments.

When will the Premier quit making empty promises and just support what we support?

**Hon. Dalton McGuinty:** I think it was Mario Cuomo, a very successful American politician, who made reference to the poetry of opposition and the prose of government. We necessarily have to work in prose. We've got to deal with the real facts, and the real facts are that we can't do everything we'd like to do as quickly as we'd like, so we've got to make some choices.

I'm proud of the fact that we've found ways to make considerable investments in public transit during the course of the last six years. I'm proud of the new infrastructure that is up and running, the new rolling stock and new tracks and the new roofs that we've put in place.

The fact of the matter is, we've had to make an adjustment, given the consequences of the great recession. We will continue to find ways going forward, working with all our municipal partners, to ensure that those people who wish to avail themselves of good-quality public transit do in fact have access to that and have reason to be hopeful.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Ms. Lisa MacLeod:** My question is for the Premier.

Last year, you announced new rules that you said would stop expense scandals like what happened at OLG and eHealth, but the rules do not apply to the LHINs. How do we know? Because we called the Integrity Commissioner and asked.

So I have a very simple question: Did you leave a loophole in accountability rules so your hand-picked appointees and Liberal-friendly consultants can continue to make Ontario patients cover the lattes, the cupcake parties, the GPSs and other expenses?

**Hon. Dalton McGuinty:** I think I note a certain line of questioning and a theme developing here. I'm not sure it's in keeping with the highest priorities of the people of Ontario, but of course it's up to the Conservative Party to make their own determination in this regard.

Just to be clear, we have insisted that the people who work for our local health integration networks in fact post their expenses online. I'm not sure my colleagues understand that, but that's a change that we made some time ago.

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

**Ms. Lisa MacLeod:** I think I just heard the Premier of Ontario say that accountability is not an important and pressing issue in the province of Ontario, and that's wrong, because at eHealth, Liberal-friendly consultants at Courtyard were reimbursed thousands of dollars without receipts.

Our freedom-of-information records reveal that the Premier's LHINs are still reimbursing expenses in spite of his new rules. The South West LHIN paid over \$4,000 to Courtyard without receipts. The North West LHIN reimbursed over \$19,000. Others have done the same thing. At eHealth, this sort of abuse cost you a CEO, a chair, a deputy minister and a minister.

If you won't adopt the Ontario PC proposals for greater accountability, then how will you enforce accountability for untendered contracts and consultant expenses at local health integration networks?

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

**Hon. Deborah Matthews:** I'm more than happy to discuss the issues you've raised today, but I want to go back to a question you raised yesterday about the reporting of people who are seconded to the LHINs, who are paid by hospitals.

I have done a little bit of homework, and I think the member opposite will be interested in this.

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I want to hear questions and answers, and with loud noise in the chamber, I cannot hear those questions and those answers.

Minister?

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**Hon. Deborah Matthews:** The individuals you named yesterday were actually on the sunshine list. We committed to post people who are working for the ministry separately as opposed to in their hospitals, and we did that. All of the people who were mentioned yesterday are highly qualified professionals doing very important work and providing valuable expertise to the LHIN.

In the Waterloo Wellington LHIN, Gloria Whitson-Shea is an employee of the hospital. She's seconded to the LHIN to provide leadership around clinical initiatives that are focused on improving—

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

#### JUSTICE SYSTEM

**Mr. Peter Kormos:** To the Attorney General: Former MP Rahim Jaffer was caught drunk driving and with Lord only knows how much cocaine in his possession, yet he walked away with the serious charges withdrawn

and but a slap on the wrist. Since the matter is no longer before the courts, will the Attorney General tell Ontarians what the justification is for Jaffer's sweetheart plea-bargain deal?

**Hon. Christopher Bentley:** I suppose it's only in the Legislature that questions like that could be asked, which really say things that don't respect the process. We have a trial process in this province, and the trial process applies equally—

*Interjection.*

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

**Mr. Gerry Martiniuk:** I certainly withdraw it.

**Hon. Christopher Bentley:** The trial process exists for those people whose names we recognize in the same way as it exists for those whose names we don't. Cases only proceed—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Bruce-Grey-Owen Sound will withdraw his comment, please. I have good hearing, even with the noise.

**Mr. Bill Murdoch:** I'll withdraw.

**The Speaker (Hon. Steve Peters):** No, you need to stand and withdraw it.

**Mr. Bill Murdoch:** I wasn't talking to you, but I withdraw it if you thought it was in your way.

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

**Hon. Christopher Bentley:** Cases only proceed if they can be proven in court. If they can't, it's the responsibility of those presiding and the crown attorney to take the appropriate action.

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

**Mr. Peter Kormos:** The public has every right to know what went on here. People in Ontario see a well-connected individual, a former MP, husband of a high-profile, dare I say it, cabinet minister. They see him blatantly break the law, serious offences like drunk driving and possession of cocaine, and then get off scot-free. It raises troubling questions.

The Attorney General has the opportunity to clear the air here and explain what went on and why those charges were withdrawn. Why won't the Attorney General simply provide that explanation?

**Hon. Christopher Bentley:** I've provided it, as did the crown in court, and as I've answered the questions before.

But what would be interesting is to cast our mind back to when my friend practised in the courts, either in Welland or surrounding jurisdictions. One could imagine what his reaction would have been if somebody asked questions of one of his clients after the case had concluded with the same type of approach that he has taken here today. We would have heard about the sanctity of the process, the fact that people are presumed innocent, the fact that we must respect criminal trials and criminal process, and the fact that the law should apply equally whether you happen to know or don't happen to know, or want to make a statement about somebody or don't. The law applies equally to all and my friend knows that. He is a lawyer and he needs to respect that, with respect.



## PHARMACEUTICAL INDUSTRY

**Mrs. Maria Van Bommel:** My question is for the Minister of Health and Long-Term Care. My constituency office is getting calls from constituents who are concerned that the pharmacists will be cutting services to make up for the removal of the professional allowances; that is, the rebates paid to pharmacies by generic drug companies to stock products on their shelves. We have heard that both Loblaw and Shoppers Drug Mart are reviewing the drug reforms announced last week, and that possible reductions in patient services could result. We've already heard that Shoppers Drug Mart will be reducing store hours in London, with additional reductions in pharmacy hours—this before any of the government's proposed reforms are actually in place.

Families have a lot of questions about the government's plan on lower drug prices. Could the minister please tell this House what the government is doing—

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

**Hon. Deborah Matthews:** Thanks to the member. We are committed to moving to a system that increases access to lower drug costs and to directly funding services to patients in pharmacies. I know that Big Pharmacy is actively opposing this move. Yesterday, I sent a letter to the Ontario Pharmacists' Association, the Canadian Association of Chain Drug Stores and the Independent Pharmacists of Ontario. I asked these groups to confirm that patients will continue to receive the medicines that they need.

I am deeply disappointed that Shoppers Drug Mart announced that they're putting the people of London, my hometown, in the middle of this debate. However, I am very happy that not all pharmacy retailers are following that course. Loblaw, for example, is taking the responsible route and assuring its customers that it's business as usual for all of its Ontario in-store pharmacies.

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

**Mr. Rick Johnson:** I appreciate the minister's response. I think that my constituents will be supportive of increasing access to the much-needed drugs and additional services delivered by pharmacists.

In my riding of Haliburton-Kawartha Lakes-Brock, my constituents also have a lot of questions about the government's plan. Pharmacies are a vital hub for patient services. My constituents rely on their local pharmacists to ensure safe and effective use of medications. I know that the Canadian Cancer Society and the Canadian Association for Retired Persons applaud these changes, saying they will improve access to important drugs.

My constituents need to know how their pharmacies' services will be maintained, especially since they live in a rural area. Could the minister please tell the House and the people of Ontario how these changes will affect rural Ontario?

**Hon. Deborah Matthews:** Let's remind ourselves why we're making these changes. We're making these changes for patients who need access to medication, we're making these changes for hard-working Ontarians

who are paying too much for generic drugs, and we're making these changes for the taxpayers who deserve a government that will stand up for them when they aren't getting value for money.

Supporting access to pharmacies in rural areas is an integral part of our plan. That's why we're proposing to set up a \$22-million fund to ensure financial support for rural pharmacists: in order to maintain access for patients in rural and underserved communities. We're also increasing the dispensing fees by up to \$4 for pharmacies in rural and underserved areas; that's the dispensing fee we pay as a government. We're doing it because we know how important it is to make sure that people who live in rural Ontario have access to pharmacy services close to home.

## ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** My question is to the Minister of Agriculture. Last week, the Ontario Agriculture Sustainability Coalition held a town hall meeting to reinforce their urgent need for your support. According to the Stratford Beacon Herald, even your Minister of Revenue says that this government needs to do more for the farmers.

I want to commend the coalition for coming together to speak with one voice on behalf of our farmers; that is their role. Your role, Minister, is to not be a lobbyist but to take action to help them. Will you commit today to reinstate the grains and oilseeds risk management program and to use the new money in the budget towards a broader business risk management program, as the coalition has requested?

**Hon. Carol Mitchell:** I'm very pleased to be able to respond to this. First, I want to thank the coalition for coming in today and talking to all the members of this House. I want every member to take the opportunity to have that conversation.

Getting this right is critical for our agricultural community. Our agri-food industry is such an important component within the province, and income stabilization is something that is a critical piece. We recognize that from this side of the House. The previous minister asked the coalition to be formed: all the non-supply-managed sector and all the commodities sitting at the table, working our way through to develop a business plan. We are committed to—

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

**Mr. Ernie Hardeman:** Madam Minister, farmers don't need another lobbyist unless it's someone at the cabinet table lobbying your cabinet. They need action. It's not enough to talk about supporting them or to sing about the good things that grow in Ontario.

**1110**

You asked farmer organizations to work together, as you mentioned, and they have. You asked them to put forward a proposal, and they have.

I'll ask you once again: Will you answer the question? That's all I'm asking. Will you commit today to reinstate

the grain and oilseeds risk management program and use the new money in the budget towards a broader business risk management program, as the coalition has requested?

**Hon. Carol Mitchell:** I think it's really—this is a critical piece, and we need to make our position quite clear, because the members from across the way did talk about me becoming a lobbyist. I tell you this: I'm prepared to go to our federal government and say that they have always been a part of income stabilization. We want to know, the farmers want to know—

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Steve Peters):** Start the clock.

*Interjections.*

**The Speaker (Hon. Steve Peters):** The members will please come to order. I agree with the suggestion that was made yesterday from the honourable member from Oshawa. I think maybe we'll start serving decaffeinated coffee.

**Hon. Carol Mitchell:** Mr. Speaker, if that decaffeinated coffee was grown in Ontario, we would be very much in favour of it.

One thing I want to go on and say—

*Interjections.*

**Hon. Carol Mitchell:** I never like to miss an opportunity to stand up for my farmers.

We know that what they want is predictability. They want accountability. They want bankability. They want stability. We recognize—

*Interjections.*

**The Speaker (Hon. Steve Peters):** When I'm standing, you're to be sitting.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Members, the clock is stopped.

I'm being generous to you right now, because there's as much noise coming from the opposition side as there is from the government.

New question.

#### AGRI-FOOD INDUSTRY

**Mr. Howard Hampton:** My question is for the Premier. Getting local food into Ontario schools and hospitals is a win-win idea. It helps Ontario farmers who are struggling to survive; it improves nutrition for students and patients. A year ago, at the 2009 Premier's summit on agri-food, the Premier promised \$24 million to get more Ontario-grown food into our schools and hospitals.

My question is, one year later, what has happened to the \$24 million that was promised?

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

**Hon. Carol Mitchell:** Thank you, Premier, and thank you very much for the question.

One of the things that I wanted to make reference to was that, yesterday, we were able to celebrate the sixth

annual Premier's ag summit. One of the things that we talked about was how to increase the capacity of our local food. We recognize that income stabilization is one part of it, but actually increasing the capacity of our local food and working with our processing and how we can do that through Open Ontario.

*Interjection.*

**Hon. Carol Mitchell:** I'm looking forward to the supplementary as well, but one of the things I want to talk about is that there are many ways that we can do that. When we look at increasing our capacity, it's getting more of our local food on the shelves; it's also working towards plans from our government as well. That's how we can increase the capacity—

*Interjection.*

**The Speaker (Hon. Steve Peters):** That's not appropriate.

**Mr. John Yakabuski:** I apologize.

**The Speaker (Hon. Steve Peters):** It would be better if you apologized to the member.

**Mr. John Yakabuski:** My apologies.

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

Supplementary?

**Mr. Howard Hampton:** The Ontario Agriculture Sustainability Coalition tells us that another Premier's summit on agri-food has come and gone but not a single penny of the \$24 million that was promised a year ago has in fact been invested or spent. Ontario, in fact, is falling behind states like Illinois and cities like Toronto and Markham, where government-funded bodies are required to buy local and sustainable food to be served. More and more farmers are losing their farms and their livelihoods, yet the \$24 million that was promised is yet to appear.

My question is, will the \$24 million that was promised a year ago finally appear, and will it be used for what it was promised for?

**Hon. Carol Mitchell:** One of the things that has been very successful is the Buy Local. We see so much of a rebirth, a refresh of our markets that are open, and we see it on the retail shelves as well. We recognize the government purchasing policies. Is there more that we can do? We recognize that. The strategy going forward is being developed.

But let's talk about the good things that have happened: investment of over \$56 million in Buy Local. I can tell you, from my agricultural commodities, that has made a tremendous difference. When we think about the brand recognition of Foodland Ontario, it's 96%. People want to buy that brand. There is more work to do. But let's reflect on—

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

#### FULL-DAY KINDERGARTEN

**Mr. Khalil Ramal:** My question is to the Minister of Education. Minister, when our legislation for full-day learning was released earlier in the session, there were a

number of concerns raised by some stakeholders about issues such as the impact on the child care industry and the roles of teachers and ECEs. As you know, yesterday we passed this bill at the Standing Committee on Social Policy. I know some changes are being made to Bill 242.

Can you tell us what you have changed in order to address the concern of our community and the stakeholders, especially our partners in the education system?

**Hon. Leona Dombrowsky:** I'm happy that the honourable member asked the question today, because there has been a good deal of feedback from our stakeholders, and from parents particularly, in the province of Ontario as we prepare to introduce Bill 242 for third reading debate.

I want to say that we have been listening very carefully to our stakeholders on the issues that they have brought to us. One of the very key issues, of course, was the ability of third party providers to have a role to play with the initiative as it moves forward. I believe that the legislation will clarify the opportunities that third party providers will have with school boards for programs for six- to 12-year-olds—very, very important.

We understand that we are going to need to provide some flexibility in certain circumstances, and we look forward in regulation—

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

**Mr. Khalil Ramal:** Minister, my constituents in the riding of London–Fanshawe are looking forward to having their children take part in this exciting program. They understand the benefits that can be provided to their children as a result of participating in full-day learning.

Yesterday, I read an article in the Toronto Star, in which some trustees in some GTA school boards expressed concern about the cost of full-day learning and the funding which our government has provided. The trustees also were concerned that the curriculum for the program is not available. With the next school year coming soon, they feel there may not be enough time to adequately support the program.

Can the minister explain to us how we can address this issue for the trustees, our community and the stakeholders in the province of Ontario?

**Hon. Leona Dombrowsky:** First of all, with regard to the issue around funding, we have committed \$200 million. The legislation has not yet been introduced for third reading, so I would suggest that concerns around what will be required by boards might be a little premature until we have the legislation and the regulations in place. We have set aside \$200 million. In addition to that, we have also committed \$245 million for capital to deliver to school boards to enable them to accept these young students.

With respect to the curriculum, this will be a program that we are working with. We do hope to announce the results of that consultation very soon with the program that we would like to be used as we roll out this very important initiative.

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## TOURISM

**Mr. Ted Arnott:** My question is for the new Minister of Tourism. Is the minister embarrassed that tourism wasn't mentioned in the throne speech, wasn't mentioned in the budget and isn't even mentioned in the "oops" plan?

**Hon. Michael Chan:** Thank you very much for the question. There are challenges in the tourism industry; for example, the high dollar, the border crossings, and also the economy in general. Because of those challenges, my ministry continues to invest in tourism as well as culture. Since 2003, my ministry has invested \$700 million in tourism agencies.

We will continue to invest in tourism as well as culture. Thank you very much for the question.

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

**Mr. Ted Arnott:** The minister should be embarrassed. Tourism in Ontario needs a champion, not an apologist.

The latest statistics show that tourism spending in Canada is up, but visits to Ontario are way down, even from last year's poor results. Fewer visitors are coming to Ontario from the US and fewer visitors from overseas. Employment in tourism-related industries is down. The only thing going up in Ontario is taxes. I'm hearing from the industry that the HST this summer will kill tourism.

Will the minister admit that the government has run out of ideas and run out of gas, is running out of time and in 18 months is going to be run out of town by the voters of Ontario?

**Hon. Michael Chan:** Thank you again for the question. We are proud of the tourism industry in Ontario. We understand those challenges. That's why our government introduced the harmonized sales tax. It will help tourism business. According to the Jack Mintz report, it will attract \$47 billion in investment—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Please continue.

**Hon. Michael Chan:** As well, it will create over 500,000 jobs, according to the report.

We are doing more. We are dividing Ontario into 13 new tourism regions. That will improve and coordinate tourism markets. It will attract more visitors. As well, it will generate more economic impact for this province.

## POVERTY

**Ms. Andrea Horwath:** My question is to the Premier. There's more and more documented evidence that poverty is on the rise in Ontario. The Hamilton Spectator is currently running a 10-part series on poverty. The indicators in Hamilton are alarming, to say the least. Shockingly, according to the Spectator's research, life expectancy is 21 years lower in Hamilton's low-income neighbourhoods.

The Premier will claim that he has a strategy to reduce poverty. Why is it failing so miserably?

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

**Hon. Madeleine Meilleur:** The member is asking a good question, because we know that the income of people has an impact on the health of people. That's why, since we came to power, we have been investing in social assistance. This year it's going to be a 12% increase.

We know that there is more to do, and we will continue to do more. For instance, the four- and five-year-old full-day learning at school is huge. It will help to reduce poverty, because we will be able to identify these poor families early and get involved and help them to have a better life condition.

In the supplementary, I will continue to say what we have done so far.

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

**Ms. Andrea Horwath:** I'm horrified by the response from the minister. The poverty situation in Hamilton is absolutely dire, and evidence points to the McGuinty government's utter inaction since they came into office.

Province-wide, we have seen a 19% increase in food bank use, a 4.2% increase in people waiting for affordable housing, and a 10% jump in the number of men, women and children living in shelters in communities like Ottawa. Yet six of eight government poverty indicators will not even be available until after the next election.

Is that the Premier's way of intentionally hiding his government's abject failure to improve the lives of Ontario's neediest?

**Hon. Madeleine Meilleur:** I'll refer the question to the Minister of Children and Youth Services.

**Hon. Laurel C. Broten:** I'm pleased to have a chance to speak to this critically important issue. First of all, I want to thank the Hamilton Spectator and McMaster University health research faculty member Neil Johnston for the work that they're doing on the Code Red series. It raises important issues, issues that our government has been diligent and aggressive in tackling. We are not scared of tackling issues that are long-standing, province-wide and around the world.

If we want to talk about how this is a cross-government approach to the reduction of poverty, let's talk about \$63.5 million that has been invested in child care. Let's talk about \$200 million—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Hamilton East–Stoney Creek will please come to order.

**Mr. Paul Miller:** Twenty per cent of the people in our area are living below the poverty level. What are you doing about it?

**The Speaker (Hon. Steve Peters):** The member from Hamilton—

*Interjections.*

**The Speaker (Hon. Steve Peters):** No. Minister?

**Hon. Laurel C. Broten:** Some 35,000 children in nearly 600 schools across Ontario will start all-day junior kindergarten and senior kindergarten this year; an increase in the Ontario child benefit, which is \$1,100 per

child. If we want to focus specifically on Hamilton, listen to these numbers—these are the investments in Hamilton families: \$493,000 in 131 student nutrition centres; \$782,000 in 23 priority schools; \$800,000 in 11 parenting and family literacy centres. That's our commitment to the people of—

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

#### AGRI-FOOD INDUSTRY

**Mr. Pat Hoy:** My question is to the Minister of Agriculture, Food and Rural Affairs. Yesterday you hosted, along with the Premier, the sixth annual Premier's summit on agri-food. The hard work and dedication in hosting these summits is very much appreciated by members from my own rural community of Chatham–Kent–Essex, as well as by farmers across the province. They put the spotlight on agriculture in this province and allow us to keep track of the progress we have made and the steps we need to take it further as we move forward in helping strengthen the agricultural sector.

Minister, can you please tell this House about some of the highlights from yesterday's Premier's summit on agri-food?

**Hon. Carol Mitchell:** Thank you very much for the question. We recognize the industry's important contribution to our economy and to research and innovation in this province. The summit brought together stakeholders from across Ontario's agri-food industry to create a dialogue on the issues and challenges facing the industry. The Premier's summit provides opportunities for our industry partners to liaison with the Premier, cabinet ministers and other MPPs, and to bring ideas forward to government.

The theme of the 2010 summit was, "Translating consumer demand into market realities." The agenda featured keynote speakers and seminars discussing the many successful partnerships in the industry.

Ontario's farmers and food processors have helped to create a world-class agri-food sector, and they continue to be innovative. By supporting innovative ideas and fostering—

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

**Mr. Pat Hoy:** The Premier's summit, held over the past six years, has provided an excellent opportunity for the agri-food industry from across the province to sit down with our Premier and the minister to discuss the many challenges and opportunities that exist in the agricultural sector in this province. The McGuinty government knows that Ontario farmers make significant contributions to our strong economy through innovation, new market opportunities and value-added products. Our government's on the right track in encouraging innovation in the agri-food sector through the establishment of the Premier's Award for Agri-Food Innovation Excellence.

Could the minister provide this House and the farmers in my riding with more information about the Premier's Award for Agri-Food Innovation Excellence?

**Hon. Carol Mitchell:** To further foster innovation in the industry, our government established the Premier's Award for Agri-Food Innovation Excellence in 2006. That is a \$2.5-million program, and it's to be awarded to outstanding farmer innovators annually, over five years.

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Since the program's inception, over 700 applications have been received, and the Leamington Area Drip Irrigation group received the Premier's Award of \$100,000 for improving water efficiency by constructing a new, 36-kilometre pipeline communal irrigation system for local producers. The system irrigates 2,500 acres of Ontario tomatoes.

Tigchelaar Berry Farms received the Minister's Award of \$50,000 for adopting a new production technique to expand its day-neutral strawberry operations, enabling it to provide fresh Ontario strawberries to consumers for nearly six months of the year.

#### TAXATION

**Ms. Lisa MacLeod:** My question is for the Premier. We are now 79 days away from the HST being applied to gas, home heating, fuel and other items that Ontario families rely on every single day. Not only did Andrew Steele, a top Liberal adviser and your former so-called strategic adviser, let on that you will be raising the HST, but my colleague from Thornhill yesterday gave the finance minister the opportunity to deny you would be raising the HST.

He didn't take that opportunity, so we're going to ask you again: Are you going to raise the HST?

**Hon. Dalton McGuinty:** No, we will not be raising the HST.

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

**The Speaker (Hon. Steve Peters):** Start the clock. The members will please come to order; the minister of economic development and the member from Halton, as well.

Supplementary?

**Ms. Lisa MacLeod:** I wish we could believe, every time Mr. McGuinty said he would not raise our taxes, that he wouldn't. But each day that the HST is closer to kicking in, Ontario families learn a new deal about the McGuinty Liberals and their greedy tax grab. One day, it's that you are using the first \$25 million collected to pay so-called severances to HST tax collectors who are not losing their jobs; the next day, your so-called top Liberal adviser, Andrew Steele, is letting on that you're going to hike the HST the first chance you get.

Today, we learn that the Ontario PCs were right all along about the HST applying to rent. So back to the Premier: Why did you say that the HST would not apply to rent when it will?

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

**Hon. John Wilkinson:** Let's be very clear in the province of Ontario: There is no PST or GST applied to rent and there will be no HST applied to rent. That's very

obvious. Again, it's part of a campaign of people who are not telling the entire story. Let's remind people that by filing their income tax return there are millions of Ontarians who are going to receive billions of dollars' worth of transitional payments merely by filling in their tax return, which is due at the end of April.

I know that the members opposite are opposed to some \$3.9 billion worth of transitional payments being made to the people of Ontario, and they are quite surprised when they find out that that party voted against that, as well as \$400 million to our small business owners, whom they purport to represent—but they are opposed to that \$400 million. By filing their tax return, people today will be receiving—

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

#### SERVICES EN FRANÇAIS

##### FRENCH-LANGUAGE SERVICES

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre du Revenu. Selon vos propos, l'Ontario met actuellement en place des mesures visant à moderniser son régime fiscal. La pièce maîtresse de cette réforme est la TVH, la taxe de vente harmonisée. Il y a même un site Internet du gouvernement en français avec des clips qui fournissent des renseignements; malheureusement, les cinq clips intitulés TVH 101 sont en anglais. J'en déduis que c'est parce que les Franco-Ontariennes et Franco-Ontariens seront exemptés de la TVH. Est-ce que j'ai raison?

**Hon. John Wilkinson:** Merci beaucoup pour la question. I'll answer in English, where I'm much more fluent. I want to say to the member that I appreciate the fact that she has brought this to my attention. I'd be more than happy to discuss that matter with her.

It is very important that the message that we provide in regard to our tax reform is one that is clear and concise and understandable in both of the great official languages of this province. I say to the member that I'd be more than happy to work with her on the issues that she has raised today.

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

**M<sup>me</sup> France Gélinas:** Ça fait depuis 1986 que la Loi sur les services en français existe. Je ne vois pas pourquoi on a besoin d'attendre longtemps comme ça. Le gouvernement dit que la francophonie est importante, mais leurs actions disent beaucoup plus que leurs paroles. Il est évident que la francophonie n'est pas une priorité pour le gouvernement.

Ce n'est pas seulement les clips en anglais pour la TVH qui me le font dire, mais les libéraux de Dalton McGuinty n'ont pas tenu compte de l'expérience des conseils scolaires de langue française pour la maternelle à temps plein et cherchent à imposer un modèle conçu pour les conseils anglophones. Le gouvernement prononce de belles paroles à l'endroit des francophones, mais agit en sens inverse. La Loi sur les services en français, monsieur, est en vigueur depuis 24 ans.

Pourquoi en 2010 ai-je besoin de vous dire que des vidéos sur un site francophone du gouvernement devraient être en français?

**L'hon. John Wilkinson:** Pour la ministre déléguée aux Affaires francophones.

**L'hon. Madeleine Meilleur:** C'est une très bonne question et un très bon commentaire. Oui, ce n'est pas acceptable qu'il y ait un vidéo seulement en anglais sur le site français. On a fait beaucoup d'améliorations depuis qu'on est arrivé au pouvoir, mais je vois qu'on en a encore à faire. Je vous remercie d'avoir soulevé ça.

Quant aux quatre ans et cinq ans à temps plein : oui, c'est un modèle qui a été calqué sur les conseils scolaires francophones. On est en consultation présentement, et on apprécie beaucoup les commentaires qui sont faits par les francophones, les conseils scolaires francophones, les parents et les garderies. Je suis persuadée que la ministre de l'Éducation va prendre tous ces commentaires-là en considération lorsqu'on va présenter en troisième lecture ce projet de loi.

#### CONSUMER PROTECTION

**Mrs. Liz Sandals:** My question is to the Minister of Consumer Services. With the arrival of this amazing spring weather, many homeowners are planning home renovations. Some are making needed fixes like roof repairs, and some are adding additions to their homes or making cosmetic improvements. I see that many of these renovations are starting right now in Guelph. But I've heard from my constituents and, quite frankly, from family members and friends in other parts of the province that some contractors request and then receive large deposits to do the work, start the work, make a mess, go away and never show up to finish the job.

How should my constituents proceed in order to ensure they get the work that they've actually paid for?

**Hon. Sophia Aggelonitis:** Thank you very much to the member from Guelph. She's a great advocate for consumer protection in her riding. First, I would also like to say that I am sorry that some of your constituents have had to deal with an unfortunate situation, but the Ministry of Consumer Services is here to help. We have a great deal of information to provide to Ontarians to make informed decisions when choosing a contractor to renovate their homes.

It is spring, and we know that a lot of Ontarians will be doing some renovations. What I'd like to do is just offer some helpful hints. First, avoid companies that require large deposits upfront. Second, always get a written contract before the work begins, with the name and the address of the contractor. Third, make sure that all the prices are broken—

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

**Mrs. Liz Sandals:** It's good to see that the ministry is available to help consumers with issues like this, including issues with home contractors.

The other issue I've heard in this area from my constituents is that sometimes contractors provide a quote for work to a consumer, but when the work is actually finished, somehow the price is double the original quote.

Minister, what should an Ontarian dealing with this issue do in this situation? What is the recourse that a consumer has when a contractor engages in these practices?

**Hon. James J. Bradley:** Good question.

**Hon. Sophia Aggelonitis:** Great question. First, of course, they should call the Ministry of Consumer Services because we are here to help. But what we also do: Contractors that don't abide by the law are subject to penalties, including fines and even jail terms. An individual who is convicted under the Consumer Protection Act, including a contractor, may receive a maximum sentence of two years less a day in jail and maximum fines of up to \$50,000. The Ministry of Consumer Services is here to help, and we encourage people to call us for help.

**The Speaker (Hon. Steve Peters):** There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1140 to 1500.*

#### INTRODUCTION OF VISITORS

**Mr. Khalil Ramal:** I would like to introduce Dr. Danny Ghazarian, from Princess Margaret Hospital; Annette Cyr, with her friends Jo-Anne Adams and Terra Mason, all from the Melanoma Network of Canada; and Dr. Cheryl Rosen, representing the Canadian Dermatology Association. They're in the west gallery. Welcome to Queen's Park.

**Mr. Peter Shurman:** Thank you for the opportunity. I would like to introduce my wife, Carole Shurman, in the west members' gallery.

**M<sup>me</sup> France Gélinas:** It is my pleasure to introduce Kathleen Perchaluk, from the Canadian Cancer Society, who is here at Queen's Park today.

**Mr. Reza Moridi:** It is my pleasure to introduce Christina Doyle and her husband, Gerry Doyle, in the members' gallery. They're from Richmond Hill.

**The Speaker (Hon. Steve Peters):** I'd like all members to join me in welcoming to the Speaker's gallery today Lynn Morrison, the Acting Integrity Commissioner, and Valerie Jepson, counsel at the Office of the Integrity Commissioner. Welcome to Queen's Park.

#### MEMBERS' STATEMENTS

##### JACKSON KUHN

**Mr. Norm Miller:** I'm pleased to announce that on March 29, a young man from Parry Sound—Muskoka, Jackson Kuhn, was honoured with the Junior Citizen of the Year Award.

The award is given to a select group of young people who dedicate their time and efforts toward a variety of good causes for their communities that have lasting impacts locally and around the world. These young people demonstrate leadership, determination, passion, initiative, creativity and motivation.

Jackson, who is a resident of Parry Sound, was recognized for his efforts in and around his community. He's an exceptional student, a wonderful athlete and a selfless volunteer. He's also a great motivator of other youth, especially in raising awareness around environmental issues.

The honour was bestowed on Jackson and the other outstanding young people by the Honourable David Onley, Lieutenant Governor of Ontario, at a ceremony held here at Queen's Park.

In addition to being a Junior Citizen of the Year and excelling in his studies, Jackson was also the recipient of the Bobby Orr Hall of Fame Top Defenceman Award for 2009.

I want to extend my sincerest congratulations to Jackson and his proud parents, Debbie and Mark Dudas, on this extraordinary achievement. I wish him luck in his future endeavours.

I want to thank the community newspaper association for rewarding these outstanding junior citizens for their fantastic achievements.

#### KRAFT HOCKEYVILLE 2010

**Mr. Ted McMeekin:** I understand I have unanimous consent to wear this sweater for the duration of my statement.

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

**Mr. Ted McMeekin:** Thank you. It's with great pleasure that I rise today to congratulate the town of Dundas on winning CBC's Hockeyville 2010 with over one million votes. Dundas is Hockeyville. It was our community spirit and enthusiasm for hockey that gave them the big win in this competition.

I'm also very pleased to announce that the Dundas Real McCoys just won the Renwick Cup in Thunder Bay and will be travelling next week to represent Ontario in Fort St. John, BC, and competing at the Allan Cup. I wish them well and know they will do us proud.

To everyone who voted for Dundas for Hockeyville, we say a big thank you.

To Barry Forth and his "gotta be Dundas" team, I say: Well done.

Rick Vaive was the first and perhaps the last Toronto Maple Leaf to score 50 goals in three consecutive seasons, and I have his jersey on. But in Dundas we know that Rick's most important hockey years were those he played with the Dundas Real McCoys.

I'm sure all members of this assembly want to join in congratulating Dundas on winning Hockeyville 2010 and in wishing our Dundas Real McCoys, who will represent Ontario in British Columbia, all the best as they battle for the Allan Cup.

#### ONTARIO PHARMACISTS

**Mr. John O'Toole:** I'd like to read one of the postcards I've received from one of my constituents, one of the postcards they've received in support of community pharmacists in my riding.

The postcards are addressed to Dalton McGuinty and they read as follows: "I want to know I can talk to my pharmacist after work, when I can't get to my doctor's office or when my doctor's office is closed. I want to know that my pharmacy will continue to be able to provide valuable health care services in my community."

I'd like to thank the Durham riding pharmacists who have taken the time to keep me informed on the dialogue they've been having with the minister, pharmacists like Neale McLean of Clinic Pharmacy in Bowmanville; Tino Montopoli of Stutt's Pharmacy in Orono, Ontario; George Tadros and Mark Borutskie of IDA Pharmacy in Bowmanville; Doug Brown, Lorraine Watson and Lisa Brown at the Shoppers Drug Marts in Port Perry, Uxbridge and Bowmanville.

The professional allowance this government wants to take away helps keep the doors open at community pharmacies in Ontario. In my opinion, the recent health care changes by the McGuinty government are simply another case of downloading services to people.

I urge this government to listen to patients, the pharmacists and certainly the pharmacy staff and all the stakeholders. We need to find a fair solution that will be good for medicine, good for Ontario and good for the pharmacies of the province of Ontario.

Later this afternoon, I'll be reading a bunch of petitions that I'm receiving. This is a serious issue of restricting access to health care—

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

#### CHILDREN'S TREATMENT CENTRES

**Mr. Dave Levac:** Recently the Ontario government announced \$9 million in funding for 20 children's treatment centres across the province. These centres serve more than 58,000 kids in Ontario every year and provide rehabilitation services to children and youth with moderate to severe disabilities and other special needs.

Lansdowne Children's Centre, in the riding of Brant, will be able to continue and to expand upon the great work that they do, assisting children in need—very helpful to them, their parents and the schools.

Securing the funding for children's treatment centres was a collaborative effort and there are many people I want to acknowledge and thank: Linda Kenny, the CEO of OACRS, who was instrumental throughout the process; Minister Broten, for her commitment to and advocacy for children's issues; Minister Duncan, for finding the funds for this investment; the executive director of Lansdowne Children's Centre, Rita-Marie Hadley, for her communication and passion, along with the entire staff and the board members of Lansdowne Children's Centre; and of course, the Premier, who recognized that investments in these kinds of centres follow the core of

our government's belief in helping those in need and assisting those who need it the most.

A very special thank you to the south-central caucus region, to Minister Bradley, MPP McMeekin, Minister Aggelonitis and MPP Craitor. Thank you to the women's caucus as well.

Thank you to each and every one of the members of this House who know and are very strong supporters of each of these regional treatment centres in Ontario for our children.

#### 1510

On Saturday, May 15, the sixth annual charity motorcycle ride for Lansdowne Children's Centre will be happening at the Brantford and District Civic Centre.

Finally, in closing, locally, thank you to the Rotary Club and the local sponsors. Most of all, in the entire province of Ontario, I thank the parents for these special children. We heard you; we love you.

#### HIGHWAY SERVICE CENTRES

**Mr. Steve Clark:** Last week, we finally heard the government's long-awaited construction announcement of Highway 401 service centres. I still can't understand why they were closed down in the first place without a redevelopment plan in place.

Last September, my riding's two service centres in Mallorytown closed, and the loss of 250 jobs was mind-boggling with no government plan.

The Ministry of Transportation held a public information session in January and clearly heard that the community wanted a staffed, full-service tourist kiosk as part of the Mallorytown plan since they are located between two international bridges. The ministry website still lists the completion date of the Mallorytown service centres as spring 2011, although one of the ministry officials has said that the opening could be delayed. It has been seven months and demolition has not even been completed at these sites. It is ridiculous that the province can't rebuild these stations faster than in 18 months.

The reeve and council of Front of Yonge township want action now and last week passed a resolution giving the government the green light to proceed with construction, 24 hours a day, seven days a week. I urge the minister to accelerate reconstruction of these service centres based on the local council's wishes and commit to enhanced tourist service improvements at these sites.

#### TANNING SALONS

**M<sup>me</sup> France Gélinas:** It is my pleasure that, in a few minutes, I will be introducing a bill that will stop youth from using tanning salons.

The bill is co-sponsored by the member from London-Fanshawe, who introduced a very similar bill last session. But that bill, like many other ones, died on the order paper when the government prorogued the House.

The body of evidence to support banning tanning salons for youth is mounting. In 2009, the World Health Organization upgraded the classification of UV-emitting

devices—that includes tanning beds—from a probable carcinogen to a known carcinogen, which means that it's not something that we think probably causes cancer; it is something that we know causes cancer.

That's why the cancer society is here today. That's why the Melanoma Network of Canada is here today. That's why physicians from Princess Margaret and the president of the dermatology association are here today. They want to make sure that this bill, this time, will go through.

Ontario wouldn't be leading the way; all of the provinces of Australia, over 32 states in the United States and many countries in Europe already have similar legislation. It will be my pleasure to introduce it in a few minutes.

#### LEADING WOMEN, BUILDING COMMUNITIES AWARD

**Mr. Yasir Naqvi:** This past Saturday, I had the great honour of recognizing some exceptional women and girls from my riding of Ottawa Centre.

The Leading Women, Building Communities Award recognizes and celebrates women who demonstrate exceptional leadership in working to improve the lives of others in their communities. The Leading Girls Award recognizes the special contribution of young women promoting and demonstrating strong values of equality and participation in their schools and communities.

I want to take this opportunity to name the leading women and girls from the riding of Ottawa Centre who received this award this past Saturday: Caroline Andrew, Bryonie Baxter, Barbara Carroll, Patti Church, Janis Hass, Andrea Dietz, Georgia Dietz, Paulette Dozois, Linda Hoad, Cheryl Parrott, Raghad Ebied, Dr. Safaa Fouda, Jessica Gallant, Isabelle Gareau, Kathleen Gorman, Mary Jessop, Darlene Kelly, Corinne Leduc, Cathy Lewis, Rianne Mahon, Nathalie Maione, Lorrie Marlow, Joy McKinnon, Isabel Metcalfe, Evelyn O'Driscoll, Sana Syed, Nazira Tareen, and Jennifer Whiten.

I congratulate all of them for their exceptional service to our community and for their tireless work in making sure that Ottawa Centre and the broader community of Ottawa are a great place to live for all of us.

#### CHRISTINA DOYLE

**Mr. Reza Moridi:** I have the distinct pleasure to rise in this House today to recognize a great constituent of mine, Ms. Christina Doyle of Richmond Hill. Christina is one of four rare bone cancer survivors in all of Canada.

Through her long recovery, Christina has shared her journey and become a motivational speaker. She has been sharing her powerful and uplifting story with thousands of people across the country in hopes to encourage and inspire one's spirit along the way.

This experience has inspired Christina to give back to her community by participating in many charities such as the Terry Fox Foundation and the Canadian Cancer Society Relay for Life in Ottawa.



Christina has been telling her story through her motivational CD called *Angels Don't Wear Pyjamas*, with part of the proceeds going to the Princess Margaret Hospital Foundation in honour of Dr. Robert S. Bell. As noted by Ms. Maureen McTeer, "This personal journey to renewed life through the pain and fear of cancer will inspire all who hear it."

Christina's tremendous courage and spirit is not only an inspirational story, it is also a true mark of the power of the human mind and body. I wish her all the best and great success in her endeavours.

#### TYLER WILLIAM TODD

**Ms. Leeanna Pendergast:** It is with great sadness that I rise today in the House to remember a dedicated Canadian Forces soldier serving in Afghanistan. Private Tyler William Todd was killed on Sunday by an improvised explosive device while on foot patrol in the Dand district, southwest of Khandahar city. Private Todd served with the First Battalion, Princess Patricia's Canadian Light Infantry. He was 26. Born in Kitchener and raised south of Waterloo region on his parents' dairy farm in Bright, Tyler is survived by his parents, Bev and Bryan, and his sisters, Jenna and Samantha.

Prior to volunteering for the Canadian Forces, Private Todd established his commitment to protecting others as a volunteer firefighter for the township of Blandford-Blenheim. In answering his call to volunteer with the Canadian Forces, Private Todd continued a proud family tradition of military service and peacekeeping. As legislators, we're indebted to the brave men and women who put their lives at risk in service to democracy and peace, especially to those who have made the supreme sacrifice such as Private Tyler William Todd.

Our deepest condolences go to the Todd family on the loss of your son. On behalf of the Legislative Assembly of Ontario, I ask that each and every one of us take a moment of silence to reflect on the sacrifices made by our soldiers and pay our respects to Private Tyler William Todd, his family and all of the Canadian soldiers who have continued to serve with valour in Afghanistan and throughout the world. May he rest in peace.

**The Speaker (Hon. Steve Peters):** I'd ask all members and guests to please rise as we observe a moment of silence in memory of Private Tyler William Todd.

*The House observed a moment's silence.*

#### REPORTS BY COMMITTEES

##### COMITÉ PERMANENT DE LA POLITIQUE SOCIALE STANDING COMMITTEE ON SOCIAL POLICY

**M. Shafiq Qaadri:** Je demande la permission de déposer un rapport du Comité permanent de la politique sociale, et je propose son adoption. I beg leave to present

a report from the Standing Committee on Social Policy and move its adoption.

**The Deputy Clerk (Mr. Todd Decker):** Your committee begs to report the following bill as amended:

Bill 242, An Act to amend the Education Act and certain other Acts in relation to early childhood educators, junior kindergarten and kindergarten, extended day programs and certain other matters / Projet de loi 242, Loi modifiant la Loi sur l'éducation et d'autres lois en ce qui concerne les éducateurs de la petite enfance, la maternelle et le jardin d'enfants, les programmes de jour prolongé et d'autres questions.

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

*Report adopted.*

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

1520

#### INTRODUCTION OF BILLS

##### SKIN CANCER PREVENTION ACT, 2010 LOI DE 2010 SUR LA PRÉVENTION DU CANCER DE LA PEAU

Mme Gélinas moved first reading of the following bill:

Bill 31, An Act to help prevent skin cancer / Projet de loi 31, Loi aidant à prévenir le cancer de la peau.

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

*First reading agreed to.*

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

**M<sup>me</sup> France Gélinas:** This bill is co-sponsored by myself and the member from London-Fanshawe. What the bill will do is it prohibits marketing and selling tanning services and ultraviolet light treatment to persons under the age of 19. The bill also requires the establishment and maintenance of a registry related to the use of tanning and ultraviolet equipment, and persons who own or operate an establishment at which tanning services or ultraviolet treatment are provided are required to ensure that persons involved in providing the services or treatment receive training and that signage respecting the health effects of the services or treatment are posted at the establishment where the service or treatments are provided. The bill also makes it an offence to contravene certain provisions of the bill.

This bill has the possibility to save lives and to decrease the cost of health care for the people of Ontario.

##### GREAT LAKES SHORELINE RIGHT OF PASSAGE ACT, 2010 LOI DE 2010 SUR LE DROIT DE PASSAGE SUR LE LITTORAL DES GRANDS LACS

Mr. Craitor moved first reading of the following bill:

Bill 32, An Act to create a right of passage along the shoreline of the Great Lakes / Projet de loi 32, Loi créant un droit de passage le long du littoral des Grands Lacs.

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

*First reading agreed to.*

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

**Mr. Kim Craiton:** I'd like to recognize the hard work of Mr. Garry Skerrett and Mr. Stephen Passero, two concerned citizens from Niagara Falls, with helping to introduce this bill.

The Great Lakes Shoreline Right of Passage Act reserves a right of passage along the shorelines of Ontario's Great Lakes between the shoreline and the high-water mark in accordance with British common law. Essentially, it will allow the public to enjoy the various beaches in our province. It will prohibit adjacent landowners from claiming and barricading beaches by putting up fences way out into the water and claiming the beachfront as their own private property. The bill asserts that these beaches, by tradition and by British common law, are properly the preserve of the public. The right of passage is limited to the right of passage along the shoreline on foot or other non-motorized means and protects adjacent landowners from the noise of motorcycles and other off-road vehicles. It does not allow the public to access the beaches through private property, but it does provide a penalty if the public is improperly blocked.

#### STOP HUMAN TRAFFICKING DAY ACT, 2010

#### LOI DE 2010 SUR LA JOURNÉE POUR L'ÉLIMINATION DE LA TRAITE DES PERSONNES

Mr. Levac moved first reading of the following bill:

Bill 33, An Act to proclaim Stop Human Trafficking Day / Projet de loi 33, Loi proclamant la Journée pour l'élimination de la traite des personnes.

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

*First reading agreed to.*

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

**Mr. Dave Levac:** In respect of my good friend from Welland, the explanatory note: The bill proclaims May 1 in each year as Stop Human Trafficking Day.

#### CARBON MONOXIDE AWARENESS WEEK ACT, 2010 LOI DE 2010 SUR LA SEMAINE DE LA SENSIBILISATION AU MONOXYDE DE CARBONE

Mr. Levac moved first reading of the following bill:

Bill 34, An Act to proclaim Carbon Monoxide Awareness Week / Projet de loi 34, Loi proclamant la Semaine de la sensibilisation au monoxyde de carbone.

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

*First reading agreed to.*

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

**Mr. Dave Levac:** Very short: This bill proclaims the first week of December in each year as Carbon Monoxide Awareness Week.

**The Speaker (Hon. Steve Peters):** It's wonderful when people read the explanatory notes like that.

**Mr. Dave Levac:** I will keep up the trend.

#### MADE IN ONTARIO ACT, 2010

#### LOI DE 2010 SUR L'IDENTIFICATION DES PRODUITS FAITS EN ONTARIO

Mr. Levac moved first reading of the following bill:

Bill 35, An Act to require merchandise that is manufactured in Ontario to be identified as such / Projet de loi 35, Loi exigeant que les marchandises fabriquées en Ontario soient identifiées comme telles.

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

*First reading agreed to.*

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

**Mr. Dave Levac:** The bill requires manufacturers to identify as such merchandise that is manufactured in Ontario. The Made In Ontario Commission is established for the purposes of administering and enforcing the act.

#### MOTIONS

#### INTEGRITY COMMISSIONER

**Hon. Monique M. Smith:** I believe we have unanimous consent for two minutes to be allotted to each recognized party to debate government notice of motion number 3, following which the Speaker shall immediately put all questions necessary to dispose of the motion.

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

**Hon. Monique M. Smith:** We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario now assembled, request the appointment of Lynn Morrison as Integrity Commissioner, as provided in section 23 of the Members' Integrity Act, 1994, chapter 38, to hold office under the terms and conditions of the said act commencing April 13, 2010.

**The Speaker (Hon. Steve Peters):** Ms. Smith has moved that an humble address be presented to the Lieutenant Governor in Council as follows:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario now assembled, request the appointment of Lynn Morrison as

Integrity Commissioner, as provided in section 23 of the Members' Integrity Act, 1994, chapter 38, to hold office under the terms and conditions of the said act commencing April 13, 2010."

Debate?

**Hon. Monique M. Smith:** Really, two minutes does not give us time to do justice to Ms. Morrison and the contributions that she has already made to this province and that we know she will continue to make in her new position as Integrity Commissioner.

She was first appointed Acting Integrity Commissioner on July 31, 2007. Since that time, the member for Carleton–Mississippi Mills, the member for Beaches–East York and I, the three party designates, have been on a long and circuitous route to find a replacement for our Integrity Commissioner. We have found one today who I think represents all that is right and good in public service in our province and who will certainly do us proud as our Integrity Commissioner.

Since the inception of the Office of the Integrity Commissioner in 1988, Ms. Morrison has served as the executive administrative officer to the Integrity Commissioner for Ontario with responsibility for the Members' Integrity Act, 1994; the former MPP Compensation Reform Act; the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002; and, as of August 20, 2007, parts IV, V and VI of the Public Service of Ontario Act, 2006. In 1999, Ms. Morrison was appointed by the Integrity Commissioner at the time as the delegated lobbyist registrar for Ontario under the Lobbyists Registration Act.

1530

With 30 years of experience in the public service, Ms. Morrison started at the Office of the Integrity Commissioner when the doors opened in the summer of 1988.

Ms. Morrison along with Justice Evans were two of the cofounders of the Canadian Conflict of Interest Commissioners Network in 1992. The CCOIN is an association of provincial and federal integrity and/or conflict-of-interest commissioners. It meets every year. I don't think that I'm overstating it to say that Ms. Morrison is a treasured and widely admired member of the CCOIN. She is often the first call for commissioners across Canada when they encounter novel issues, and her reputation is built on being responsive, helpful and practical.

We here in Ontario share Ms. Morrison with her husband, Bob, and they have two grandchildren, Colwin and Brenner. I know that they are not looking forward to five more busy years, but we are certainly looking forward to working with her.

I've had the privilege over the last two or three years to be working on the revisions to the Members' Integrity Act. She has been a trusted and faithful adviser in that process, and I am certainly joined, I know, by the members of the Liberal caucus in looking forward to working with her for the next five years as our new Integrity Commissioner.

**The Speaker (Hon. Steve Peters):** The member from Carleton–Mississippi Mills.

**Mr. Norman W. Sterling:** I don't know if that was two minutes or two minutes and a bit.

**The Speaker (Hon. Steve Peters):** Two minutes and a bit.

**Mr. Norman W. Sterling:** Okay. I want to congratulate, on behalf of the Progressive Conservative caucus, Ms. Morrison in her new role as the Integrity Commissioner. When we were interviewing her some time ago, one of the questions I asked her—as you know, she has been serving as the interim Integrity Commissioner—was, "When will you be ready to start?" Well, she's ready to start right away.

I have known Ms. Morrison perhaps better than any other member, save Mr. Kormos. I did meet her in 1988 when she was first working for Judge Evans. She continued to run the office—I mean, no, she helped Judge Evans run the office. Then she had Judge Rutherford and then Judge Osborne. I can say that all of those three Integrity Commissioners were men of tremendous integrity and very, very difficult, when Judge Osborne stepped aside, to replace.

But I'm heartened and I know that all members of the Legislature are heartened to know and to have experienced Ms. Morrison, and that she, in fact, carries the same bent or stripe of integrity that her predecessors have. She has already demonstrated that to us. She not only has that integrity, but she also has the experience of the office. She has worked closely with us—hand in hand—to try to bring improvements to the act, which, no doubt, we will be dealing with in the not-too-far-distant future.

I want to wish her and her staff who will be working with her all the best. We know you're going to do a great job for us. Congratulations.

**The Speaker (Hon. Steve Peters):** The member from Kenora–Rainy River.

**Mr. Howard Hampton:** On behalf of the NDP caucus, I am pleased to support the appointment of Lynn Morrison. I'm pleased to support this appointment for a number of reasons.

First of all, I think we should all recognize that this appointment is being made in the way that it should be. This is a consensus of the Liberal caucus, the Conservative caucus and the NDP caucus. This is a consensus decision involving all three party caucuses in the appointment of this very important officer of the Legislature.

Second, I think we need to recognize that this is someone who has—I don't think the previous speaker misspoke when he said this is someone who has been doing the work, who has exercised the judgment, the knowledge and the good sense that one needs in this kind of position. Ms. Morrison is a person who has demonstrated, I think, for everyone to see, that she is the best candidate for this job, because she's been doing the work.

**Mr. Rosario Marchese:** And she's not a lawyer.

**Mr. Howard Hampton:** I also want to acknowledge, as somebody who is still licensed to practise law in Ontario, that she is not a lawyer and not a judge.

I think it is a good precedent to set that someone does not necessarily need to be a judge, a lawyer or a retired judge to exercise knowledge, wisdom and good judgment in this position. So I want to say to Ms. Morrison: Thank you for setting us off on a new track. I think it will be good for all of us to see that you need not necessarily be a lawyer or a judge to be a good Integrity Commissioner.

**The Speaker (Hon. Steve Peters):** Ms. Smith has moved government notice of motion number 3. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

**The Speaker (Hon. Steve Peters):** Congratulations, Lynn Morrison. I'm looking forward to working with you as an officer of this Legislature.

#### HOLOCAUST MEMORIAL DAY

**Hon. Monique M. Smith:** I believe we have unanimous consent that up to five minutes be allotted to each party to speak in memory of Yom Hashoah, following which a moment of silence will be observed.

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

**Mr. Mike Colle:** Yom Hashoah, better known in English as Holocaust Memorial Day, is observed globally by Jews and non-Jews alike. Yom Hashoah commemorates the memory of those who were murdered by the Nazis during the Holocaust. Six million innocent Jews lost their lives at the hands of Hitler's Nazi murderers during World War II as part of a diabolical state-sponsored genocide of men, women and children of the Jewish faith.

Noted Holocaust survivor and author Elie Wiesel is fond of saying, "To remain silent and indifferent is the greatest sin of all." By being here today in the Ontario Legislature, we are helping to ensure that none of us forgets what happened to the Jews at the hands of the Nazi cowards, and that our children in the future will know of this horrific period in history.

In his Nobel prize-winning book, *Night*, Wiesel's words are infinitely better than mine in passing on the horrors of the Holocaust. He writes: "Never shall I forget that night, the first night in camp, which has turned my life into one long night, seven times cursed and seven times sealed. Never shall I forget that smoke. Never shall I forget the little faces of the children, whose bodies I saw turned into wreaths of smoke beneath a silent blue sky. Never shall I forget those flames, which consumed my faith forever.... Never shall I forget these things, even if I am condemned to live as long as God himself. Never."

In fact, this Thursday, Elie Wiesel is speaking at Temple Sinai congregation about our obligations as human beings. Wiesel has dedicated his life to ensuring that none of us forget what happened in the Holocaust.

On March 31 in this chamber, the member from Peterborough helped to honour Canadian veteran Ed Carter-Edwards, one of 168 Allied airmen who were incarcerated in Buchenwald in August 1944. Ed and his fellow airmen witnessed first-hand the horrors of

Buchenwald, one of the many dreaded death camps Hitler built.

Ed Carter-Edwards just attended the 65th anniversary of the liberation of Buchenwald on April 9, ensuring that the 56,545 victims lost at Buchenwald are not forgotten or denied. Veterans like Ed Carter-Edwards and thousands of other witnesses all over the world and in Canada have dedicated their lives to telling the stories of the innocent victims of the Holocaust, so that their deaths are not in vain or forgotten.

This past Sunday in Toronto's Earl Bales Park, many of us joined with survivors and their families in the annual community Holocaust commemoration, sponsored by the Sarah and Chaim Neuberger Holocaust Education Centre, the UJA Federation of Greater Toronto and the Canadian Society for Yad Vashem.

**1540**

The keynote speaker, Judy Weissenberg Cohen, spoke eloquently about the tragic challenges women faced in the Holocaust as mothers, daughters and sisters trying to survive during this horrific time.

Born in Hungary in 1928, Judy survived the Auschwitz-Birkenau death camp, the Bergen-Belsen concentration camp, a slave labour camp and a forced death march. Judy has volunteered her time to educate younger generations about her experience as a survivor of the Holocaust, not only from the perspective of someone of the Jewish faith but also from the perspective of a woman during this horrific period.

As Holocaust survivors stood up on Sunday to read the pledge of survivors, it became evident just how many survivors we fortunately have who live in Ontario and contribute so greatly to the fabric of this great province and country.

Holocaust survivors stood up and vowed to pass on to their children and grandchildren the sacred memory of the six million souls lost. Following their pledge and the lighting of candles, the young children in attendance stood up in honour of more than 1.5 million children who perished in the Holocaust—1.5 million innocent children.

The children at Earl Bales promised to remember and preserve their stories. The countless names etched on the walls of the Holocaust memorial at Earl Bales Park were a sombre reminder to all of us of the millions of lives that were lost and of the extent of suffering they and their families have experienced and are still experiencing. The wall is etched with the names of sisters, brothers, fathers, mothers and grandmothers slaughtered in cold blood by the Nazi killing machines.

It is because of survivors like Judy Weissenberg Cohen, Canadian war veterans like Ed Carter-Edwards and the promise made by our children that we can ensure that these names are not merely names etched on a wall, but that each name, each life, each story will be remembered. Whether it be here in the Legislature or in the Community Holocaust Commemoration ceremonies across this country and across the globe, righteous people from every walk of life are reaffirming their dedication to the six million victims who were slaughtered, so that this

absolutely deplorable chapter in history will never be forgotten and, hopefully, never happen again.

In conclusion, I would like to read from the prayer, For the Martyrs of the Shoah:

“O God, full of mercy, who dwells on high, grant perfect rest on the wings of the divine presence, in the lofty levels of the holy and the pure ones, who shine like the brightness of the firmament, unto the souls of the six million men, women and children, all holy and pure, who were killed, murdered and slaughtered for the sanctification of God’s name, by the hands of the Nazi oppressors and those who aided them, may their names be obliterated. May their resting place be in paradise. May the master of mercy shelter them in the shelter of his wings for eternity; and may he bind their souls in the bond of eternal life. The Lord is their heritage. May they rest in peace. And let us say, Amen.” Amen.

**Mr. Peter Shurman:** I am privileged to rise today on behalf of the Progressive Conservative caucus to recognize Holocaust Remembrance Day, or Yom Hashoah. This year marks the 67th anniversary of the Warsaw ghetto uprising. Commencing last Friday and continuing this week, ceremonies are being held in Ontario and across Canada to commemorate and remember the six million Jews who were slaughtered in the Holocaust.

I also represent the riding of Thornhill, a constituency with the largest Jewish population in any of Ontario’s 107 ridings. Virtually every Jewish family in Thornhill has recorded in its own history the effects of what Hitler called “the final solution” and what we today call the Holocaust. In fact, this could be said of any Jewish family living in Ontario today.

Every individual who is remembered and honoured at this week’s ceremonies was someone’s mother, father, grandmother, grandfather, daughter or son. We mark Holocaust remembrance for these very individuals whose voices have been silenced, whose lives were tragically taken away during this darkest period of modern history.

As their names are read in this week’s ceremonies, we bring these individuals back to life. These ceremonies not only allow us to pause and honour these six million individuals and the families who loved them, but they remind us all of the lessons to be learned from these horrific crimes committed solely out of hatred.

During my attendance at the Yom Hashoah commemoration by TanenbaumCHAT high school students last night at the Shaar Shalom Synagogue in Thornhill, I thought of the extreme and hateful email I received in response to the motion I debated in this House in February on Israeli Apartheid Week, and I thought of the threats made against the member for Parkdale–High Park, who, in supporting my motion, spoke only of peace and justice, and I thought, yes, a society as open and diverse as that of this great province still needs to be reminded of the tragedy of the Holocaust.

In lighting candles yesterday evening to honour the victims, I also thought of my father’s parents. As citizens of Germany, they worked hard and wanted what all of us want: to contribute to society, to raise a family, and to

grow old in peace. While my father fled Nazi Germany and came to Canada, by way of England, as a Jewish refugee, his parents remained behind and became two of the six million lost in Nazi concentration camps—grandparents I never met, whose lives were ended out of hatred. I myself carry the name of my grandfather Emil Schuermann.

I am pleased to see that the lessons learned from the Holocaust were remembered and discussed at a special forum on bringing war criminals to justice hosted yesterday by the Law Society of Upper Canada. Entitled From Nuremberg Forward, the session focused on effective responses to war crimes and Holocaust-era efforts to bring perpetrators to justice.

It is up to us, as members of a free, open and diverse society, to ensure the lessons learned from the Holocaust and other genocides are passed on to future generations. We must always remember that without the freedom and openness that Canada offers to us all, many of us would not be here to remember those six million people who came before us—six million people who were killed in the most heinous crime ever committed against humanity. We must always remember, and we must always say, “Never again.”

**Mr. Peter Tabuns:** Only a few of us in this House were born into families touched directly by the Holocaust, yet every one of us is invested with an immutable duty and responsibility to contribute to the remembrance of the six million Jews whose lives were taken so brutally and so needlessly.

We in this chamber bear a particular responsibility to serve as custodians of the memory of the Holocaust. As members of a Legislative Assembly in a free country, we’re obliged always to represent as best we can the ideals of equality, inclusion, understanding and respect, and to recognize that the work of building a genuine and lasting peace must be perpetual.

We have a responsibility, too, to remind those inclined to recall the Holocaust solely as a chapter deep in our history that the atrocity of such unthinkable brutality continues to shape the society we all share today. It is our collective fortune that there are Holocaust survivors—men and women who have made incredible contributions to our province—with us still today. They embody a living history of the Holocaust, and their stories of unimaginable suffering and struggle must serve to remind us to do all we can to keep the flame of memory alight.

Our remembrance of the Holocaust must also remind us that to truly honour its many victims, we must not simply engage in the passive act of remembrance, but commit ourselves again to being active participants in building a world where genocide and the events that give rise to it have no hold. That means confronting and staring down discrimination, racism and prejudice wherever we see it and reminding ourselves that baseless discrimination and hate are sadly still present in our communities today.

While the sheer scale of the atrocities of the Holocaust leaves its terrors without comparison, we must remember that genocides have taken place since and that none of us

is excluded from the responsibility of doing all we can to confront and challenge the words and deeds that always precede such senseless hatred and destruction of life.

**1550**

Recalling the atrocities of the Holocaust is a solemn act, and yet we should also embrace the occasion of this memorial to pay respect and draw strength from the courage, conviction and sheer human will that finally brought an end to the terror and devastation. Ultimately, it was the very best of the human spirit that triumphed over the very worst.

Many survivors of the Holocaust came to Canada and made our communities far stronger by espousing those vital values of compassion, understanding, inclusion and respect. We honour them today.

Today, we recall the atrocity of the Holocaust and stand united in saying, "Never again." We affirm once more that we will never forget.

**The Speaker (Hon. Steve Peters):** I'd ask all members to join me as we observe a moment of silence in recognition of the victims of the Holocaust.

*The House observed a moment's silence.*

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

## PETITIONS

### TAXATION

**Mr. Bill Murdoch:** As I said yesterday, I have many of these petitions still coming in. These are about a thousand I have received from Bruce county, mainly over in the Southampton-Port Elgin area. It's 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."

I have signed this.

### WATER QUALITY

**Mr. Pat Hoy:** "To the Legislative Assembly of Ontario:

"Whereas the worldwide demand for water is expected to be 40% greater than the current supply in the next 20 years; and

"Whereas Ontario has developed many new clean water technologies and practices since the Walkerton water contamination, which resulted from the poor water regulations; and

"Whereas Ontario has now implemented many new, improved practices for clean water regulation, developed better policies and fostered new clean water technologies; and

"Whereas the Ontario government's Open Ontario plan includes strategies to increase our province's ability to develop and sell clean water expertise and products to the rest of the world;

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

"That all parties of the provincial Legislature support the government's plan to introduce a new Water Opportunities Act to take advantage of the province's expertise in clean water technology, create jobs and new economic opportunities for our province and help communities around the world access clean water."

I have signed the petition.

### ELMVALE DISTRICT HIGH SCHOOL

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

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

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

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

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

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

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

I agree with this petition and I will sign it.

### TAXATION

**Ms. Helena Jaczek:** To the Legislative Assembly of Ontario:

"Whereas a duplicated tax system puts our businesses at a disadvantage by increasing the costs of doing business; and

“Whereas a single, unified tax system reduces the burden on businesses by removing the provincial sales tax on goods and reducing administrative costs; and

“Whereas both Conservative and Liberal members of the provincial and federal Legislatures have voiced their support of a single sales tax; and

“Whereas local chambers of commerce, economists and experts are also supporting the move to a single tax system; and

“Whereas the recent RBC Economics report found that the HST is improving the competitiveness of Ontario businesses by lowering the cost of doing business in Ontario; and

“Whereas a harmonized sales tax is expected to create jobs for Ontario;

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

“That all parties of the provincial Legislature support the government of Ontario’s plan to implement the HST and other tax reforms to benefit Ontario businesses and consumers.”

I agree with this petition and will sign it and send it to the table with Ahsan.

#### ONTARIO PHARMACISTS

**Mr. John O’Toole:** I’m pleased to present a petition to the Legislative Assembly from my constituents from the riding of Durham which reads as follows:

“Whereas the citizens of Ontario depend on the convenient, accessible advice and services provided by their community pharmacies; and

“Whereas Ontarians want to ensure their pharmacists are there when they need them; and

“Whereas patients can talk to their pharmacist after work, when they can’t get to their doctor’s office or when their doctor’s office is closed; and

“Whereas Ontarians [want] assurances that their pharmacy will continue to be able to provide valuable health services to their community;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to please not make cuts to the neighbourhood health care community pharmacies provide.”

It’s signed by my constituents. I’m pleased to endorse and present it to Tara, one of the pages here at Queen’s Park.

#### COMMUNITY SAFETY

**Mr. Jeff Leal:** I have a petition today to the Legislative Assembly of Ontario that reads:

“Whereas violent crime and gangs have been a problem in our communities; children require safe schools and safe streets in order to thrive;

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

“To continue with their support of the guns and gangs program;

“To continue to recognize the importance of a strong and educated police force;

“To continue to support rehabilitation programs;

“To continue to keep education as a top priority; and

“To continue to make our streets and schools safe places to be.”

I agree with this petition and will give it to page Tudor.

#### TAXATION

**Mr. Jim Wilson:** “Whereas the hard-working residents of Simcoe–Grey do not want a 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, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

“Whereas the blended sales tax 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 consumers.”

I agree with the petition and I sign it.

#### WATER QUALITY

**Mr. Bruce Crozier:** I have a petition to the Legislative Assembly of Ontario:

“Whereas we never want to see another tragedy like Walkerton ever again. The health and safety of Ontarians can never come second to profit and greed. Clean, safe drinking water is a right all Ontarians should be able to enjoy;

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

“To continue to upgrade our current water filtration system;

“To continue to monitor and test our water systems;

“To continue to strengthen Ontario’s trust in the safety of our drinking water;

“To continue to invest in new systems and personnel to monitor and test our water;

“To never forget the mistakes of the past and always hold our water supply to the highest standard;

“To continue to invest in the health and safety of Ontarians through our water supply.”

1600

## TUITION

**Mr. Jim Wilson:** “To the Legislative Assembly of Ontario:

“Whereas undergraduate tuition fees in Ontario have increased by 195% since 1990 and are the third-highest in all of the provinces in Canada;

“Whereas average student debt in Ontario has skyrocketed by 250% in the past 15 years to over \$25,000 for four years of study;

“Whereas international students pay three to four times more for the same education, and domestic students in professional programs such as law and medicine pay as much ... as \$20,000 per year;

“Whereas 70% of new jobs require post-secondary education, and fees reduce” opportunities “for many low- and middle-income families while magnifying barriers for aboriginal, rural, racialized and other marginalized students;

“Whereas Ontario currently provides the lowest per capita funding for post-secondary education in Canada, while many countries fully fund higher education and charge little or no fees for college or university;

“Whereas public opinion polls show that nearly three quarters of Ontarians think the government’s Reaching Higher framework for tuition fee increases of 20% to 36% over four years is unfair;

“Therefore, we, the undersigned, support the Canadian Federation of Students’ call to immediately drop tuition fees to 2004 levels and petition the Legislative Assembly of Ontario to introduce a new framework that:

“—reduces tuition and ancillary fees annually for” all “students;

“—converts a portion of every student loan into a grant; and

“—increases per-student funding above the national average.”

I agree with this petition, and I will sign it.

## FULL-DAY KINDERGARTEN

**Mr. Jeff Leal:** I have another petition today.

“To the Legislative Assembly of Ontario:

“Whereas early childhood learning is a fundamental program in the development and education of Ontario’s youth;

“We, the undersigned, petition the Parliament of Ontario as follows:

“To continue to expand full-day learning across the province;

“To continue to make our children a priority for this government;

“To continue investments in the infrastructure of our education system;

“To continue to support Ontario’s families through these initiatives; and

“To never go back to the days of forgotten children and mismanagement of schools we saw in the 1990s. We applaud the new investments in full-day learning and look forward to their continued growth across the province.”

I agree with this and again give it to Tudor.

## HEALTH CARE

**Mr. Norm Miller:** I have a petition to do with the availability of a doctor in the Parry Sound area. It reads:

“To the Legislative Assembly of Ontario:

“Whereas availability to see a doctor in the Parry Sound district is unacceptable;

“Whereas many residents attempt to call, get on waiting lists and are still not able to see a doctor, ultimately told to go to the emergency department if severe. This situation has deteriorated the last year.

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

“That the Minister of Health require this situation be seriously looked into so that the health care for residents seeing a doctor substantially improves.”

I’m pleased to support this petition.

## ORDERS OF THE DAY

ENERGY CONSUMER  
PROTECTION ACT, 2010LOI DE 2010 SUR LA PROTECTION  
DES CONSOMMATEURS D’ÉNERGIE

Mr. Duguid moved third reading of the following bill:

Bill 235, An Act to enact the Energy Consumer Protection Act, 2010 and to amend other Acts / Projet de loi 235, Loi édictant la Loi de 2010 sur la protection des consommateurs d’énergie et modifiant d’autres lois.

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

*Applause.*

**Hon. Brad Duguid:** Thank you to the member for Brant for his support. I’ll be sharing my time with the member for Brant. Maybe that’s why he’s clapping right now. He’s trying to get me to go a little quicker.

I rise to speak today on what is a very important bill to consumers across this province, the Energy Consumer Protection Act, 2010. But before I move forward with my comments, I want to acknowledge the contribution made to this legislation by the Honourable Gerry Phillips, who was the minister when the legislation was originally introduced, I believe, in December.

We all know Mr. Phillips as a very honourable member in this House, a well-liked, very non-partisan member, measured in his thinking and really talented in finding the balance required in coming forward with good public policy. I think that Mr. Phillips is respected by all members of the House and by the media—by just about everybody in this business—for his long and very



distinguished service in this place and as a minister in both the Peterson government in the 1980s and the McGuinty government over the last couple of terms. I want to thank him for his work on this bill. I want to thank him for all of the work that he has contributed. It's my honour to carry forward the bill that he originally introduced as the Minister of Energy and Infrastructure today.

As I said, this bill was originally introduced this past December. It captured the attention of many when it was introduced. Many members of this Legislature have been very engaged by this piece of legislation and many of our constituents have expressed their views on this legislation as well. I'm very proud of the work, to date, that we've brought to this effort. In fact, I think it illustrates the very vital role that this government can play and that all governments play in improving the lives of people in this province. I'm confident that we've arrived at a piece of legislation that strikes the right balance between creating an environment where business can operate openly and one in which consumers are protected and treated fairly. Really, that pretty much sums up what this bill is all about.

I'd like to acknowledge as well David Ramsay, the member from Timiskaming–Cochrane, whose private member's bill highlighted the issue of consumer fairness in the energy retailing sector. He's another distinguished member in this Legislature and another member who is liked by all members of this House. I thank him for his vision early on in bringing forward that private member's bill: another example of how working on and introducing private member's bills—although sometimes it may seem like a long, drawn-out process and sometimes those bills don't in themselves see fruition or the light of day—can sometimes ultimately have a big impact on public policy. Mr. Ramsay deserves much credit from consumers who will benefit from this new legislation, and gratitude from this government for his contribution.

I'd also like to thank Ted McMeekin, the member from Ancaster–Dundas–Flamborough–Westdale, who is here in the Legislature with us today. Last year, as Minister of Consumer Services, he was instrumental in shaping the consumer protections at the heart of this proposed act. Again, we have another member who is not highly partisan in nature, a member who knows how to strike a balance and work with all people on all sides of the Legislature, a distinguished member from the Hamilton area. It's always a pleasure to work with him. He deserves credit for much of what is before us today as well.

Finally, I want to thank the Standing Committee on General Government, all members from all parties, which recently examined this bill and provided insightful and valuable input to strengthen the bill's effectiveness. Your questions and input—by “your” I mean the members of this committee—have helped to clarify the policy intent of this proposed legislation, and many of the proposed amendments that flowed from the work that the committee did have served to improve the legislation. On

behalf of Ontario energy consumers, I really want to thank the committee members for their diligent work.

I want to acknowledge the work as well—and we often don't do this in this Legislature—of the critics on this particular piece of legislation. Parliamentary Assistant Levac has indicated that both Peter Tabuns, the critic and member from Toronto–Danforth, and John Yakabuski, the Conservative member from Renfrew–Nipissing–Pembroke who served as critic, both worked very well on this bill. While I don't expect that all members of the House agreed on every aspect of this bill and there was good debate at committee on amendments, potential amendments and different aspects and provisions of the bill, I think that the critics and all members from all sides really recognize that this is a good piece of legislation in the interests of Ontarians and, in a very non-partisan way, have moved forward.

I don't know whether the opposition members will be supporting this bill in the end. Maybe we'll get an inclination today; maybe we won't know until third reading actually takes place. I see the critic Mr. Tabuns nodding his head yes, and I think that's good news. I think it speaks well of the collegial work that the committee was able to accomplish. We really do appreciate the support from Mr. Tabuns on this and the good contribution that he and his colleagues have made to this particular piece of legislation.

**1610**

I want to speak a little bit about the objective of this legislation, which is really quite simple: to empower consumers, to protect their interests and to ensure that Ontario's energy market is fair and transparent.

Our proposed legislation does this in three main ways. First, it includes measures to crack down on the unacceptable practices of some—and I say some, not all—electricity retailers and gas marketers. Each week, the Ontario Energy Board averages between 100 and 150 consumer complaints about the practices of gas marketers and electricity retailers. That's worth repeating: That's 100 to 150 complaints that the Ontario Energy Board averages every single week. That's a lot of complaints. It means that there is an issue here, an issue that had to be dealt with and an issue that the committee and our government had to tackle.

We've all heard the stories. We've heard them from constituents, about how difficult it can be to understand the energy market. I recognize that as the Minister of Energy and Infrastructure who has been in the job for two months. It's a whole new world out there. It's a whole new set of languages. There are acronyms all over the place. This is a complex energy sector that we work in, and it is difficult for consumers, I think, to understand the energy market.

The pressure that has been exerted by some electricity retailers and gas marketers is a problem. It has been a problem in the past as well. They call and turn up at the door, offering multi-year, fixed-rate contracts for energy. It's that pressure that consumers sometimes find themselves under that may well have led, at times, to con-

sumers making decisions that may not have been in their best interests, or they may have been making decisions when all the information wasn't before them. Some of us have probably experienced some of those experiences ourselves.

This proposed legislation would help consumers deal with that pressure by enabling new requirements, regulations and training standards that would root out unprofessional behaviour. It would also make the energy market easier to understand by ensuring that consumers have every opportunity to fully understand what they're buying.

I think that's the key. It's a free market out there and people have the opportunity to do business. They have the opportunity to market their products and their services. I don't think anybody in this Legislature would have a qualm with that, but it's important that consumers have the ability to understand what it is that they're buying when they are making these kind of purchases.

This would include requirements for the use of plain language to explain the key terms of energy contracts to help consumers more easily understand what they're buying, at what cost and over what period of time—really, what they're committing to do—as well as new regulatory power that would help extend and clarify the conditions under which contracts can be cancelled.

In short, this proposed legislation makes sure that the consumer has every opportunity to understand the offers they're being presented with and to make sure that retailers understand that they are obligated to present their offers clearly and fairly. I think it's reasonable. I think that's fair. I think it's something that consumers would expect, and I think that's one of the reasons why all members of this Legislature are providing some level of support to the approach.

Secondly, this proposed legislation sets out clear rules and strengthens protections for people who live in multi-unit residential buildings where suite metering is possible. This is metering and billing each individual unit individually for electricity. This is something that has been somewhat of a bone of contention for a very long time in the energy conservation world. It's something that we've been trying to strike the balance in for a very long time.

This suite metering has the potential to contribute to the overall drive to build a lasting conservation movement in this province, and that's something I think all of us in this Legislature would support. I think that's something that's very important, because this isn't just about passing laws; this is about allowing our generation of Ontarians to seize this opportunity to build a better future for our kids and our grandkids. This conservation movement, and it is a movement, is something that each and every one of us should be enthusiastic about. When I say each and every one of us, I don't just mean members of the government or members of this Legislature; I mean each and every Ontarian has to seize this opportunity to make life better for our kids and grandkids. If we do not seize this conservation opportunity, we will not be

passing them a planet that has clean air and a clean environment for them to have the same quality of life that we've enjoyed in our lives.

This is something that's very, very important, because experience has shown that if you live in a multi-unit residential building, your electricity use will drop by 12% to 22% if you are paying for your own electricity. What that means for the people listening out there is that if you have your own individual apartment unit and you're being charged unit-by-unit on the usage that you're incurring yourself, it provides an extra incentive to you as an individual to try to conserve. It also provides an opportunity for you as an individual to try to save some money by taking advantage of some of the conservation opportunities that exist. There's no question, for instance, that if you turn up your air conditioner a little too much, you're going to see the effect of that on your electricity bill, so it absolutely makes sense for people who have the ability to control their own electricity use, whether they live in residences they own or residences they rent, and in so doing, to benefit directly from their own conservation efforts. However, in rental situations, it's important as well that tenants in existing buildings know there are clear rules and protections around the introduction of suite metering. It's only fair.

I believe that this proposed legislation, again, strikes the right balance between protecting the rights of tenants, ensuring transparency and contributing to the culture of energy conservation we are building. In the case of existing tenants, a change in the tenancy agreement to shift responsibility for energy from a landlord to a tenant would, under the bill, require the tenant's explicit consent. This proposed legislation would ensure fair rent reductions when tenants take on energy bills, and it would also support the development of minimum energy efficiency guidelines for suite-metered rental apartment buildings, further ensuring that tenants are able to conserve. We need to ensure that we're providing Ontario tenants with access to the tools that can help them lower their electricity use.

If passed, this legislation would ensure that a smooth transition occurs as suite metering becomes the norm in multi-residential buildings cross Ontario. It would enable Ontarians who live in these buildings to make informed decisions about their electricity use and to participate more fully in the conservation movement we're building in this province.

The third and final area of this proposed legislation provides clear authority to the Ontario Energy Board and regulatory power for the government, if it desires, to implement standards with regard to how gas and electricity utilities, including sub-metering companies, set their rules for consumer security deposits and disconnections. Currently, there's quite a variety of different policies used by various energy companies across the province. If passed, this legislation would provide the opportunity to create standard practices. This proposed legislation would allow particular attention to be paid to vulnerable consumers such as those with health and income challenges.

After much debate, discussion and consultation, I believe we have arrived at a piece of legislation that is absolutely fair and balanced. It is fair to the business community, it is fair to the retailers and marketers, and it is fair to the consumer.

If passed, this legislation would create the conditions that will insist that the seller clearly present what they're selling, and it will create the conditions necessary to help the buyer understand what they're purchasing. It's that simple. It will create conditions that will protect Ontario tenants and give them the opportunity to participate in greater energy conservation, and it will create the conditions necessary to help protect Ontario's most vulnerable consumers.

This proposed act is a thoughtful, integrated, comprehensive approach to balancing the rights of consumers with the rights of business to do good business. It ensures fairness and commonality of treatment. It works to eliminate subjectivity and opportunities for exploitation.

Thanks to the input and fine work of many members of this Legislature, of policy experts and of all industry stakeholders, I believe we have arrived at a piece of legislation of which each and every one of us can be proud: a balanced bill that respects the rights of all, protects the most vulnerable, creates a welcoming atmosphere for a legitimate business to operate and supports our broad goals of supporting a generational shift toward greater energy conservation.

**1620**

I'm very proud to be standing in this Legislature today to speak in support of Bill 235. I believe this legislation is absolutely required. It protects consumers and strengthens Ontario's energy market. It builds on the McGuinty government's record of action with respect to consumer protection and transparent disclosure. I'm very proud to be part of a government that continues to act in the best interests of Ontarians and consumers, and I'd urge all members to support the proposed Energy Consumer Protection Act.

I've had the privilege of working in the world of politics for over 25 years, and I've been elected for 16 or 17 years at different levels of government. I find that one of the privileges of this office is that on many occasions you learn as you go; you learn new things almost every day. I've got to admit that when this legislation first came forward in this Legislature, as introduced by my colleague Gerry Phillips, I kind of had to take a look at it and say: "What is the purpose of retailers in the market? Do they serve a useful place in the energy market? What are they really accomplishing for consumers? Should we be more draconian in moving forward on this legislation? Should we be allowing them to operate at all?"

Well, I think one of the things you do in this business is learn as you go, and that may have been the reaction of many of us on all sides of the House when we heard that 100 to 150 complaints every week are being lodged as a result of some of the practices of some of these retailing companies. But at the end of the day, not all of these companies are engaged in practices that are not in the

interests of consumers. Not each and every one of them is engaged in those practices. In fact, many of them are employing thousands of Ontarians in jobs that would otherwise not be here in this province.

The other thing is that some consumers feel more comfortable having a fixed rate, just like in mortgages. Some consumers, when planning their mortgage, might want a fixed-rate mortgage for one reason or another. I think the key is to ensure that consumers know what they're getting into, know what their choices are, have an opportunity at the appropriate times to be able to remove themselves from those contracts, when appropriate, in particular when the business practices in getting them to sign on to these programs may not be completely above board.

I think we've struck that balance, and I think we have all learned, as we have gone through this legislation, about the importance of and the complexities in our energy sector. We'll continue to learn as we go.

I think the other good thing to note for consumers is that we may not be done yet. If this legislation passes in this Legislature—if the will of the Legislature is to see this legislation pass, and I hope it is—we'll have a good opportunity to make this work. I think energy retailers will have ample opportunity to make this work, continue to do good, above board business and continue to allow consumers to have the protections they need. But we'll be watching carefully, and if this legislation doesn't prove to be everything we believe it will be, maybe other action will be necessary. At this point in time I'm absolutely confident that we've struck the proper balance that's going to protect consumers and ensure that tenants have the protection they need—this is a long-awaited piece of legislation for tenants.

I want again to thank all the members of the committee from all sides of the House. I want to thank my parliamentary assistant, who has shepherded this very complex piece of legislation. He's done a very able job of shepherding it through the committee system and getting consensus around the principles in this bill.

Madam Speaker, I'm now going to pass the floor over to the member from Brant, who will continue this conversation.

**The Acting Speaker (Mrs. Julia Munro):** The Chair recognizes the member from Brant.

**Mr. Dave Levac:** I appreciate the opportunity, on third reading, to have an opportunity during this lead to have some of my thoughts shared with the House and, in particular, with the opposition critics for whom I have nothing but praise with regard to the path we took during this process.

But I will start by saying that some will hold the opinion that this bill does not accomplish what we are saying it does. There will be some who will hold the opinion—and I don't vehemently disagree; I just simply disagree—that the way it was presented to us was as a prediction as opposed to an angered fit, and I respect that. What the opposition member did talk about was his experience and his understanding of how this bill would

have an impact on renters and people on fixed and low incomes. I don't subscribe to that because I think there are other factors that are going to be taking place outside of the bill that would, I honestly believe, not have the impact that he's predicting. I look forward to his rationale and his logic behind that, but I don't subscribe to it.

I also think that some will hold the opinion that the bill doesn't have enough teeth, and I don't subscribe to that, either. The minister made it clear that his intention is to use this as the first round of legislation that provides the companies an opportunity to change some of the behaviours that some of the companies were employing, and I guess the shot over the bow is if this doesn't do it, other things could. So that's out there and I think that it deserves to be understood.

At the heart of this proposed legislation, the Energy Consumer Protection Act, 2010, is the desire to help Ontario's energy consumers become better informed and, most importantly, to ensure that they are better protected, because there has been some lack of information that has not come. The second thing is there also have been some actions and activities that took place that the average consumer at the door should not tolerate, and governments have a role to play in making sure that that doesn't happen.

I'd also like to take this opportunity to echo the sentiments of the Minister of Energy and Infrastructure by again acknowledging the work of the standing committee and thanking all of the members for the questions and insights they've brought to the table, stakeholders from the consumer protection groups, tenant protection groups, individuals, retailers and others who contributed to the debate. I felt that all of the positions were clear. There were a few positions that I felt somewhat—a warning shot over the bow is that we have other things to do and we'll take other courses if we have to. But I would respectfully suggest to those individuals that this type of legislation is always part and parcel of how we work here, and we do have reams of individuals who are talented, skilled and trained at the legal level and also at the government policy level who work very hard, and I thank them for it.

This important bill has indeed benefited greatly from the committee process, which I do consider a privilege to have participated in. I've always made the commitment in this place to try to do the best I possibly can in finding consensus and finding the right piece of legislation to land on.

We heard some thought-provoking depositions from stakeholders who raised a number of interesting areas for discussion and debate. I believe that that was the important aspect of committee work and I felt very engaged by some of the organizations and individuals that did step forward. I must say that I was interested in the dialogue, the recommendations and the positions that some people took.

We listened carefully, and we did carefully analyze the concerns and the issues that were brought up. There

were copious meetings that were held after the hearings to digest that information that I asked on a couple of occasions in front of committee to make sure that staff heard what those deputations were all about. We tried to see where we could improve what I felt was already a pretty good piece of legislation, and I dealt with the opposition in a respectful manner that tried to incorporate some of the concerns that they were raising. I repeat again that that was not always going to end up being the case, but we're going to find out, if this Legislature sees fit to pass the legislation and if it comes into act, whether or not the dire predictions of some are going to come true.

I would suggest to you respectfully that there is a piece of this that we're going to do in regulation, and I made mention of that a couple of times. There's going to be some shopping and some touring and some consultation of the regulation stream that's going to go along with this.

If, indeed, after a review—which I'll bring up in a moment—takes place and some of the concerns that have been raised that we have not, to their opinion, dealt with shall surface, it will provide us with an opportunity to provide changes in our regulations and also provide us with an opportunity to introduce amendments to the act in order to clean up what they believed was a problem, if it indeed does appear.

#### 1630

I felt it was an open and honest debate about the issues. I am very highly complimentary of all the people that we dealt with. I felt no threat of discord other than a difference of opinion, which I think is a good way to deal in this place.

I particularly wanted to acknowledge the pragmatic and respectful way in which the committee approached the important work, along with both opposition critics who used the same approach. I thought they were both pragmatic, I thought they were logical and I thought they presented their cases in a reasonable way. Indeed, I can say to them that their concerns were considered and did result in some of the amendments that did come forward, along with some of the technical ones that both the ministerial staff and the lawyer that we had participated in.

I said then—even before that—and I say now that there are very few obligations that are more central in the role of government and legislators than protecting consumers and individuals who can't protect themselves, and more importantly the entire population of Ontario. When government steps forward to form these types of regulatory streams, it's very important for them to understand that the attempt is being made to ensure (1) that they are safe, first and foremost; (2) that their consumer habits are protected; and (3) that they don't fall prey to people who do not follow the regulatory stream.

This was echoed by all members of the committee and all parties. I thank them for that. There wasn't one person who did not stand on the principle of protecting the consumers and making sure that they're cared for. The

public has a right to be protected against predatory, misleading or simply confusing retail practices. The public has the right to expect honest and straightforward business dealings, which, by the way, the most populous parts of our business do.

The public has the right to know when abuses occur and that they will be dealt with. We believe that the proposed legislation would do that in many ways. This includes measures that would ensure electricity retailers and gas marketers can operate their businesses in a fair and transparent way. This isn't about a hammer on business. It's to make sure that we do work with those partners.

By the way, they did offer some opportunities to dialogue with us and showed us examples of things that they've personally, proactively implemented to ensure that their customers understood what they were doing; that the reputations of those companies had been tarnished and they were working towards improving them.

It focuses on ensuring consumers have access to easy-to-understand information. As simple as that sounds, that seemed to have been one of the larger complaints that was coming forward from some of our consumers. They just didn't understand the complexity and the mind-numbing information that was being twisted and turned to get them to sign up. The information will help them make more informed decisions. Whether it's to stay with their local utility, or sign an energy contract with an electricity retailer or a gas marketer, that's fair game. I think that that's a fair way to approach this.

This bill also provides regulatory authority to address concerns regarding cancellation practices and fees. We heard stories of different ways in which some companies were really kind of pounding it to the consumer for cancelling, and also the fees that they had to pay for doing certain things that the company didn't want them to do—practices for which I'm sure that there probably isn't a member in this house who hasn't had that issue dealt with at their riding offices.

If passed, the legislation would include measures to ensure that tenants in units where suite metering is being introduced are fairly treated.

The bill, if passed, would provide clear authority to the Ontario Energy Board and regulatory authority for the government, if desired, to implement standards that would guide gas and electricity utilities, including sub-metering companies, in setting their rules for consumer security deposits and disconnections. During that time frame, what that's going to allow us to do is to put some certainty in what those people can assume in terms of what their consumer security deposits are going to be and the disconnections. Clearly, that starts to wrap up some of the concerns that were being expressed simply by saying that you can get them in another way: "If I can't get them this way, then I'll get them on the security deposits and the disconnects," and we're tying that knot up.

Today, I would also like to highlight some important amendments that were brought forward during the committee process that did provide us with an opportunity to make the legislation, I believe, even better, amendments which would ensure that the protection of Ontario's energy consumers was still further enhanced.

As the minister reminded us earlier, part of the bill deals with the practices of energy retailers and marketers. The first obligation is to ensure that consumers have every chance to fully understand what they're buying at the door. Unfortunately, sometimes, we've heard, again, promises of being made cheaper, long-term energy prices, and sometimes we've even heard that customers feel pressured to make a quick decision at a door or on the phone. That has already had impacts across North America, from various types of legislation that have cooling-off periods and all kinds of protections for consumers. We've heard stories about salespeople who don't clearly identify themselves or, what's even worse, whom they're representing.

The bill goes a long way to remedy these problems. The first part of the bill, if passed, would allow the government or the Ontario Energy Board to require door-to-door salespeople to clearly identify who they are, whom they work for, and even whom they do not work for. In some cases, we've heard stories of cutting out a picture of a trillium, putting it on a badge with their name, and saying they work for the government. That in itself is a little mischievous at best.

Through new regulations, the bill would establish training standards to root out unprofessional behaviour. We did hear deputation that some companies have already instituted that, and good for them; power to them; thanks to them. What they're doing is identifying a problem that we've identified here. We're taking some steps to entrench that, and they've already started to do some of the things themselves. So I think that they deserve a few pats on back for doing that.

This proposed legislation would also ensure that companies are held to account for their salespeople. Another trick we heard was that they did third party hiring, put them to the side, put their hands up when the complaint came in, and said, "They don't work for us; they're working independently." I know that all of us have said, "That's got to stop," so we're going to make them responsible for who comes to the door representing them. Regardless of whether they're working door-to-door, by phone or online, they're hired by that company, however they do it, and they're responsible.

If passed, Bill 235 would allow the government to require additional licensing conditions, including background checks for salespeople. That one in itself is very important, because of other possibilities that those types of people can come to your door, they can case the place, they can look for children, and they can do all kinds of things. I think companies don't want those kinds of people at their door representing them, so I know that they're embracing this kind of background-check opportunity on an ongoing basis.

If passed, the bill could allow requirements for retailers and marketers to use better language to explain the key sections of their contract, so that consumers can easily understand what they're buying over that length of time and how much it would cost: all of the kinds of questions that should be legitimately asked by the companies and responded to. It could allow the Ontario Energy Board to require retailers and marketers to use forms that will ensure that all of the costs are disclosed, so that the consumer can understand the difference between what they would pay each month if they stayed with their local utility or switched to a retailer, comparing apples and apples: information on a form that shows clearly that if they sign the contract, they know that they're comparing what they're presently paying for a utility or what they would pay for the retailer.

The first important proposed amendment I'd like to highlight today focuses on the portion of the bill that deals with third party verification. Although they didn't get the entire ask—and I know that the critic for the Progressive Conservative Party brought this to our attention—they got half of the thing, so I know that there are probably going to be some concerns about third party verification. We did try to deal with that.

I would suggest, very respectfully, that this half was as important as the other half, and that is: We are now going to have rules that would enable the retailers and marketers to directly provide the service of third party verification so that it ensures that the customer has the opportunity to consider and confirm the contract before it becomes enforceable. So third party verification will be in-house: That means that the companies who did present to us and said, "You're going to make us go and hire somebody else"—we could be hearing telephone calls from India. So we want the retailers to know that that verification is going to be done by them if they choose. We believe that third party verification, in and of itself, is an important aspect, but because they brought it to our attention, we listened to it and made that part of the amendment.

This amendment would have a dual effect of enhancing consumer protection and making the industry more accountable to the OEB, because the Ontario Energy Board would not have jurisdiction over an out-of-province, out-of-country third party verifier.

1640

**Mr. Ted McMeekin:** This fixes that.

**Mr. Dave Levac:** We fixed that by doing it this way. I'm sure that the dual effect of that amendment was brought on not only by the industry, but it was supported, I would point out, by both opposition parties, because they saw the value in the consumer protection end of it.

This is just one powerful example of how the work of the committee was done, to hone the proposed legislation to be more precise, easier to follow, and keenly focused on protecting the interests of the consumer while still allowing business to operate in a fair and transparent manner.

That was the other discussion that was pretty healthy, to ensure that we didn't shut an industry down. There are thousands of people who would be employed during this process, and if we can get that component right, and we have that service provided in a way that the consumers can accept and be protected, I think the industry is well served, as much as it needed a wakeup call or the changes that we're proposing in this piece of legislation. Because I would respectfully suggest to you that it's at the higher end of complaints that all of the members would hear in their constituency offices, particularly during a season in which renewals are necessary.

We want to keenly focus on protecting those interests, and having this business practice done in a transparent manner that the industry is actually accepting.

The second amendment I'd like to mention today wisely acknowledges the speedy pace of change in Ontario's energy market landscape. What we're talking about is an amendment that would provide the government with the authority to require the Ontario Energy Board to review the portion of the bill that deals with electricity retailers and gas marketers after three years.

What we're saying, and I was saying this earlier, is that after three years, even though there are predictions that the bill will cause an awful lot of discourse, a full review by the OEB will take place, and whatever regulatory streams need to be adjusted, tweaked, changed or modified could take place during that time. This would provide the government with the authority for the Ontario Energy Board to do just that: to ensure that the appropriate regulatory and legislative framework is in place to protect the consumer. That sentence confirms what the bill is trying to do.

Additional proposed measures could be introduced after the review. This says that in the three-year time frame while this is being implemented, that review takes place and then other regulatory streams can be introduced to tighten up, to shore up, anything that has kind of poked its head through that is not good for consumer protection.

I'm looking over to my colleague across the way, the critic, who's going to speak next, and I would ask him if he's ready. Is he going to be ready? Okay, thank you.

This amendment sends the message that we will continue to be vigilant.

*Interjection.*

**Mr. Dave Levac:** He asked, as a favour. He's—

*Interjection.*

**Mr. Dave Levac:** Oh, I know that. He's ever ready, for sure.

To stay focused: The amendment sends the message that we will continue to be vigilant. It provides an important chance for review and re-examination and allows those in the service of the public an opportunity to continue to act in its best interest.

This is not going to be "pass a piece of legislation and let it collect dust" or "let it die and wither." We're going to be proactive and re-evaluate this.

My belief is that the proposed legislation will go quite a far way toward fulfilling the vital obligation, which is

to protect Ontario's energy consumers. While ensuring sound business practices, we can ensure that consumers are protected. We can do both.

I was very pleased to be able to participate as the standing committee examined the bill. I appreciate the confidence that the minister has shown in my capacity to help us with legislation and the dialogue that took place. I deeply appreciate that opportunity.

I proudly and sincerely thank and acknowledge the work of the ministry staff, who worked tirelessly.

*Interjections.*

**Mr. Dave Levac:** While the heckling was going on, I want to repeat that so that I'm sure the members opposite would agree with me.

I proudly and sincerely thank and acknowledge the work of ministry staff who, day after day in this place, help all of us and work tirelessly to ensure that we write the best pieces of legislation that we possibly can.

I was impressed with the fine questions and the keen eye of the committee members who brought this very important piece of legislation to life.

I'm very thankful for the input from the stakeholders and for some of their proactive responses to major identified consumer problems. They do deserve some credit for standing up and identifying that they've got a problem and saying they're going to work toward improving it. It's their job now, I'd respectfully suggest, to ensure that it gets done right; to make sure that the consumers who, at the door, were feeling they were not being listened to—now we all are listening to them, and I'm sure we can work together to ensure that that happens again. I believe that, working together, we have developed a bill that will help benefit Ontario and the hard-working men and women who call it their home.

I've made a commitment in my public service to try to write the best possible legislation. I stand very proudly in the Legislature to say that I believe we have made a really good attempt at this particular piece of legislation, the Energy Consumer Protection Act, 2010.

Again, I want to compliment all of the members of the committee for the hard work they've done. I look forward to the comments they'll make on third reading. I look forward to the regulatory stream that's going to come on board and the consultation that the government has made a commitment to do to continue writing this piece of legislation for the protection of the Ontario consumer.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. John O'Toole:** I'm very happy to have listened since last December, when Minister Phillips introduced this—and the work done by the new minister, Mr. Duguid, and the comments made most recently by the member from Brant.

We on this side would be agreeable to anything that improves conditions for the people of Ontario, especially in the retailer section on energy. It provokes a lot of larger questions on the whole energy file, but I'm going

to stick, with my comments, to the bill, with respect to our critic Mr. Yakabuski, who'll be speaking next.

There's some controversy on the sub-metering issue and the bill-averaging part, but the only thing that's really for certain is that regardless of who's selling the energy to you, the issue broadly is that it's going to cost more. Electricity is probably going to double in the next two to three years. They'll probably hold it off until after 2011. If you look at the article by Jan Carr, who is the head of the Ontario Power Authority—he submitted a couple of articles in the paper last week—I think the signals are there. They're all talking about the smart meter. Well, we still haven't heard the rest of the story on the smart meter. You, the consumer, are going to pay on your monthly bill for the smart meter. You're going to pay a rental charge on the smart meter. And it's not a smart meter, it's a time-of-use meter. So there's a lot more going on here.

I think there's a lot of noise on the surface, but subtly, they're doing something here that's correct: protecting the consumer. When someone knocks on your door and asks you to sign a contract, you have some protections. You have a cooling-off period, a couple of them, which I think are important. So they've done some things right here, but at the end of the day their energy policies are simply going to cost you more. Be prepared.

We support this particular bill, but what we don't support is their whole Bill 150 approach to you paying more and using—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member for Toronto—Danforth.

**Mr. Peter Tabuns:** I had an opportunity to listen to the minister and the parliamentary assistant. I will say that, in fact, it's true that I felt the committee worked on this bill in a fairly businesslike way. Not every debate has to be a nasty debate. But I have to say that there are fundamental problems with the approach of the government to the energy question and there are fundamental problems with this bill in both of its halves, both in terms of dealing with energy retailers and in dealing with sub-meters.

I want to deal first with the retailers, and this is something I'll expand on when I get to do my leadoff. Saying that we should protect the energy retailers, the marketers, because they employ thousands of people is the same argument that one could make for the private health care systems that existed in this province and this country before medicare came in. Yes, you can employ a lot of people doing things that duplicate work, that do not advance the green energy agenda—or even a simply businesslike energy agenda—and yes, you can say that if you change things they won't be working there. I would say that if you have thousands of people working, it would make far more sense to have them employed assessing households to see how they can reduce their energy consumption, administering a large-scale program of energy efficiency and conservation, and giving people the education they need to operate their buildings—their homes—more effectively. Selling retail energy is not

advancing the wealth of this society; it is putting on a layer of sales and administration that is a waste of our social capital, our common wealth. That is a mistake.

1650

**The Acting Speaker (Mrs. Julia Munro):** The member for Chatham–Kent–Essex.

**Mr. Pat Hoy:** I'm pleased to rise and make some remarks on what has been said to date on Bill 235, which deals with electricity retailers and gas marketers. I think that many members in this House, if not all, have experienced some of the negative sides of that particular dealing—electricity retailers and gas marketers—so the government is trying to bring forth an action plan with respect to consumer protection in this regard, and transparent disclosure in a number of sectors.

The bill as it is now, at third reading, did go before the Standing Committee on General Government. The government proceeded to have public hearings of participating stakeholders with the other two parties along with us, at about the end of March 2010. Then there was a review of that information, it was voted on and motions for amendments were made. So we have an amended version back before the House for all three parties to scrutinize.

I know that in my riding we had many, many circumstances where people simply did not understand or perhaps were not given a full explanation of what they had purchased in terms of either electricity or natural gas, and in some cases had bought one of these utilities and did not realize at all that they had bought the other utility. I think we've gone a long way toward making sure that contracts are in plain language and that people fully understand what they are purchasing. This will be good for the community at large.

I'm pleased to have made a little bit of a comment here, and I'm sure many of us in this House are pleased with this bill.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions?

**Mr. Steve Clark:** It's a pleasure for me to provide some comments as well on Bill 235. I must say that when I joined the Legislative Assembly and was assigned to a committee, I certainly didn't think that my first experience with a committee would be the clause-by-clause review of Bill 235.

It was quite an eye-opener for me, as a new member, to sit in committee. I was so glad that the veteran member from Renfrew–Nipissing–Pembroke was there to guide me through the process. I have to tell you that the parliamentary assistant did a wonderful job going through the many amendments, and I appreciated the banter from the member for Renfrew–Nipissing–Pembroke.

I was a bit disappointed. As a new member, I was hoping that maybe some of our amendments would get passed. But I certainly realized how that four-hour span went, and it was a nice eye-opener for me in my first foray into committee politics.

As many of you know, I worked in a constituency office for my predecessor, Senator Runciman.

*Applause.*

**Mr. Steve Clark:** Thank you. I'm glad for that.

I knew this was an issue. I dealt with many folks who were extremely concerned about energy retailers. I know that the issue of energy costs, and things like smart meters and the fact that electricity costs would be going up because of the HST, were big concerns for many of my constituents during the by-election. I know that many of them are still looking for relief with the HST coming on July 1, and they want a government that will listen to them.

In terms of the retailers, certainly I know that in many circles this bill has been long overdue. From our perspective, the much-learned member from Renfrew–Nipissing–Pembroke will be speaking—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member from Brant has two minutes to respond.

**Mr. Dave Levac:** I always start with saying thank you. Thank you to the members from Durham, Toronto–Danforth, Chatham–Kent–Essex and Leeds–Grenville for their comments. I will leave it to that to say that my anticipation for the bill's specifics was received by Her Majesty's loyal opposition in terms of consumer protection. I appreciate those comments. The rest of the comments that come are always expected in terms of, "but we don't like your government because you don't do things right." I think they understand that we got this piece right, and I appreciate deeply that they have made those comments.

The member from Chatham–Kent–Essex said it really well when he said that it's an action plan for consumer protection. Quite frankly, in credit to the critic, he made that statement several times during the deputations. I think the people of Ontario are going to appreciate the type of legislation we're putting forward here.

The member from Leeds–Grenville, yes, needs a quick little reminder of how that works. If he did recall, my conversation with the critic was that you had a piece of legislation amendment in there that actually got tied into two or three that we already contemplated, and because of the nature of how it works, ours was said first, and yours had almost the same language, so we basically deferred every time a new piece of legislation came up. We hit the spots that we both agreed upon, and I made a point of that. If you check Hansard, you will see that.

The good news is that I think we're going to be able to get a piece of legislation out there that is going to be seen as protecting the consumer, and that's what this is about. As for the rest of the argument about how bad our energy policy is or the HST and everything else, we didn't talk about that. We didn't debate that, but I know we're going to hear about it. I do want to know that this bill is going to be protected.

As far as the NDP is concerned, they put it on record that they're not supporting the bill, but I—

**The Acting Speaker (Mrs. Julia Munro):** Thank you very much. Further debate?



**Mr. John Yakubuski:** I appreciate the opportunity to speak again to Bill 235. I've been encouraged by the member from Brant to get all my negatives out of the way early, but I only have an hour, and all of my negatives could never be dealt with in an hour. I say that not only speaking about this bill, but just my own negatives. I have that many faults, and it would take a long time to list them all.

The member for Brant did say, "We got this bill right." Well, I cannot agree with the member from Brant when he says, "We got this bill right." What I can concede, and I have said: Is the energy consumer better off today or will be better off when this legislation is passed than before this legislation was tabled? Absolutely. Absolutely, the energy consumer, the customer at the door, is going to be better off. We've been encouraging the government to bring forth legislation that would do just that.

We're going back now a year and a half, anyway, or more. I'm trying to think of when David Ramsay first brought forth his private member's bill. At the same time, we were actually having meetings with the Ontario Energy Association. Shane Pospisil was the CEO at that time, and they were working very strongly to try to bring forward reforms to the retail contract sector so that there would be some improvements, because anybody who is going to stand and say that there weren't a whole lot of problems would be dreaming in Technicolor, because there were. I appreciate the comments.

Before I drift on into my other self, I do want to thank the minister for the kind words that he said earlier about all of the participants, all of the people who worked on this bill and all of the participants in the debate and all of the participants in committee when we went through amendments to the bill itself. We appreciate the kind words that were said about ourselves and Mr. Tabuns, the representative from the third party, the New Democrats, as well, and, of course, Mr. Levac and the other members of the government on the committee. I don't know if he's a member of the committee, but I know he's the parliamentary assistant to the minister as well, so he would probably be as well versed in this bill as anyone in the House.

**1700**

Now, getting back to where I said, "Did they get it right?"—well, not exactly. There were a couple of things where we felt they could have made some improvements, some changes, and they respectfully declined. We accept that. I did have an opportunity to have a discussion prior to clause-by-clause with Mr. Levac, and I think substantively we're looking for the same thing. We're maybe going to get there by a different route, but what they see as being in the best interests of the consumer from a protection point of view—I respectfully disagree on a couple of occasions.

One of those occasions was—and I say this with the greatest of sincerity; it's what I believe—what the government had in the original piece of legislation, and substantially that's what we have today, the circumstance

where, if the energy retailer is at the door, they agree to a contract with the consumer, and then it has to be verified by a third party, but between 10 and 60 days—if I have it correctly. I'm actually relying on the parliamentary assistant to nod or shake his head if he thinks I'm going the wrong way, and then I'll actually look at the notes, if I have to. Essentially that's the part of the bill that says they have to get third party verification after 10 days but before 60 days.

We're certainly in a better position than we are today, but what our position was, we felt that getting that third party verification immediately would actually be better. My explanation for that is such: We're having a debate about where, if we buy something and then somebody wants to know what was said—this is a third party verifier now. They want to know what was said, and the suggestion was made and the undertaking was made by the industry that the seller at the door would then have to leave the premises and a third party verifier would then ask those questions. These would have been the key questions: Did the representative claim he was with the utility? If the answer is yes, the contract is void. Did the representative promise that you would save money? If the answer is yes, out the door. He's not coming back. The contract's null and void.

Some of those would have been the key—and there would have been a script that the government could have prescribed, ensuring that every consumer was asked the same questions in the same way and in the same time frame.

The reason we wanted this done as quickly as possible is that if you're searching for details, your best memory is as soon as the event took place. As soon as the event took place, you are likely to be the most clear about the minute details of the conversation.

What would still apply is the contract law that says that you still have 10 days without having to justify or establish any reasons. Simply by contract law, within 10 days you can get out of it anyway. That would still apply. Even if that was verified at the door, you still have 10 days, and the reason we have that 10 days is—for example, I'll tell you a personal situation.

My mother-in-law, 76 years old, doesn't speak the best of English. She was born in Lithuania, has never worked off the land, has never had a driver's licence, lives in a little apartment in Eganville. She purchased one of these energy contracts. Now, as it turns out, she didn't talk to me within 10 days. It actually got processed, but we did get it cancelled because she certainly didn't understand the terms of it, and we were able to—but I must say, the company that was involved was very quick to respond to my call, so we had that contract terminated. But in a lot of cases they'll have the opportunity to talk to a son, daughter, son-in-law, brother, nephew or whatever and ask them, "What do you think about this electricity contract that I signed?" And that third party, being a relative or friend, may say to them, "No, I don't think that's a good idea, Mom," or Aunt May or whatever the case may be—"I don't think that's a good idea." You still

have those 10 days to say, “No, thank you. I appreciate you coming by, but this ain’t gonna be for me.” So you still have that option that has nothing to do with the amendment that we proposed. One of the points of the amendments is to try to avoid problems, and the best way, we believed, to avoid problems was to deal with them as quickly as possible so that the circumstances were freshest in everybody’s minds.

The other thing that we felt it would do was it would expose the rogue agent, the rebel, the person who was being dishonest at the door and was making statements that could not be justified or, in fact, were untrue. And the best way to do that, of course, is to have the earliest recollection of the contact with that particular agent.

I can tell you that as the energy critic, I probably have as much involvement in this as anyone, because I even have members of my own caucus who will call me and say, “Look, we’ve got a problem in such-and-such a town with this contract. We’d like to see what you can do to get that adjusted, reversed or whatever.” I’ve probably contacted these companies as much as or more than anybody. We know the minister is not going to be calling them, because he’s busier than I am. But I do have a contract with them, and I can tell you that if there’s a rogue out there, they want to know about it, and the best way to find out about it is to have that information available as quickly as possible. Nobody’s pretending anymore that there’s not trouble out there or there wasn’t trouble out there. Every one of those companies that is out there now recognizes that they’re under the microscope, and they should be, because the paramount purpose of this bill—and we do commend the government for bringing this legislation forward; we certainly encourage them to do so—the paramount reason for bringing forth this bill is to offer better consumer protection.

Let me back up just a little bit because I do want to make sure we get those things in. As I was talking about David Ramsay and Shane Pospisil—it was back, I think, in December 2008 that David Ramsay brought forth some reforms in a private member’s bill, and it got the conversation really going with regard to what reforms could be brought forward. What was disappointing was that nothing came forward in all of the time—and we had many, many chats with Minister Smitherman when he was the minister, and asked him—on repeated occasions I would walk across the aisle and say, “George, when are we going ahead with reform in the retail electricity retailers sector?” “Well, Yak, we’re working on it,” and never did he actually bring forth the bill. Gerry Phillips brought forth the bill when he was the energy minister, and then it was up to Minister Duguid to finish the job.

I had many things to say with David Ramsay at the time, and we certainly thanked him on more than one occasion, including in debate during his private member’s bill, which I spoke to at that time, for bringing this issue forward into this House.

There’s nobody out there who doesn’t have tales of problems at the door on the retail contract side of the

business. Probably what was the coup de grâce, as they say, or the final straw, was the exposé that was done, I think on CBC Marketplace, where they actually had some footage of improper actions on the part of a representative. I think it encouraged everyone to be more proactive in bringing forth legislation that would actually improve the situation.

**1710**

So that was one of the amendments, just to restate that, and that was the time frame in which you would have to verify the contract. So we did disagree on that.

There were, I believe, 107 amendments to the bill, most of them technical, which does speak to the fact that at the end of the day, what you really have to ask yourself—there must have been an awful push to get something on paper in a hurry. Because when you make 107 amendments, most of them technical, clearly some things were not considered or left out. Many of these amendments are with the Electricity Act, are amendments to other acts that I guess are required to give this bill the authority to make it function.

Now I want to change gears a little bit—and I know the member for Brant will really start paying attention.

**Mr. Dave Levac:** You’re impugning my motive. I always pay attention.

**Mr. John Yakabuski:** He does.

*Interjection.*

**Mr. John Yakabuski:** Oh my God, the member for Mississauga is here.

Well, I think we can certainly stay on the subject. There’s no problem there, Madam Speaker.

The name of the act: An Act to enact the Energy Consumer Protection Act, 2010, and to amend other Acts. So what we’re talking about here is consumer protection. And you can’t talk about Bill 235 without talking about the whole electricity sector, because it is part of the big picture. If you’re going to protect consumers at the door, you also have to talk about the price they’re paying for electricity in general.

One of the big sections of that bill in these electricity contracts is what is referred to as the global adjustment. Some people call it the global adjustment, and others call it the provincial benefit. I think the government likes the term “global adjustment” these days, more than the term “provincial benefit.” Let me tell you why. Currently, in the month of April 2010, that global adjustment has reached an all-time high of 4.57 cents per kilowatt hour. What that means is that for every kilowatt hour you use, there’s a global adjustment to that price of 4.57 cents. If the price of electricity, which is relatively low these days—and I didn’t look at it specifically today, but I think we can safely, based on what it has been for the last year, say that the market price of electricity is probably around 3.2 or 3.3 cents. But on top of that price, as a result of the energy policies of this government, 4.57 cents are being tacked on. Some people see it and some people don’t. If you’re an electricity consumer who uses in business more than 250,000 kilowatt hours of electricity per month, then right on your bill you will be

paying that provincial benefit or, as they like to call it, the “global adjustment.” I know the minister likes to use the term “global adjustment,” because how can you tell somebody it’s going to cost you 4.57 cents a kilowatt hour and call it a benefit? It’s very difficult. It’s certainly hard to accept for the person who’s paying it.

Each one of those consumers is paying that. But also, if you’ve signed an electricity contract—and we’ll just say for the sake of argument that that electricity contract is at 7.5 cents a kilowatt hour. One of the reasons people sign electricity contracts is because they want certainty. They know that the price will be 7.5 cents a kilowatt hour, or eight or whatever it is, for the duration of the contract. But unbeknownst to most people signing those contracts, the provincial benefit also gets tacked onto those contracts. If your contract was at eight cents, this month you would be paying 12.57 cents a kilowatt hour—and that’s just for the electricity. That does not include the delivery; that does not include the debt retirement or the taxes. That’s just for the electricity—

**Mr. Peter Shurman:** The HST is coming.

**Mr. John Yakabuski:** Plus the HST that’s going to come July 1.

*Interjections.*

**Mr. John Yakabuski:** I see members on the other side sighing because they’re wondering how their constituents are going to pay for their power bills. They are wondering how their own constituents in rural Ontario are going to pay for those bills.

**Mr. Dave Levac:** We’re wondering when you’re going to talk about the consumer protection act.

**Mr. John Yakabuski:** The member for Brant is always encouraging me, and I appreciate that, because I tend not to use all my time; I just speak for a little bit and then pass it on to others. But he is encouraging me to keep going, to press on.

This provincial benefit is going to start to be reflected—if you’ve got a bill from Hydro One, you don’t notice it because there are so many Hydro One customers out there that it’s being equalized across that they’re not seeing it, but it’s about to start happening. It’s about to start having an effect on your hydro bill, if you pay Toronto Hydro or another public utility in the town or the city that you live in or if you pay your bills through Hydro One. This month, it’s an all-time high: 4.57 cents a kilowatt hour.

Only the electricity contract sector has to specify that amount on the bill. There’s a separate line item for the provincial benefit on their bill. If that remains the case, I would suspect that the electricity contract marketers are going to be out of business anyway, because the consumer in no way is going to be able to pay those kinds of rates.

Why are those rates so high? Because just a few years ago, that provincial benefit was actually a provincial benefit. The way it worked was, that same major user that I’m talking about, which uses 250,000 kilowatt hours of electricity per month, was actually seeing their bill reduced by the provincial benefit because it was a nega-

tive number. Prices were higher then because the economy was rolling better and there was a higher demand for electricity. Let’s just say for the sake of argument that on any given day, the price of electricity was six cents. If that provincial benefit was a penny, they were dropping it down to an actual cost of five cents. Today—let’s just say for the sake of argument it’s 3.5 cents, and you tack on another 4.57 cents; now you’re talking about a little over eight cents for that same kilowatt hour of electricity. You wonder why businesses—

*Interjection.*

1720

**Mr. John Yakabuski:** Large users, Jean-Marc, 250,000 kilowatt hours a month, pay the provincial benefit—absolutely. So does everybody else. They just don’t see it in their bill. What is the genesis of that, and what is causing that to go so high? Well, it is all those contracts the government is signing.

When the government doesn’t like to be associated with something, they say, “No, no, no. That’s the OPA, the Ontario Power Authority, that is signing those contracts with all these generators.” But if the government is doing something that they figure the people like, all of a sudden it’s the Minister of Energy making the announcement. I guess that’s politics.

But that provincial benefit is going to keep rising, because it is a result of all the contracts they’re signing at 80 cents a kilowatt hour, the contracts at 44 cents a kilowatt hour, the contracts at 13.5 cents for on-ground wind and the contracts at 19 cents for offshore wind. The current price of electricity in the province is 5.8 cents a kilowatt hour, up to 6.7 after your first 1,000 hours—it may have changed to 750 hours because of the time of year; we’re moving out of the heating season. All those sweetheart energy deals they’re signing with developers—

*Interjection.*

**Mr. John Yakabuski:** We didn’t sign any of them, Jean-Marc. All those sweetheart energy deals they’re signing with developers making all kinds of profits: Why do you think people are lining up—lining up—to sign an energy contract with OPA under FIT, the feed-in tariff program? Because they know they are going to make a barrel full of money. For all those who think these people are building these giant wind farms because they’re saving the world, don’t believe it. They’re doing it because they are fully chasing one thing, the almighty dollar. They’re going to make a lot of money, and you’re going to pay a lot of money.

Interestingly enough, I suggest that some members on the other side of the House should read a recent article called “A Rational Framework for Electricity Policy.” It pretty well questions everything the current government is doing. It was in the recent *Engineering Dimensions* magazine. Do you know who wrote it?

**Mr. Peter Shurman:** Brad Duguid.

**Mr. John Yakabuski:** No, it wasn’t Brad Duguid. But it was Jan Carr, who is an expert in the energy field and was the first CEO of OPA. Jan Carr wrote that

article, and he pretty well questions everything this government is doing with regard to electricity policy and where it's going to drive us. Maybe it would be an interesting thing for the minister to read. "A Rational Framework for Electricity Policy" talks about the rush to renewables. I could read the article, but I only have 33 minutes left, and I don't know if I've got time. But I might refer to some parts of it.

There's another one done by Puica Nitu, P.Eng. It's called *Wind Power: A Cautionary Tale*. It talks a little bit about the experience in Germany and Spain, and how they are challenged now because of their rush to build so many wind turbines, which has caused them to have to build all kinds of backup sources of power because what a lot of people don't realize, Madam Speaker—I know you do, but a lot of people don't—is that the wind is not controlled by a switch.

**Ms. M. Aileen Carroll:** No?

**Mr. John Yakubuski:** That's right, Aileen. It's not controlled by a switch. You can't go over to the electrical panel and say, "Up you go, switch. Blow, wind, blow." No. The good Lord controls the wind, as he does the sun. So what happens is that on those days that the wind isn't blowing, we have to have something available in the system to provide the power that is absent because of the effects of the weather.

When you build that wind and you sign a contract for 20 years with a developer that's making a whole lot of money, you also have to build something else. And what are they building to back it up? They're building natural gas. But you see, now we start to ask ourselves, what was the whole rationale for them to say we're getting out of coal? Because they wanted to cut back on the CO<sub>2</sub> emissions. But if you stop building coal or using coal—nobody's building coal, but they are building, believe it or not, coal plants in Germany. The reason they're building coal plants is that they have to have something to back up the wind, and so they're building coal plants. They're building coal plants in China, opening a coal plant in China, every five days.

What the plan here is—they say they're replacing coal with wind. Well, that is absolutely wrong. They're not replacing coal with wind because you can't replace coal with wind. You can't replace a consistent, dispatchable form of electricity generation with one that is inherently intermittent. The Premier himself said in this House, "You can't depend on wind. Wind is not reliable." Those are his words, not mine. So what are they doing? They're building gas plants to replace the coal. But before anybody says, "Oh, that's the answer," it is somewhat duplicitous to say that you're closing coal plants to reduce CO<sub>2</sub> emissions, and replace them with gas plants, which have about half the CO<sub>2</sub> emissions of a coal plant. But that's when it's burned here in Ontario. What they're not telling us about is the amount of CO<sub>2</sub> that is the life cycle of getting that gas here to Ontario, because when that gas is taken out of the ground out west, all the sulphur is processed out of it. It's stored in piles out in Alberta. You can go see them. But it takes massive

amounts of CO<sub>2</sub> to generate the power to remove the sulphur from that natural gas before they ship it here.

For them to say that they're doing this and reducing natural gas, people have to be cautioned that that is not the case. They should be sceptical about anything they're saying about reducing CO<sub>2</sub> emissions by building wind turbines and replacing coal with natural gas because it simply doesn't compute.

About 90% of the CO<sub>2</sub> in this province is produced from transportation anyhow, so unless they're going to do something about transportation, unless we're all going to be driving electric cars, which we know is not going to happen because even the new trains they're building—they're buying diesel trains instead of electric. They speak out of both sides of their mouths when they talk about reducing CO<sub>2</sub> and protecting the environment. That has been consistently—the only consistency with regard to them there is the fact that they are totally inconsistent in their messaging and what they are actually doing.

But where are they going to get the power? You see, if you want to start talking about the amount you have to replace, we have in the system roughly about 6,500 megawatts of coal. That would require 13,000 wind turbines dispersed across the province, if the wind turbines ran all the time or could be called upon whenever you wanted them. But because they only work about 20% of the time—that's the average. Germany has about 27,000 megawatts of wind in its system. The latest figures for the efficiency of Germany's wind fleet is it runs at between 18% and 19%. So if we give ours 20%, instead of 13,000, you would need 65,000 wind turbines to replace those coal plants, because they only work 20% of the time.

**1730**

Now we have to start talking about the 3,000 megawatts of nuclear that they're shutting down in this province in 2020, because the remaining units at Pickering A have not been refurbished and all of Pickering B is not going to be refurbished. Now that's 3,000 megawatts of nuclear power that is baseload power and runs all the time. Except when it's down for maintenance, it runs full out. It's not dispatchable power: We don't call on more or less, like the gas pedal in your car. You run them, and you run them full out.

In 2020, those plants are going down forever. That's 3,000 megawatts. We talked about 6,500 megawatts: That's another 3,000 megawatts that are going out of our system. But in the interim period—

**Mr. Lou Rinaldi:** That's good.

**Mr. John Yakubuski:** The member from Northumberland-Quinte West says, "That's good." I guess he's going to tell us where we're going to get all the power. I'm sure he's got the solutions for it. Yes, I'd like to see what he's going to be saying a few years from now.

You see, before 2020 comes, we've also got to face the facts about what's happening at Darlington nuclear and Bruce nuclear. The units at Bruce range in age from, I believe, about 1976 to 1987. Those six units at Bruce

have to be refurbished. All four units at Darlington have to be refurbished. We've got to rebuild those units if we're going to have reliable power. They're reaching the age where they will no longer be operable without refurbishment.

You have this overlap, because you can't refurbish a nuclear plant—it's not like Wile E. Coyote on Bugs Bunny: Just add water, and you've got an instant Acme nuclear plant or something like that. No, if you're going to refurbish a nuclear plant, you're talking at least two years—at least two years. Now you start looking at the dates, and we've got to start refurbishing those nuclear plants by 2016 at the latest.

In addition to the ones that you're taking out of circulation permanently and the coal that they say they're going to shut down by 2014, now you look at those nuclear plants, and you've got to start refurbishing them. You can't do them one at a time, because you don't have time. If you tried to do them one at a time, two years, two years and two years, we've got 10 that have to be refurbished. That's a 20-year program. They're not going to last that long without refurbishment.

Now you have to start talking about overlapping at least two nuclear reactors at any given time. If you're taking two at Bruce out of circulation, that's two that produce nominally 750 megawatts apiece. If you're taking out two at Darlington, you're taking out two units that produce almost 900 megawatts apiece. Now you've got two at Darlington out—that's 1,800 additional megawatts gone—two at Bruce, 1,500. If you've got a combination of the two, well, you can do the math.

Where is the reliable power going to come from to power the economy of this province in five years, in 10 years, in 15 years if the only thing that these guys want to build is because it's very, very politically popular? People believe, "Oh, yes. Well, they're doing the right thing. They're building all kinds of green power." But you also have a responsibility to respect the bedrock principles of Ontario's electricity history. The way that our economy became successful and the best economy in this country and one of the strongest economies in the world was that it was built on an abundant supply of reliable, affordable electricity. Electricity drove our standard of living. It drove our economic success. You can't separate electricity from economics in this province. When you start to do that, you threaten not only the electricity supply but you threaten the economy.

That's what they're doing with this pretending exercise that they call the Green Energy Act. They want everybody to believe that somehow they're going to save the world with the Green Energy Act here in Ontario.

**Mr. Lou Rinaldi:** It's a start, John.

**Mr. John Yakabuski:** Everyone who wants to do the math will know that you can't have it both ways, I say to Lou over there, who says, "It's a start." Here's the energy minister one day talking about how the contracts they signed are going to make a huge difference in the electricity supply in Ontario. Then, shortly after that, when people start asking the Premier, "What does that

mean to the price?"—because all of these sources that you're citing here now are very expensive, from roughly 13.5 cents to 80.2 cents. They asked the Premier, "What are we going to do about the price? What about the price?" The Premier says, "It's not going to have that big an impact on the price because we're not really producing that much." I guess, depending upon your audience, you tell the people who want to hear you say that you're changing the world—you're telling them that that's exactly what you're doing, but then you're telling the other people, "No, we're really not doing that much because it won't have that big an effect on price."

You can't have it both ways. You can't fill your supply box with expensive sources and not change the price dramatically, and if you're not changing the price dramatically, it's because you aren't making much of a difference. What you're doing continuously here is overselling the impact that the new generation is going to have and underselling or understating the impact that this is going to have on the price of electricity in the province of Ontario. I don't know how many times I have asked in this House for the government to just come clean and be totally honest about their electricity policy.

I remember when this government was elected; oh, yes, I remember when this government was elected. I never slept a wink that night, and I always thought it was because I was elected that night, but no, it was because this government was elected. I remember when this government said that they were going to depoliticize the electricity sector, the energy sector. Never—and that is the one thing that you're consistently hearing from stakeholders in this sector. It is a little different with Minister Duguid because he's not quite so aggressive as the previous minister. I don't mean Gerry Phillips; you couldn't find a nicer guy than Gerry Phillips.

**1740**

**The Acting Speaker (Mrs. Julia Munro):** I'd ask the speaker not to make personal references to other members.

**Mr. John Yakabuski:** As I said, the former minister, Gerry Phillips. Yes, the former minister, Gerry Phillips; I think that's all right, isn't it, Madam Speaker? Because the new minister is Brad Duguid. But it was the previous minister, George Smitherman, whom the sector had the most trouble with because they found him to be "somewhat aggressive," would be the term. But the one thing that they consistently say is that the politicization of this sector has never been deeper.

All you've got to do is look back to when Dwight Duncan was the Minister of Energy and he brought in Bill 100 and created the OPA. What he said was that this was going to be a virtual agency. We know what the OPA is today; it's a hugely expensive, bureaucratic buffer for the government. As I said earlier, the government uses the OPA for its own purposes. When it wants to be the hero, it shoves the OPA aside and goes out and does the talking and makes all the announcements. When it is a little nervous about how people might react, you can rest assured it's going to be a spokesperson from the

OPA, and the government will let them take the slings and arrows and then decide whether they're going to respond or make statements themselves or not.

The OEB, Ontario Energy Board, which was brought in by the Progressive Conservative government under Bill Davis, was put here for one reason, and that was to protect the energy consumer in the province of Ontario—not politically; not in a partisan way. Their whole mandate was to protect the energy consumer. When you talk to people in the energy sector today, they are shocked at how the OEB has been neutered, gutted, eviscerated. You could use any number of adjectives to describe what this government has done to the OEB. It has made it a weaker agency at the very time when it should be stronger and more vibrant and powerful than ever. Why have they done that? Because they want politics to rule the day. They want politics to be the issue. They want politics to determine what energy policies will be brought forward by the government.

I'm looking at the clock, and I am running—

**Hon. Monique M. Smith:** Are you running out of steam?

**Mr. John Yakabuski:** No, no. I could go on forever, but I didn't realize what the time on the clock was, to be honest with you. I was only looking at that clock. So I am going to wind up here in a minute or two.

Let's go back to Bill 235. I want to reiterate what I said earlier about the importance of bringing in better protection for the retail electricity consumer with respect to being offered contracts here in the province of Ontario. I do agree with the government that bringing in this legislation was the right thing to do. We didn't agree with all of the parts of the legislation. We do believe there should have been some other amendments that we had put forward. However, as my friend Steve Clark, the member from Leeds–Grenville, said earlier, none of our amendments were accepted, but we're used to that.

At the end of the day on this particular occasion, as I said, is the consumer better off because of this legislation than they were before? We believe, in our party, the PC Party of Ontario—our leader Tim Hudak and our caucus believe that this bill will help to protect the energy consumer. We could talk about many aspects of the bill, but I am going to say that that's it for now and pass this on to someone else.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Peter Tabuns:** Given the time, I will have an opportunity perhaps to give some introductory remarks to my leadoff later.

I wanted to speak to the parliamentary assistant and all those present here about the fundamental concerns I have with the bill. I have to say that if this bill addressed the retail marketing industry and brought in some further protections, although I don't think they're adequate, I wouldn't vote against them. I would say that the more that's brought in, the less likely that this industry will flourish in the future. But the concern I have most fundamentally with the bill relates to submetering.

My concern is that the way things are structured—as units become vacant, meters will be installed—will fundamentally change the incentives that landlords have to invest in energy efficiency and conservation. They will put tenants in a situation where they will be dealing with energy costs but don't have the legal right to change the building that they're in, nor do they have the financial wherewithal to do that. The way tenants will be hit as they go forward with the installation of submeters means that tenants, 30% of whom are low-income or at the poverty line, will be faced with higher costs than they have had to deal with in the past and a reduced standard of living.

There will be other points that I will touch on, but for those reasons alone this move forward on submetering is a step backward environmentally and socially in this province. For that reason, just so that the parliamentary assistant and others are clear, I don't believe this bill should be supported.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Dave Levac:** I know that the critic for the opposition wants to hear very clearly my comments about his leadoff speech. Of the 51 minutes that he used—I have it down to the second, but I'm not going to insult him by making it down to the second about how much time was actually spent on the bill.

I will make a comment on the comments that he made about the bill and third party verification. There are three ways in which we're going to be able to protect the consumer: the 10-day cooling-off period, the third party verification that happens between 10 and 60 days and the first bill. Thirty days after you get your first bill, you can still cancel. So the 10-day cooling-off period is one, the 10-day to 60-day third party verification is the other. We changed it with an amendment by making it in-house, and the standard questions that he's talking about will still take place. Those standard questions that he's talking about—"Did they misrepresent themselves as an agent of"—are going to be established by the OEB and given to the in-house provider. So that argument that he made about it having to be on the spot does not stand the test.

He talked about the rogues who are out there, that we didn't know that the rogues are out there. I'm sorry; the industry knew that the rogues were out there.

The company is doing its own review: The assumption that the bill is not the be-all and end-all is that the companies are going to be doing their own as well. I think good business practices will be taking place as a result of what the government is proposing.

**1750**

Inside of the bill that he's making this kind of conversation about—I'm trying to stay focused on the bill—I think I've taken care of his concerns. The one thing I will agree with him 100% on, and I'm glad that I think I'm hearing they're going to support it, is, will they be better off? Yes.

**The Acting Speaker (Mrs. Julia Munro):** The member for Thornhill.

**Mr. Peter Shurman:** It's a pleasure to add my voice for a couple of minutes to what my colleague from Renfrew–Nipissing–Pembroke had to say in a veritable compendium of information about the supply of electricity to people in Ontario. He talked about nuclear, he talked about coal and he talked about the feed-in tariffs. He went all over the road, and I think that's a reflection—and I say this to the government side—of the energy policy that, really, nobody on this side, much less the people of Ontario, can really discern as something that has any focus.

If you read the popular press—not what I am saying or any members from over here are saying, but the popular press, people who are commentators, pundits who are looking into this and doing the investigation—what we're seeing is what I'm saying and what my friend from Renfrew–Nipissing–Pembroke is saying, and that is, there's no reliability to much of what's being proposed and much of what is being put into law. What Ontarians want, clearly, is reliable power at an affordable price. At this point, it's very difficult to say with any certainty that that's what they're going to get.

If you take a look at just one thing that I've been looking at over the course of the past six months, it's the feed-in tariff and the model that was used for Ontario to establish this under the Green Energy Act—which was touted as absolutely phenomenal by the one-time minister who proposed the Green Energy Act—and that is Spain, where the feed-in tariff model has been used for about a dozen years now. What's been found—and there are reports that document this; it's not because I say so—is that for every job that was created under this model, two have been lost. That, unfortunately, is what Ontarians have to look forward to, that and about four line items that are going on the bottom of their energy bill for an unpredictable cost of energy going forward. That's why we're losing business.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Mr. Jean-Marc Lalonde:** First of all, I was listening very carefully to the member for Renfrew–Nipissing–Pembroke. Bill 235 is all about consumer protection. I wish the member would have been here in 2002. He would have seen what his government had done at the time. Today, we are stuck with the costs of upgrading all the generating stations.

But I've lived the experience of dealing with those people, those retailers. At least two to three times per week, I get the consumers coming down to my office. It's unbelievable, the approach those retailers are taking. They tell people that they will pay less for their electricity, which is completely false.

Let me tell you, just because I'm short of time, if I go back to 2002, at that time the previous government had paid up to \$1.33 per kilowatt hour that we had to buy. When we say that they froze the price at 4.3 cents per kilowatt hour, we were buying it at \$1.33 a kilowatt hour. Is that good management? I don't think so.

Today, we want to protect of all our consumers. This is why this bill is here. I hope everyone on both sides of

the House will support this bill, because it is for our consumers.

**The Acting Speaker (Mrs. Julia Munro):** Further debate.

**Mr. Dave Levac:** On a point of order, Madam Speaker: I seek unanimous consent to give the member from Bruce–Grey–Owen Sound the two minutes that were lost by the absence of the member from Renfrew–Nipissing–Pembroke, so that the two minutes can be allotted to wrap up the debate of the member.

I would seek unanimous consent for that.

**The Acting Speaker (Mrs. Julia Munro):** I heard a no. The member for Toronto–Danforth.

**Interjection:** Who would say no?

**Mr. Peter Tabuns:** I don't know who would say no to you, Mr. Member from Bruce–Grey, but someone did.

Madam Speaker, thank you for this opportunity to start my leadoff on Bill 235, the Energy Consumer Protection Act. As you're well aware, this act addresses two main areas. It addresses the regulation of the sales process and the contracts between energy retailers and the public. This act also regulates the installation and operation of hydro sub-meters in apartment buildings.

On these two main issues, this bill falls short of the need to protect the public. It falls short of the need to protect the public interest, and beyond that, on the second main issue, sub-meters in apartment buildings, it undermines future energy efficiency investment and it puts tenants, particularly those who are poor or elderly, in an extraordinarily difficult position.

I want to start first with the experience of my constituents and of others who've had to deal with energy retailers. Jean-Marc Lalonde was just speaking about his experience in his riding of people who have been told that their electricity bill would be cut if they signed on to these contracts. That is what my constituents have been told. When I have gone into my riding, gone to households that have had energy salespeople come to their door, what they have understood, time after time, is that they're being sold a discount on electricity or gas bills. That's the story that they hear.

When we started this debate in this Legislature, I received emails from my constituents and from people outside my riding with their stories of what they had been told at the door, the experience they had of high-pressure sales and the experience they had of, in one case, finding that they had been signed up to a company and had never signed any documentation to take on a contract with that company. They actually brought in the documents to me showing the signature on a contract with one of these marketers, and I had them show me their other documentation ID to show me that the signature they produced was not the signature that was on that contract.

What we have are very aggressive companies going through this province on a regular basis, household by household, trying to sell these services. People are being taken advantage of. People are signing on to contracts that are giving them very high electricity prices. Frankly, they're sick of it.

I have an email here from a person who wrote in about their experience with these contracts. This person is talking about Universal Energy, and I'll talk more about them in a minute. Universal, in their contract, has this language: "Universal reserves the right to transfer the consumer to standard supply service at any time during the term of this agreement at Universal's sole discretion. Universal is not responsible for any direct or indirect economic or consequential losses caused to you, however caused."

In other words, they come to your door saying, "We're going to give you a fixed price, we're going to cut your costs, and we're going to give you the security of knowing that the price won't go up in the future." But in fact, right in the contract, Universal can cut their relationship with you at any time. You don't have recourse against them. If they find that it's inconvenient or unprofitable to continue to keep their side of the bargain, they can cut you loose and you're cast back into what they consider an abyss. They've given themselves a very neat legal loophole to get out of any contract that isn't making a lot of money for them. That is not a contract that anyone can have any respect for.

You should be aware that Universal Energy recently had to go through a hearing at the OEB, the Ontario Energy Board, for renewal of its gas licence. Instead of being given a five-year renewal, they were given a two-year renewal, with a fair number of conditions. I want to just read to you some of the commentary in the staff report about Universal Energy:

"In board staff's first submission on this application, board staff expressed concern regarding Universal's past conduct. As noted in the first submission, the board published a notice of intention to make an order for an administrative penalty on two occasions—December 22, 2008 and April 23, 2009. The notices indicated a series of infractions which included making false, misleading or deceptive statements to consumers and switching a customer's supply without the customer's explicit authorization."

*Third reading debate deemed adjourned.*

**The Acting Speaker (Mrs. Julia Munro):** It being 6 of the clock, this House stands adjourned until 9 a.m. tomorrow.

*The House adjourned at 1801.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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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
<b>Aggelonitis, Hon. / L'hon. Sophia (LIB)</b>	Hamilton Mountain	Minister of Consumer Services / Ministre des Services aux consommateurs
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Brotten, Hon. / L'hon. Laurel C. (LIB)</b>	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, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, M. Aileen (LIB)	Barrie	
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Tourism and Culture / Ministre du Tourisme et de la Culture
Chiarelli, Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
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Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Education / Ministre de l'Éducation
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances

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

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Murray, Glen R (LIB)	Toronto Centre / Toronto-Centre	
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	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	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	
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	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	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Transportation / Ministre des Transports
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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Jim Brownell, Kim Craiton  
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John O'Toole  
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Comité permanent des finances et des affaires économiques**

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Vice-Chair / Vice-présidente: Helena Jaczek  
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Joe Dickson, Sylvia Jones  
Amrit Mangat, Norm Miller  
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Vice-Chair / Vice-président: Vic Dhillon  
Vic Dhillon, Cheri DiNovo  
Rick Johnson, Sylvia Jones  
Jean-Marc Lalonde, Ted McMeekin  
Shafiq Qadri, Khalil Ramal  
Elizabeth Witmer  
Committee Clerk / Greffier: Katch Koch

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spécial de la santé mentale et des dépendances**

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



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