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**Thursday 23 September 2010**

**Jeudi 23 septembre 2010**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 September 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 23 septembre 2010

*The House met at 0900.*

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

*Prayers.*

### ORDERS OF THE DAY

#### WATER OPPORTUNITIES AND WATER CONSERVATION ACT, 2010

#### LOI DE 2010 SUR LE DÉVELOPPEMENT DES TECHNOLOGIES DE L'EAU ET LA CONSERVATION DE L'EAU

Resuming the debate adjourned on September 14, 2010, on the motion for second reading of Bill 72, An Act to enact the Water Opportunities Act, 2010 and to amend other Acts in respect of water conservation and other matters / Projet de loi 72, Loi édictant la Loi de 2010 sur le développement des technologies de l'eau et modifiant d'autres lois en ce qui concerne la conservation de l'eau et d'autres questions.

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

**Mr. Peter Shurman:** This is the first opportunity since the summer break that I've had to rise in the Legislature and debate anything; I'm pleased that it is the Water Opportunities Act.

**Mr. Gilles Bisson:** Let the whip know you need more time. I want to hear you.

**Mr. Peter Shurman:** You want to hear me?

**Mr. Gilles Bisson:** Yeah.

**Mr. Peter Shurman:** You'll get a chance.

This is the Water Opportunities and Water Conservation Act, Bill 72, that we're talking about today. The first thing that came into my mind this morning, as I thought about debating this bill, is that the middle word of Water Opportunities Act is "opportunities." Opportunities, in the context of the government of the day, is code for "taxation." It's an opportunity to tax.

It's a good day to be looking at this act. As I thought about what I would say this morning, I took a look at a government website called the Environmental Registry and the description of the act. The first paragraph says that Bill 72 was introduced, received first reading, back in the spring, in May, and, if passed—which I always find strange: if passed? Do the math: There are 70 of them, 25 of us and 12 NDP; I think it'll pass—by the

Legislature, "the act would establish a framework to drive innovation, create economic opportunities, sustain water infrastructure and conserve Ontario's water. It would lay the foundation for new Ontario jobs and make our province a North American leader in the development and sale of new technologies and services for water conservation and treatment."

I read that this morning and I thought, "Boy, if I were a member of the public and reading that for the first time, I would say to myself, 'Aspirations, indeed. What a terrific idea.'" But then I might pick up a newspaper that doesn't ordinarily get delivered to the Shurman home, the Toronto Star, and I might read a story that appears this morning that begins like this:

"Great Lakes pollution is getting worse because sewage systems are outdated and Ontario's north is turning into a Wild West for miners and forestry companies, warns Environmental Commissioner Gord Miller.

"His annual report slams Premier Dalton McGuinty's government for talking a good game on the environment but not following through, putting at risk everything from drinking water to air quality and wildlife."

It goes on to say, "It's been 27 years since the province tightened cleanliness standards for sewage treatment plants emptying waste water into the Great Lakes—a major problem because of the fast-growing population in southern Ontario.

"'We have the technology to treat the sewage to very low concentrations,' Miller said, noting the Americans have done a better job through their Clean Water Act and have cleaner beaches and shorelines than Ontario."

It strikes me that it's the Americans that have the economic problems that dwarf ours these days, and we're looking at Bill 72, the Water Opportunities Act. I think I'm beginning to sound like a broken record speaking to these bills. This bill is not particularly different than any other bill that comes under the general heading of environment that has been introduced by this government. The bill states some principles, some aspirations—they sound pretty good. The government spins what they say the bill will do, but without that detail in the bill, no one can honestly say what the bill will or will not do. So the conclusion that people on this side and, for that matter, members of the public, have to draw is that this government, after seven years of its watch, has not only sold Ontario down the river but is now ready to sell the river. That's the Water Opportunities Act, Bill 72.

So all we can do is go on precedents; all we can do is go on experience. As economic development critic for the Progressive Conservative Party of Tim Hudak, I must

say that the portion of the bill that most interests me is the creation of a corporation called Water Technology Acceleration Project, or TAP. Boy, does this government love acronyms—TAP. The objects of the corporation, as stated in the bill, should give Ontarians great pause. The first object is to promote the development of Ontario's water and waste water sectors. Boy, that Star article this morning that comes from the report issued by Environment Commissioner Miller yesterday does say it all.

#### 0910

The Liberals have said this does not mean selling Ontario's water resources or increasing water-taking permits, but what concerns us is that they haven't said what it does mean. If Ontarians want to know what this bill is really all about—let's be clear: This is the Green Energy Act for water. I want to call the attention of particularly those of us who are concerned about the environment—I would hope it's everybody—and those watching on television, with particular reference to your concerns about the environment. This government, the government of the day, would like you to believe that if you didn't support the Green Energy Act, then you don't care about the environment because you don't care about green energy. The quick jump from that is, if you don't support this act, then you don't care about clean water. Those conclusions would be patently untrue.

These acts are being passed with a view to what? This Legislature probably has—I haven't done the count—less than 90 sitting days left before it dissolves sometime in the early spring and we move into election mode. So this legislation and anything else that's presented are really meant as feathers for the nest to present a platform on the part of the Liberals who seek re-election on October 6, 2011, and who I can say are going to have a heck of a time doing it. In any event—I digress—the bill has not stated what it truly means. Fresh water is described by some as the oil of the future. There is no doubt that the lakes and streams and the adjacency to the Great Lakes makes Ontario an interesting place if the goal is fresh water. With the abundance of fresh water in Ontario, the rest of the world looks to us for leadership.

If the rest of the world comes knocking on Ontario's door looking to pay basically a king's ransom for Ontario's water, what do you think the McGuinty Liberals would do? Again, we have to look at the past in order to get an indicator for the future. Let's look at the recent past and let's look at a deal that was made in aid of promoting renewable energy in the province of Ontario. The Samsung deal has shown Ontarians that the McGuinty Liberals will sell out this province and its people at the drop of a hat: "We need wind energy. If you don't support the Green Energy Act, you won't get wind energy; there's no other way to do it. Let's take seven billion of your tax dollars, send them to Korea and get a company that makes fantastic cellphones, marvellous computer screens, and they'll come in and build us a wind technology infrastructure the likes of which you've never seen." And they'd be right about "the likes of which you've never seen," because at the point that

Samsung was announced as part of our wind technology plan—their wind technology plan—Samsung had one wind turbine operating in California on a test basis because, although it may be a great big company, it hadn't entered the wind area at all. This is the group—not Samsung particularly, but the Ontario government under Dalton McGuinty—that would take and clean up our water.

The irony is that a king's ransom is not being paid by some foreign multinational; it's being paid by the taxpayers of this province. Jobs get exported to a foreign country. So let's export the jobs and let's export the water.

Ontarians pay the price many times over: the loss of good-paying jobs in Ontario to a foreign national. Look over the course of the last year—just the last year; forget about the entire three years of this term and the four years before that, that the McGuinty Liberals have been in charge. We have been told over the course of the past year under the aegis of the budget, under the aegis of the Green Energy Act and certainly, most recently, under the aegis of the harmonized sales tax, that there would be a million new jobs created in the province of Ontario over the course of the near to medium term. We don't see jobs being created. We see employment figures published on a month-by-month basis—my office particularly tracks them—and we have a huge net loss and continuing accumulated losses on a month-by-month basis. At the same time, as we saw the other day, we have a couple of consecutive months now, since the HST was introduced, where the consumer price index in the province of Ontario outstrips by quite a substantial margin all other provinces—in the province of Ontario.

**Mr. Jeff Leal:** You're wrong.

**Mr. Peter Shurman:** You can protest all you want; the figures speak for themselves. It's not me saying this; it's Statistics Canada.

And let's not leave it to that alone; let's look at our energy bills. Anybody who has opened their electricity bill over the course of the past couple of months knows that there are four new line items that they have to contend with. My constituents report increases at or in excess of 50% at this point, over what they used to pay. If these are the tenets that we have to refer to in terms of the past so that we can try to discern what the future might look like, we're in serious trouble.

This is more than just passing commentary; this is devastating. It's devastating on two particular ends of the demographic spectrum, which causes me and should cause anyone sitting in this chamber great concern: It's devastating for young families, because young families are the people who struggle to make the mortgage payment every month because they want to make sure that the family home, the primary and most significant asset in most people's lives, is protected; and it's devastating for seniors on fixed incomes who have already had to sustain major hits over the course of the past couple of years because the recession has hit them. They may not have what they used to have in what is commonly known

by the term “nest egg,” and they get hit with what? Incredibly accelerated hydro bills, with a prediction from independent studies that these will rise at approximately 7% a year over the course of the next five years. They get hit with a harmonized sales tax—and now estimates that whatever this water bill is going to do, it’s going to cost you more.

One of the things that it purports to do is mandate municipalities to fix aging infrastructure. This is something that should have been done a long, long time ago and on an ongoing basis. Twenty-five per cent of the water that is distributed in our municipalities is the estimate for spillage in the infrastructure we’ve got now. So 100% of the water that goes into the system results in 75% getting to you and 25% going into the ground—witness the sinkholes that occasionally appear in various places in our province, not least in the area of Toronto, when pipes that are too old burst. The McGuinty government would tell you, “Well, that’s why we introduced the bill. Part of it addresses the whole infrastructure question.” Guess who’s going to pay? You are, taxpayers: You’re going to pay. And the instantaneous response might be, “Well, that’s who should pay. Taxes pay for replacement of infrastructure.” Of course they do. But the tax burden on Ontarians at this point is just too much to bear. We can’t pay any more. And that comes down to how you use the money that you’ve got. It comes down to the McGuinty government saying, “This is our money. We’ll distribute it any way we want. It’s our set of priorities, at least for the course of this four years, so we’re going to set those priorities, and we’ll cover infrastructure; we’ll cover anything we’d like to do.” That’s how we resulted in a \$20-billion deficit last year, this year and predicted somewhere in that territory for next year. Ontario families can no longer pay.

**0920**

As economic development critic, I’m pretty concerned about what soaring hydro rates will mean to keeping businesses in Ontario. I have to add to that soaring water rates, which are around the corner, because make no mistake: This bill will pass. This is the last day, I would estimate, of debate on this bill. It will be put to a vote, it will pass second reading, it will make it speedily to third reading and it will become law. Then we’ll find out what it really wants to do.

The hallmark of Ontario’s success economically has been the availability of an affordable, reliable energy supply. I use energy continually here as the example because energy and water are irrevocably locked together under the general heading of environment. That’s why there’s a statue erected to Adam Beck, the father of hydroelectricity in Ontario. Skyrocketing hydro costs are making Ontario less and less competitive, where businesses are concerned; it’s already happening. What’s going to be the situation when the costs are brought to bear to implement whatever this bill winds up being by the time the regulations are applied? What’s going to happen to our competitive situation? And I won’t say “edge” because I don’t believe it to be an edge.

I can tell you, again with my economic development hat on, that I get visits from stakeholders who use water and who use energy in the province of Ontario. What I hear are allusions—and maybe I could use a stronger word than that—to the fact that we’re getting to a tipping point. And I’m not talking about small businesses; I’m talking about significant industry and I’m talking about first-hand information that says, “You know, if you keep doing this to us, there are other jurisdictions in Canada, there are other jurisdictions in the United States where we can or even where we do have plants, where we can do the same things that we do in Ontario, where labour force is available, where energy is in abundant supply and where it is relatively cheap.”

Let’s not forget that when the Green Energy Act was originally introduced, then-Minister Smitherman said that the bill would only raise energy rates by 1%—in this chamber a year and a half ago. It was déjà vu when the environment minister said that this bill was not about raising water rates, since those rates are set by municipalities. What are municipalities to do when there’s a mandate coming from Action Central here at Queen’s Park that says, “You will do this. You will do it now. Oh, and by the way, you raise the money, because we don’t have it to give to you”? That’s what we’re talking about. People know that. People at this point, even at the general population level, know that when legislation like this comes out of this chamber, ultimately, it means my pocketbook—mine, as an Ontario taxpayer. Given the track record on the Green Energy Act and on hydro rates only one year in, Ontario families and businesses should really be bracing themselves for what this legislation is going to do to their water bills. It makes Ontario’s business environment just that much less competitive. It will drive more businesses out of Ontario to cheaper jurisdictions.

The second objective of this new corporation that will be created is to assist in the commercialization of clean water technologies. That begs a number of questions, questions like: Why does government need a bill to do this? Why can’t it just be done? Why does government need a new corporation to do this—a new corporation, which means what? More overhead, more staff—an already-bloated bureaucracy that will become that much more bloated as a result.

With a \$20-billion deficit, why does this government keep looking for ways to spend money that, let’s face it, it really doesn’t have? In what alternate universe can this type of expenditure be a priority when emergency rooms are closing and hospital services are being cut, when nurses are being fired and when children with serious mental health issues are languishing on waiting lists?

This is the way I’d like to end this presentation. This is about the word that this party has been talking about for a period of years now, when it comes to the McGuinty government. It’s about priorities. It’s about what you say you’re going to spend the pool of money that you have on; it’s not about what you’re going to do going forward with a pool of money that is not available to you but you’re going to spend anyway. So prioritization dictates

what you do, and prioritization is not in the lexicon of the government of Ontario of the day. For that reason, I will not be voting for Bill 72.

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

**Mr. Gilles Bisson:** I want to echo some of the comments that were made by my good friend—I'm sorry; I don't know the riding, Mr. Shurman.

**Mr. Peter Shurman:** Thornhill.

**Mr. Gilles Bisson:** Thornhill. I know we can't give the names, but it takes me a long time, after 20 years, to know the ridings in this place.

I just want to say that he's right when he touches on the issue that folks back home are really feeling the pinch, and that is the point that Andrea Horwath and New Democrats have been raising day in and day out. If you don't get whacked on the HST when you buy fuel for your truck, if you don't get whacked by a smart meter when you get your hydro bill, if you don't get whacked by a new water tax that will be coming your way soon—I don't know what's happening, but at the end of the day people are really feeling the pinch of this government's intrusion into their pockets.

I think people are saying, "Listen, we understand that governments have a responsibility to do a number of things," including ensuring that we have safe drinking water and that we have an infrastructure that works, such as a health infrastructure, a social infrastructure and hard infrastructure, but how much can the individual family, how much can the individual person take when it comes to the pressure that that puts on one's pocketbook?

I can tell you, in my constituency offices across my riding, from Timmins to Peawanuk, it's much the same. People have been receiving their hydro bills. They are beside themselves at the point to which these bills have gone up—to extraordinary amounts; over 100%, in a lot of cases. They look at the smart meters in our area that are now going to start applying the differential rate during the day. Supposedly we're going to have to do our washing and our cooking some time at 2 o'clock in the morning when everybody else is sleeping.

People are saying, "Listen, enough is enough. When is somebody going to speak up for me? When is somebody going to say, 'Listen, you need a break and we're there to do it for you?'" Certainly, this Liberal government has not been doing that.

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

**Mr. Phil McNeely:** I'm pleased to respond to the member for Thornhill on the Water Opportunities Act, 2010. Already this program has projects moving forward in small municipalities under 5,000 people. That was announced at the municipalities meeting in August. They're looking for sustainability in these small systems, which are very difficult to run efficiently, and conservation of water. They're looking at what their pumping costs are, what the costs of the leakage from the systems are. Sustainability, of course, is very important. There are \$75 million going to those small projects in municipalities

under 5,000. They're trying to get some of them together that are very small. These are issues that are very important. They cost a lot of money when there is a breakdown.

A party that has brought Walkerton to us should not lecture this government on what we've done. I spent 35 years as a consulting engineer in this province, often associated with water and water services. It's about looking at the energy costs, at the efficiencies, at conservation of water. We pump 30% or 40% of the water and it's lost in our pipe systems; it does not arrive at the tap.

We must be looking at these systems in a different way than we have in the past of just pumping more water through leaky pipes. The challenges for the taxpayer dollars are many, of course, and we have a lot to learn about the conservation of water and better use of this finite natural resource.

We arrived at this situation after 100 years of development, and there was a lot of pollution of our air and water. Replacing infrastructure is not easy, but this government has done a lot. We have not only been talking, we've been doing, and we will continue to replace—

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

**0930**

**Mrs. Elizabeth Witmer:** I'd like to take this opportunity to congratulate my colleague the member for Thornhill, who is also our economic critic and does an outstanding job, for the presentation he made this morning on Bill 72, an act to enact the water opportunities act in respect of water conservation and other matters. I think he made some excellent points. Some of them that I would like to reiterate: the fact that a bill of this nature obviously sounds great on paper, just like your Green Energy Act did and maybe other acts did, but the reality is that there's going to be a tremendous cost, not only for families but also for businesses, large and small. This bill, like the Green Energy Act and also like the HST, is going to make this province much less competitive.

This takes me back to 1995, when our government assumed power. This province had become totally, totally uncompetitive in the global economy. We were losing jobs, and there was simply a barrier around the province. You are constructing that same barrier, because we've already seen the increase in energy costs. Whether you are a household or a business, we know that some of the prices have gone up 50%. It's simply unaffordable. Your act has created this situation. When we take a look at energy, we need to always keep in mind, "Let's do what's affordable and let's do what obviously creates a reliable supply of energy." You're simply not doing that.

So we look at this bill. Again, you pretend you're doing what's in the best interests of the residents in this province, and you just are not, because you are going to force municipalities to raise their taxes.

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

Seeing none, the honourable member from Thornhill has two minutes for his response.

**Mr. Peter Shurman:** Thank you to the members for Timmins–James Bay, Ottawa–Orléans and Kitchener–Waterloo for their comments with regard to my presentation. The first thing I would say, particularly to the member for Ottawa–Orléans, is that when it comes to lecturing, don't lecture me about Walkerton. Walkerton wasn't caused by any Progressive Conservative government; Walkerton was caused by somebody who had too much liquor and was responsible for controls. You know it and I know it, and I'm tired of hearing history lessons from a government on the other side that continues to enact legislation that turns our province into a wasteland, while Saskatchewan and British Columbia and Quebec overtake us, because you don't understand how to progressively legislate and how to put tax structures into place that attract business to our province. Instead, you tax the taxpayers and try to make it happen that way. The truth is that if you want—I'll read another newspaper to you, one that is not the Toronto Star. Here is the Toronto Sun this morning:

"Deteriorating water quality in the southern Great Lakes, the unchecked health and well-being of far northern caribou herds and slack rules for locating large natural gas plants were among concerns raised by Ontario Environmental Commissioner Gord Miller in his latest report." And it goes on, the point being that you people, the Liberal government of Dalton McGuinty, have been on watch for the past seven years. Don't look historically at what happened. The legacy of the Harris government is one outstanding job of creating a million net new jobs in the private sector. You people have done nothing but lose jobs, and how you've done it is by making our province as uncompetitive as it could be and now doing it even more so by taking taxpayers, particularly Ontario families, and putting them behind the eight ball on a consistent basis by enacting legislation like this.

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

**Mr. Gilles Bisson:** I don't want to take a lot of time, but I just want to put on the record a couple of things that I think need to be part of this debate. That is, to the degree that municipalities are struggling in order to pay for water and sewer infrastructure, we all know that there have been changes to water regulations in this province—for good reason—as a result of what happened out of Walkerton. But the pendulum has really swung very hard on the protection side—which we all understand; nobody argues that there shouldn't be protection. But it has forced municipalities and it has forced private landowners to make fairly significant investments in their water systems and their sewage treatment systems in order to be able to meet these new regulations that are out there. All I can tell you is that there is hardly a community in my riding—and I would imagine it's the same in most other members' ridings across this province—that isn't struggling to figure out where they are going to get the money to pay for the work that needs to be done.

I look at the city of Timmins as an example, which has a \$60-million water project that they want to get moving

forward on. To the credit of both the federal and provincial governments, they've both put up the \$20 million. But where does the municipality come up with the \$20 million, where you're a municipality of 45,000 people and you have other infrastructure projects that are screaming for investment, everything from roads to fixing up the roofs on buildings etc.? It is very, very difficult for municipalities to come up with that money. On top of that, in the city of Timmins we're having to redo our sewage treatment plant, which is going to be a very expensive project in itself. The bottom line is, it's going to fall back on municipal ratepayers and it's going to fall back on provincial and federal taxes, which means to say that we're all going to pay for it through our pocketbooks yet again.

It goes back to the point that I made earlier, which Andrea Horwath, as the leader of the New Democratic Party, has been raising, and that is: People understand. People are a lot smarter than we sometimes give them credit for. They get it. There need to be good rules when it comes to water and sewer treatment, for good reason. They get it. There needs to be a good health infrastructure that yes, we understand, costs money. They know when they're sick or a family member is sick and they show up at the doctor's office or the hospital, they want the best of services for that person or for themselves, in the event that they need to turn to our health care system.

But there comes a point when you can't afford to pay any more. What we're starting to see—and I think you're seeing it in this municipal election with what's happening with the mayoralty candidates in the city of Toronto. I think we're going to see it in the next provincial election and probably the next federal election. Certainly, you're seeing it in the United States with this Tea Party phenomenon. I don't see it so much as a shift to the right. Some people would like to categorize it as, "Oh, it's because they're all coming back to the right wing and there are going to be right-wing zealots running the country yet again. We'll be so much better off." I don't think it's the case. The issue is that people are saying, "Yes, those things need to be done, but do they all have to be done now?" And more importantly, "Let's first of all make sure there's a capacity to pay before you start making decisions about spending this kind of money by changing the rules that force these types of investments to happen."

I can tell you, as a ratepayer in the city of Timmins—I own a home and I own a cottage in the city of Timmins. I pay twice to my municipality for two different properties. It's an expensive thing. And I understand. I've got to pay municipal taxes. I get it: I understand it costs money for the municipality to run the services that connect to my home and that my children and our own family have used when it comes to going to get them. But there's only so much I can pay, and I make a pretty good buck. I make 130,000 bucks a year working here. If I'm starting to feel it, as a person who has upper-middle income—I would probably say higher middle-income—imagine how those folks at the lower end of the income scale are feeling.

There are many people in our society, in our communities across this province, who are working for far less money than we MPPs and others who are fortunate enough to make the kind of money that we do. They're working for \$14-an-hour jobs because the \$26- and \$30-an-hour jobs that used to exist in industry are no longer there. A lot of these people have gone into the service industry, where they're working for \$14, \$15, \$16 an hour. They're trying to maintain their homes, pay their mortgages, pay their hydro bills, pay their water bills, feed their families and put their kids through school. They're just feeling the pinch. Again, I say, if you see the Rob Ford phenomenon going on in the city of Toronto, I don't see it so much as a right-wing thing; I just see it as the voter and the taxpayer saying, "Hold it. I just can't take no more."

I was flying back to Timmins last Thursday, as I do travelling to and from my home to Queen's Park every week, and I was sitting next to a woman. I won't say what her name is because she didn't give me permission to use this conversation publicly, but it really struck me, because it exemplified what a whole bunch of people are going through. Here's a woman. She's 49 years old. She and her husband have three kids, one who's just entering college and two others who are in high school. He used to work for the Ministry of Natural Resources in the department that basically did the electronic stuff for the ministry—telephones, radios and telecommunications—that kind of stuff. The MNR, in their wisdom, decided to privatize that service, so he was shifted to the private sector, with the successful bidder who got the contract, to do that work.

Within a year of being shifted out to that private contractor, he became ill. He has a heart condition. He's not able to work because they're not able to operate on him for some very complex reasons, and he's not able to exert himself because he'll have another heart attack. No benefits with the employer. That's the new reality. That's the new job people are going to. People are being hired by people who pay them far less than they used to make in the old, traditional jobs in industry and government. They're working at jobs that have little or no benefits. In this case, this guy has no benefits when it comes to a sick plan or long-term disability, other than what the employment insurance system provides him. So they have lost the income, he is out of EI and his wife is the only one who works.

**0940**

Now, she is a bookkeeper who used to work for a company that has since gone under because of what has happened in this recession. Why do I meet her on a plane? Because she's flying back from Fort McMurray. She flies to Fort McMurray on a three-week rotation, where she works 12 hours a day for \$14 an hour, and then—luckily her employer pays for her flight—she comes back to Timmins for a week that she can spend with her family. She said to me on the plane—and I think this is worth repeating—"You know, I'm 49 years old. My husband is 51. We have three kids. We thought,

when we set out, that at this point in our lives, life would be a little bit easier. And do you know what? It's gotten harder."

We continued the conversation and she said, "Do you know what I've got to do this week? We're really excited. Our oldest daughter has gone to college, and she's been accepted in a nursing program in the city of Timmins. We can't afford the cost of tuition"—she's not able to get the kind of OSAP support you would normally get because the income she has doesn't allow her to get the full amount—"so we're having to remortgage our house. We thought that at this point in our lives we'd be looking at staring down the last four or five years of mortgage payments so that we could be in a position to start thinking about our retirement." She said, "I don't know. I'm 49 years old and I feel like I'm 21 starting all over again."

So I just say to this government: I understand why the government is excited about announcing new programs that are going to do these great and wonderful things, but this woman I sat next to on the plane the other day is not very impressed. She just says, "Listen, I just want to know that it's going to get better, and I feel that it's getting worse. The only thing I know, when I open my hydro bill, when I go to get gas at the gas station, when I buy food at the grocery store, is that I get my paycheque and I make less money than I did before and I pay more out of my pocket now. I want life to get easier."

I think that is what Andrea Horwath and New Democrats have been trying to tell you for this last little while. The Liberal government is not an evil bunch of people sitting there trying to do dastardly things that maybe the right wing would like to portray you as. But I think we need to live within our means. We need to be able to say that, yes, these are important things to do and, yes, they need to be done, but maybe we don't do them all at the same time, maybe we don't do them all today, maybe we do them in a staggered way, when we're better able to afford to do them.

So I say to the government that this is an interesting bill. I'm not going to vote against this bill, because I think it's interesting enough to send to committee. But I'll be interested to see what the public has to say once it goes to committee, because the difficulty in the end is, can the taxpayer afford to pay more at a time when we're feeling that we're falling behind?

So on behalf of New Democrats and the leader of the Ontario New Democrats, Andrea Horwath, I just put out a plea: Let's make things easier for folks, for a change, so they can dream that tomorrow is going to be a better day and we don't have to continue on the downward spiral that we're all feeling in our family incomes.

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

**Ms. Helena Jaczek:** I'm certainly pleased to rise and comment on the remarks made by my colleague from Timmins—James Bay. Certainly, on our side of the House, we are extremely sensitive to many of the issues that the member described. We know that many people in

our society are truly hurting. The type of economic conditions we faced—a very difficult, deep recession—are ones that our government has taken extremely seriously. Of course, we have put in place measures that economists have recommended, in terms of stimulus funding and so on. But we know that people are being very frugal—the case that was described clearly illustrates that—and we want to remind people with this bill that they in fact have an opportunity to be frugal with their water.

Just to remind the member, the average person here in Ontario uses some 267 litres of water per day. If we compare that with the average in countries such as Germany, the Netherlands and France, people use only some 150 litres per day. There are opportunities for people to move towards what is clearly possible with water-efficient fixtures. Part of the bill relates to changes in the building code. We're looking at, certainly, new homes having toilets that flush only 4.8 litres compared to the current six litres. There will be labelling on products so that people can make a choice as to what is the most efficient system they can use.

There are many issues related to this bill. I feel this is a good step forward. It will allow individuals to save water, and that's a good thing.

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

**Mr. Peter Shurman:** It was very interesting listening to the presentation by my friend from Timmins–James Bay, who amplified on a theme that I raised and I think that everybody on this side of the House is raising. People who watch us at home draw the automatic conclusion that because my friend from Timmins–James Bay is from the New Democratic Party and I'm from the Progressive Conservative Party, we couldn't possibly agree on anything. Nothing could be further from the truth. We may come from different segments when it comes to how you fund things and how you disburse funds, but we come from the very same place when it comes to the issue of how individual Ontario families deal with the exigencies of running those families.

He talks about encounters that he has had with people—he mentioned somebody on an airplane. I have encounters too, and I don't represent a riding as rural or as vast as my friend. I represent a riding that we can get to from this place by driving in a car for 20 minutes—Thornhill. Thornhill is known as one of the richest ridings in the province. It has an average household income in excess of \$100,000, so we're talking about people—sure there are poor people in Thornhill as well—but an average household income in excess of \$100,000.

When I took office in 2007, some people talked to me about making ends meet. Now, three scant years later, many, many people talk to me about making ends meet. They talk to me a lot about what happens when they open their hydro bills. They talk to me a lot about six cents, five cents plus HST for garbage bags. They talk to me a lot about what this water bill may mean ultimately, because we calculate that the number that will be attached

to what they pay for water now through their water taxes and through their municipal taxes could be in the \$700 to \$800 additional range. People cannot afford any more. That's the message that this government has to take, and it's the one we'll discuss next year.

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

**Mrs. Maria Van Bommel:** I also want to add my comments to those of the member for Timmins–James Bay. I think all of us recognize how sensitive water is. The whole issue of what happened with Walkerton, when we hear about “boil water”—we know that we have a very fragile resource here that can be contaminated and can become almost dangerous very quickly. We need to make sure that we protect that in every way possible.

For most of us, as Canadians, because we see it around us so much, as we drive along—my husband and I did a road trip. We went into northern Ontario. You see nothing but pristine lakes there, and you think, “How can we talk about such a vast resource being in such danger?” Yet we know from our experience with Walkerton that it is in danger and that it's very possible, and we do need to do everything we can to protect it.

The member from Timmins–James Bay talked about municipalities and the cost that municipalities are experiencing. I remember, as a municipal councillor in a very small township, the kinds of things that had to happen, the kinds of discussions we had at the council table and the reluctance that some of the members and the councillors had in terms of making the proper, adequate and right decisions around increasing property taxes. We avoided doing those kinds of things because we were afraid to raise property taxes. There's a consequence that comes with that. That means that, after a while, you're behind; you're not taking care of the infrastructure the way you should. Then, all of a sudden, you're faced with a dilemma where you have to do something about the sewers, you have to do something about water, and suddenly you're putting this on to the tax base and it comes on in a big chunk. So, in some respects, we need to be responsible and take responsibility as councillors—

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

**0950**

**Mrs. Christine Elliott:** I am pleased to add a few comments to the Water Opportunities Act discussion that we're having this morning, just to add to some of the excellent comments already made by my colleagues the members from Thornhill and Kitchener–Waterloo.

I would like to say, to start, that this is just another piece of legislation that this government is famous for introducing: something that sounds good, something that sounds green. How could you possibly not be in favour of clean water? Well, of course we're in favour of clean water. We're in favour of developing clean water technology. But, right now, in the economic climate that we're dealing with right now, how can we possibly say yes to something—another government agency, another bureaucracy—where a cost has not yet been established?

We don't know what this is ultimately going to cost the taxpayers of Ontario, and I think if we're doing our jobs as responsible members of this Legislature, we need to have that information.

We've heard the perspective from the member from Timmins–James Bay, who has a vast northern riding, and we've heard the perspective from the member for Thornhill, who has a more urban riding. I represent a suburban riding, Whitby–Oshawa, and I can tell you that that is a place where most of our population commutes into the city every day. We have vast problems with transit, with infrastructure, with getting services coming to our neck of the woods, with the 407 being extended. These are all priorities that make a big difference to people in their day-to-day lives, but we're not dealing with that here. We're dealing with an idea of some wonderful green energy that sounds really good and that we can talk about up here while we're not dealing with the problems that make a difference in people's day-to-day lives.

So I urge this government: Let's start talking about it; let's start talking about the 407, how we get it extended to 35/115. Live up to the obligations that you've already set for yourselves. Once we finish with those, let's talk about something else, but let's do what we really need to do to get this province moving again.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Timmins–James Bay has two minutes for his response.

**Mr. Gilles Bisson:** I want to thank all the members for responding to what I had to say. In closing, I just want to say that people are finding it tougher and tougher, and what this bill is going to do in the end is create some sort of an organization that's going to figure out how we can ration water so we don't use as much. But the buzzword, at the end of the day, is that they're going to pass the bill on to the consumer.

So all Andrea Horwath and I are saying as New Democrats is, people have just had it. There's just so much ability to pay, and they're saying, "Listen, make sure that, first of all, you manage what you have now." We're in a recession. People understand that when their family incomes go down, they have to make some hard choices in their budgets, and the provincial government has to do the same. Maybe some of the things that you're trying to do which are good ideas—I wouldn't argue that this is not a good idea. It really needs to be well thought through and making sure that number one, if it's done, it's not going to cost more for the end user, and number two, if it is going to cost more for the end user, that we maybe put it on hold for a while until people can afford to pay.

This is not the first initiative of this type that this government has done. You put the smart meters on. Why? You said, "Because we want to conserve energy." Conserve, my eye. It's not about conserving energy; it's about socking people with a higher hydro bill, and people can't afford to pay. We have seen it with Stewardship Ontario, where the government said, "Oh, well, you know, we're going to make sure that we're able to have a

system that deals with making sure that we invest in recycling, reusing and repackaging etc. so that we lessen the impact on the environment." What ended up happening? It was a fiasco this summer, and it continues to be a fiasco. People are fed up, and are saying, "I work harder, I make less money, but the costs are going up," and this Liberal government has to understand that they're going in the wrong direction when it comes to passing all these costs on to the consumer. I'm with Andrea Horwath. This has got to stop.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Seeing none, orders of the day.

Ms. Smith, on behalf of Mr. Wilkinson, moved second reading of Bill 72, An Act to enact the Water Opportunities Act, 2010. Is it the pleasure of the House that the motion carry?

I heard some noes.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

This vote will be deferred until after question period today, during deferred votes.

*Second reading vote deferred.*

**The Acting Speaker (Mr. Jim Wilson):** Orders of the day.

**Hon. Gerry Phillips:** No further business.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Phillips has indicated "no further business."

This House stands recessed until 10:30, at which time we'll have question period, hopefully.

*The House recessed from 0955 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Frank Klees:** I want to welcome to the east gallery my constituents Mr. Peter Hughes and his wife, Melodie Hughes. Welcome to Queen's Park.

**Mr. Gilles Bisson:** I'd like to welcome today Harold Wilson, who is with the Thunder Bay Chamber of Commerce, who will be awaiting with anticipation the vote on Bill 191.

**Mr. Jim Brownell:** In the public gallery, I'd like to welcome the Knights Templar delegates from around the world who are in Canada for the international convent and investiture. It is the Priory of St. James, Knights Templar of Jerusalem, hosting for the first time in Canada this convent and investiture. Welcome to Ontario and welcome to the Legislature.

**Ms. Leeanna Pendergast:** This morning I'm pleased to welcome in the west gallery Len Rempel from New Hamburg in the township of Wilmot, from the riding of Kitchener–Conestoga. Len is the father of Emily Rempel, one of our pages. Welcome this morning, Len.

**Hon. Deborah Matthews:** I am very pleased to welcome members of the Pediatric Oncology Group of Ontario, better known as POGO, with us here: Dr. Corin Greenberg, Dr. Mark Greenberg, Ian Kennedy, Madeline Riehl, Susan Portner, Barbara Dyce, Vanessa Jakobson,

Jacqui DeBique and Bruna DiMonte. I know all members are very happy to have POGO joining us today.

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to thank, in the Speaker's gallery today, Gloria Richards, the Speaker's apartment coordinator, for her 40 years of service to the Legislative Assembly of Ontario, to the members and to all the Speakers she has assisted. Thank you, Gloria.

*Applause.*

**The Speaker (Hon. Steve Peters):** See, we all love you, Gloria.

#### WEARING OF RIBBONS

**Hon. Deborah Matthews:** Speaker, I believe we have unanimous consent that all members be permitted to wear ribbons in recognition of Childhood Cancer Awareness Month.

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

Seeing no further introductions, it's time for oral questions.

#### ORAL QUESTIONS

##### ELECTRICITY SUPPLY

**Mr. Tim Hudak:** My question is for the Premier. Premier, you have turned the Ontario Power Authority, the OPA, into the eHealth of the Ontario energy sector. While Ontario families get stuck with the bills, the Ontario Power Authority has ballooned from some 15 to 300 bureaucrats, and they can't get the basic job done. They've not produced the long-term energy plan yet, despite five years on the job, but they seem to be more than happy to be the propaganda arm for your expensive energy experiments.

Premier, why is it that after five years, the OPA has yet to show itself up to the job but excels at expensive ad campaigns and spin for the McGuinty Liberals?

**Hon. Dalton McGuinty:** I just can't share my honourable colleague's negativity when it comes to the electricity circumstances in the province of Ontario. I think the people at the OPA have done quite a good job of helping to develop a long-term plan.

Again, my honourable colleague knows that in fact there is a long-term plan on the books. It's 20 years long, and it requires that every three years, we revise that plan in keeping with the then projected outlook.

The good news in Ontario is that we in fact have a long-term plan. They did not have one. We're investing heavily in new transmission and in new generation. There are costs associated with that. We understand that those costs have consequences for our families. There are a number of things that we have done with our families. We will continue to look for ways where we can work together with families to help them manage their electricity bills as they go up. But our single most

important responsibility is to make sure the lights come on in the province of Ontario, and we will continue to do that.

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

**Mr. Tim Hudak:** Premier, let me give you some facts: The OPA bureaucracy has grown by 464%. The number of six-figure salaries across your government, as a whole, has gone up 134%—shocking enough, but at the OPA, Premier, a 1,300% increase in bureaucrats making more than \$100,000 a year. Despite the fact that the OPA has ballooned like this, you've spent some \$80 million in contracts and consultants beyond that, but they still have yet to produce the Premier's much-anticipated, forever-delayed energy plan.

Premier, why are families, who are stuck struggling with the bills, paying for your expensive energy experiments? What are they getting in return for the \$732-a-year more they are paying because of your poor—

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

**Hon. Dalton McGuinty:** I want to remind my honourable colleague of the mess that he helped create when they were in government. One of the things that they did was they left to our children and grandchildren \$19.4 billion in stranded hydro debt. Paying off that debt is a significant component of every Ontario hydro bill. Every single month, when Ontario families pay their bills, they have to pay something connected with the hydro debt. More than that, when they recklessly froze prices in the province of Ontario and passed that on to taxpayers, that cost Ontarians \$900 million.

We're not going there. We're acting responsibly, building new generation, keeping the lights on and working with families to keep their costs down.

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

**Mr. Tim Hudak:** Let's see, here, if we can pierce the Premier's bubble and keep him abreast of what's happening in the real world today. Ontario families are getting stuck with higher and higher hydro bills because of your out-of-control energy experiments. You have turned the Ontario Power Authority into the eHealth of the energy sector. Both have runaway spending, both have become a feeding frenzy for Liberal-friendly consultants, and the OPA is stacked with Liberal hacks and flacks. Just like with eHealth, friends of the McGuinty government are getting rich off the OPA while ordinary, hard-working families and seniors are getting stuck with the bill.

Premier, why didn't you learn your lesson? How did you let the rot of eHealth creep into the energy sector with your eHealth-style Ontario Power Authority?

1040

**Hon. Dalton McGuinty:** So far today, my honourable colleague has not advanced anything which has a foundation in fact.

When we talk about some things that are going up, I think it's important to understand that coal generation went up 127% on their watch. Carbon dioxide emissions went up 124% on their watch.

We have in place a plan to create 50,000 clean, green energy jobs. The first Ontario plant for Canadian Solar is in Guelph. It's creating 500 new high-tech jobs in Guelph. Heliene Canada will be opening a plant in Sault Ste. Marie shortly; they will be opening a solar module manufacturing plant. The Siemens company recently announced they're going to be building wind turbine plants as part of our Samsung deal; that's 900 new jobs.

I ask my honourable colleague: Why is he standing against electricity reform in the province? Why won't he join us and create those—

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

### HYDRO RATES

**Mr. Tim Hudak:** Back to the Premier and back to the real world: Premier, you know that your expensive energy experiments and your runaway taxes and red tape have chased some 300,000 well-paying manufacturing jobs out of our province, and you're not done yet. Every day, members of the Ontario PC caucus hear from hard-working families, we hear from seniors, we hear from people with disabilities who cannot afford your expensive energy experiments any longer. They're afraid to open up their hydro bills that sit on the kitchen table for days and days on end because they know your rates are going up. Premier, if you don't understand that, I suggest you get out of your bubble and talk to these families we hear from every day.

Will you call an end to your expensive experiments and heel the OPA, which has become the eHealth of the energy sector?

**Hon. Dalton McGuinty:** My honourable colleague is confronted with a responsible, sensible, progressive, long-term plan to ensure that we have electricity in the province of Ontario. I understand he opposes that, and given their record in government, I can see where they're coming from.

We understand there are costs associated with revitalizing and modernizing our electricity system. When we're done, we will have in fact revitalized over 80% of our electricity system.

There are things that we're going to do specifically to help Ontario ratepayers. I'll get into those momentarily, but in each and every instance where we proposed to help ratepayers, my colleague has opposed that. I'll get into those details momentarily.

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

**Mr. Tim Hudak:** Premier, here's the reality: Your expensive energy experiments are turning the lights off on businesses in the province and you're chasing seniors from their homes. The runaway OPA bureaucracy is resulting in skyrocketing hydro bills. Your smart-meter experiment has been nothing more than a tax machine to take more money out of people's pockets. All told, as you know, Premier, the Canadian Manufacturers and Exporters report that families will be paying an additional \$732 more per year as a result.

Let me tell you about some of those families. Families in Barrie, Richmond Hill and Markham will be paying \$60 more each and every month. Families in Toronto, Etobicoke and Scarborough will see their bills go from \$149 a month today to \$210 a month. Premier, why do you see Ontario families as an open-ended ATM for your energy experiments?

**Hon. Dalton McGuinty:** I say, with the greatest respect to my colleague, that I just don't believe his numbers. But I'll tell you about a few numbers which are very important. We are proposing an Ontario energy and property tax credit which, if passed, will provide \$1.3 billion every year in tax relief for families. My honourable colleague maintains that he will vote against this measure. They're for northern Ontario energy costs. We have in place a plan for up to \$130 for a single person and up to \$200 for a family every year. My colleagues will not be supporting this. Then there's our northern industrial electricity rate package, a \$150-million plan that will help reduce electricity prices for northern Ontario businesses by approximately 25%.

In each and every instance where we've put forward relief for ratepayers, business or homeowners, they vote against those measures.

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

**Mr. Tim Hudak:** Premier, the \$732 more a year families will pay because of your energy experiments comes from the Canadian Manufacturers and Exporters. You've heard me say that many times. And maybe you don't believe the manufacturers and exporters. Maybe you think they're making this up. But let me ask you to do this: Just go to see one family in Ottawa. Ask them to open up their hydro bill for you, and you'll see that it's going up from \$143 to \$205 a month. Just talk to one family in your hometown of Ottawa.

In Peterborough, in Mississauga, in Brampton, we'll similarly see bills going from \$138 to \$200 a month. And families in Lindsay, whose monthly hydro bill is \$167, will soon pay a whopping \$229 a month.

Premier, when will you rein in your expensive energy experiments, your eHealth experiment at the OPA, show some mercy on families and help understand what families—

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

**Hon. Dalton McGuinty:** We're not going to go back to the days of Conservative government irresponsibility when it comes to managing our electricity system. We're not going to put in place emergency diesel generators in our cities. We're not going to put homeowners and businesses at risk of brownouts and blackouts. We're not going to reopen our coal-fired generation, although they would like us to do that. We're not going to eliminate our Green Energy Act and the thousands and thousands of jobs that that is spurring on as part of the evolution of the Ontario economy. We're not going back there. We're going to continue to find ways to move forward.

We will invest in new generation, we will invest in new transmission, we will work with families when it

comes to conservation and we will work with families when it comes to these kinds of energy tax credits, which I would ask my honourable colleague to support.

#### HYDRO RATES

**Ms. Andrea Horwath:** My question is for the Premier. Ontario families are scrambling to deal with sky-high hydro bills. Does the Premier think it's fair to actually ask consumers to pay even more just to ensure healthy profits for hydro utilities?

**Hon. Dalton McGuinty:** I'm pleased to speak to this again. I think we really need to be focused in terms of what's happening to electricity in Ontario. First of all, rates are going up. My colleagues opposite are not prepared to accept that, and they're not prepared to understand why it is that that is happening. I take it that their implicit, if not shortly to be explicit, position will be that they're going to freeze rates; they're not going to go up one penny in the province of Ontario. And that, in a word, is irresponsible. The fact of the matter is that we have to make significant new investments in an outdated, dilapidated and rundown electricity system.

We're going to invest billions and billion of dollars in new transmission, new generation and new conservation. We're getting rid of coal; we're bringing in clean, green electricity; and we're going to harness the power of the wind and the sun and biomass. We're going to do something that our children will be proud of.

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

**Ms. Andrea Horwath:** Last year, the Ontario Energy Board held a hearing to decide if there needed to be any change in what is called the return-on-equity rate; in other words, how much profit utility companies needed. Independent Canadian experts at these hearings said that no change was needed, but American experts brought in by the big utilities said that profits should be higher and Ontario should be paying more for those profits. They won, and now households are on the hook for \$240 million in new profits.

Why should families, struggling with their bills, fork over an extra \$60 a year just to fatten the profits of already-profitable utilities?

**Hon. Dalton McGuinty:** What I can do and will do is speak to what we're doing here in the Ontario government. Again, we're going to put into place—and we'd love to have the honourable member's party's support in this regard—\$1.3 billion a year in tax relief for families in our new Ontario energy and property tax credit. That's something that we can do through the provincial government, and I would ask my honourable colleague to support that effort.

There's also our northern Ontario energy credit: \$130 for a single person and \$200 for a family. It would be great if we had the support of the NDP in that measure as well.

For a long time, they talked about the challenges faced by industries in the north when it comes to their electricity costs, so we put in place the northern industrial

electricity rate program. It's a \$150-million plan that will help reduce electricity prices for businesses by approximately 25%. Again, I would ask my honourable colleague to support that measure as well.

1050

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

**Ms. Andrea Horwath:** Well, something just doesn't smell right here. Finance experts from the University of Toronto and York University argued that the current formula was just fine, maybe even a little bit generous. The hired-gun American experts argued that utility profits were far too low in Ontario, that Ontarians should be paying more. The utilities got exactly what they wanted. Can the Premier now explain to hard-working Ontarians why \$240 million—\$60 per household—is coming out of their pockets just to pad the profits of these utilities?

**Hon. Dalton McGuinty:** I want to remind my honourable colleague of the NDP record when they were in government. They raised hydro rates by 40%. They built no new electrical supply in Ontario in five years. They paid \$150 million to cancel our lifeline with Manitoba. They voted against putting the Conservative price cap on and then they voted against taking the Conservative price cap off. They ended all conservation initiatives. Those savings would have equalled, had they maintained those in place, 5,200 megawatts by the year 2000. That is their record. We have a responsible record. It is not an easy record for Ontario families; we understand that. We're investing heavily in new generation and transmission. There are costs associated with that. We're going to continue to work with families to help them manage those costs.

#### HYDRO RATES

**Ms. Andrea Horwath:** My next question is also to the Premier, who actually needs to worry about his own record. Between smart meters that don't work, sweetheart deals for private power companies and of course the HST, families are being squeezed in this province. Harold and Sandra Douglas from Campbellford write, "For 62 days, from November 24, 2009, to January 25, 2010, our total bill was \$734.42 for hydro, a simply outrageous amount."

Mr. and Mrs. Douglas want to know: With all of the increases, how can the Premier justify hiking their bill by another \$60 by giving already profitable utilities another handout?

**Hon. Dalton McGuinty:** My honourable colleague says she doesn't like our plan to increase electricity supply in Ontario. She puts no alternative plan forward and she says she doesn't like ours. I take it from that that she doesn't like the fact we are eliminating coal-fired generation in Ontario. I take it from that that she doesn't like the fact that we are creating an entire new industry for clean and green electricity generation, creating some 50,000 jobs. I take it from that that she doesn't like the

new 500 high-tech jobs in Guelph being put there by Canadian Solar. She doesn't like the 300-some jobs that are going into Sault Ste. Marie, put there by Heliene Canada, who are opening up a solar module plant. She doesn't like the 900 new jobs coming from Siemens, which her own colleague is asking go to the city of Hamilton.

We will continue to find a way to work with families when it comes to managing their costs. We'll also keep moving forward to make sure we have an intelligent, long-term electricity plan in place for our homes and our businesses.

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

**Ms. Andrea Horwath:** I've actually heard from more Ontarians. Dorothy MacMenamin from Napanee says that her hydro bill has risen from \$90 in 2005 to \$171 today and writes, "I am angry." Josie Roberts from Perth writes, "At age 70, I'm feeling squeezed even though I own my own home, and stress adds to poor health in the future."

The Premier needs to explain to Ms. Roberts and Ms. MacMenamin why his government would raise utility profit margins, hiking their bills by another \$60, when experts said profit margins were just fine as they are.

**Hon. Dalton McGuinty:** It would have been nice had we inherited an energy system from the NDP and the Conservatives that was in a state of good repair, that was robust, that was dynamic, that was modernized, was not laden with debt and not dilapidated, but those were not our circumstances. Our responsibility in the face of those circumstances was to act responsibly. That's what we have done and that's what we will continue to do.

My honourable colleague says that we should freeze rates in the province of Ontario. That would not be helpful. That would not provide the assurance to our businesses and homeowners that they need to know, when they flick on the switch, the lights are going to come on. More than that, when the lights come on now, they're coming predominantly from clean, green electricity and they're also helping to create good, new jobs which Ontario families count on.

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

**Ms. Andrea Horwath:** I've said it before and I'll say it again: This Premier needs to start listening to Ontarians.

Jennifer Seebeck writes this: "I'm just worried because we bought a larger house last year and I've just found out that I'm expecting. In buying our house, we budgeted for a higher hydro bill, but I opened our bill the other day and it had doubled!"

Kelly Lynch from Oakville adds, "I received my hydro bill and it was \$800. I had just paid \$652 two months ago. Help me!"

As people like Ms. Seebeck and Mr. Lynch look for some hydro relief, why did the Premier allow utilities to hike the bills by another 60 bucks?

**Hon. Dalton McGuinty:** Again, I can't agree with my colleague, who is proposing that we freeze electricity

prices in the province of Ontario. That, in large measure, was what got us into this mess in the first place, because we didn't act responsibly and we weren't forthright with the people of Ontario, especially ratepayers.

The fact of the matter is, we inherited a system in a terrible state of disrepair. We were at risk of brownouts and a blackout. We knew we had to make some massive investments. We have done that and we will continue to do that.

At the same time, we're investing heavily in conservation. At the same time, we're bringing on line new jobs to create energy from the wind and the sun. We also want to work with our families, in particular, who are being challenged by these electricity rate increases. We understand that. If there was another way around this, believe me, we would have found it.

We've got to make these investments. There are costs associated with that. We will continue to find ways to work with families to help them address their costs.

## ELECTRICITY SUPPLY

**Mr. John Yakabuski:** My question is to the Premier. In just five years since the McGuinty Liberals created it, the Ontario Power Authority has spent \$223 million. Even though it was initially billed as a virtual and transitional entity, the OPA billed Ontario families \$35 million on concrete and capital projects. Families paid \$88 million for the OPA staff and board. They paid almost the same amount for consulting contracts.

The OPA isn't subject to freedom of information, so I have to ask, Premier: Has Liberal-friendly Courtyard opened an energy practice?

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

**Hon. Brad Duguid:** The Ontario Power Authority has been asked to assume a number of responsibilities around building stronger conservation, a well-planned, reliable, clean energy system, eliminating coal, and bringing on renewables: wind and solar energy. I can understand why the Conservatives don't support that, because they don't support any of those very critical initiatives.

The fact of the matter is that the Leader of the Opposition had his chance. He sat in cabinet and he did nothing to tackle these very important challenges. He did nothing to invest in a strong, modern system. He did nothing to invest in a cleaner energy supply. He did nothing to invest in reliability. He was preoccupied with selling off hydro assets. He was—

**The Speaker (Hon. Steve Peters):** Stop the clock—no, keep the clock running. Sergeant-at-Arms, this is two days in a row that these props have appeared. If these props appear on Monday, without warning, the members will be named.

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Steve Peters):** We are hurling insults across the floor and calling one another "juven-

ile,” and I’m sure that students and viewers at home must be wondering who is juvenile.

Minister?

**Hon. Brad Duguid:** The difference between us and them is that we want to take Ontario forward; they want to take us backwards. The difference between us and them is that they are afraid of the future. We’re seizing the future so we can build a strong, reliable, clean energy system for our generation and future generations. They simply don’t believe in that—

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

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**Mr. John Yakabuski:** No wonder the McGuinty Liberals don’t want their friends exposed to freedom of information. While the OPA hasn’t produced a long-term energy plan, families are paying more for the cost of the OPA’s promotional giveaway of air miles to the first 150,000 families who pledge to become “laundry smart.” This is on top of the almost \$80 million in sweetheart consulting—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The Minister of Finance will please come to order. I would like to hear—

*Interjection.*

**The Speaker (Hon. Steve Peters):** I don’t need assistance from others in the chamber.

The member from Renfrew, please continue.

**Mr. John Yakabuski:** This is on top of the almost \$80 million in sweetheart consulting deals the OPA has handed out. The Ontario PC caucus has learned that the OPA’s new advertising campaign, which is essentially Liberal spin, will add another \$3 million to the hydro bills.

With all the money that families are paying for the OPA’s Liberal spin, are you thinking of changing the name to the Ontario propaganda authority?

**Hon. Brad Duguid:** I can understand why the Tories would not want Ontarians to know all the good things that are happening in the province of Ontario when it comes to energy. I can understand why the Tories would not want Ontarians to know about the 8,000 new megawatts of energy we’ve brought on. I can understand why the Tories would not want Ontarians to know that they have saved 1,700 megawatts of energy through our conservation efforts. I can understand why they wouldn’t want Ontarians to know that. I can understand why they wouldn’t want Ontarians to know about the 5,000 kilometres of transmission we’ve invested in to build a more reliable system for the people of Ontario and this province. I can understand why they wouldn’t want to know that.

I can understand why they wouldn’t want Ontarians to know we’re building a stronger, more reliable and cleaner system of energy in this province: because that would shine the light on their record, which delivered a weak, unreliable and dirty system.

*Interjections.*

**The Speaker (Hon. Steve Peters):** The members will please come to order. I would ask the members to come to order. Minister of Finance. Member from Renfrew. Order. Member from Nepean.

Perhaps you all need to come back to Elgin county and enjoy some of the good fresh air at the International Plowing Match.

New question.

#### NORTHERN ONTARIO DEVELOPMENT

**Mr. Gilles Bisson:** My question is to the Premier; maybe we need to bring him to the Far North and find out just how much we need a government to help us.

My question to the Premier is as follows. Yesterday the Environmental Commissioner, in his press conference in regard to his annual report, was asked questions by the media in regard to First Nations who are offside with Bill 191, the Far North planning act, and how that would hamper development should the Far North nations not be on side. He said, “If these [disputes] aren’t resolved, then the whole thing will degrade into conflict. And we won’t get the jobs.”

My question to you is simply this: Why are you moving forward with Bill 191 when absolutely nobody in northern Ontario supports it, and we know it will add to conflict?

**Hon. Dalton McGuinty:** To the Minister of Natural Resources.

**Hon. Linda Jeffrey:** I’m really pleased to answer this question and to comment on what has been happening over the last few weeks.

Certainly, I was really pleased to have had the opportunity to visit the Far North this summer. I visited eight different communities and was able to talk with a number of chiefs and elders and young people.

I was disappointed when we got to clause-by-clause consideration, when the opposition failed to put any amendments on the table to improve the legislation. In fact, they walked out of the hearings. It would have been really helpful had they stayed at the table because this is about land use planning and protection of the Far North, and we need the opposition to participate in that conversation. It’s only healthy, because we believe in land use planning. We think it’s an important thing to do as well as protecting the Far North.

It’s important that we have all those parties come to the table and participate in that conversation. This is the beginning of the conversation. We want to continue to work with our First Nations communities.

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

**Mr. Gilles Bisson:** Well, the minister says she went to eight communities in the Far North. Let me ask you this: When there is going to be civil disobedience on the part of First Nations in places in the Ring of Fire, when there will be civil disobedience on behalf of First Nations because they will not allow their future generations to live the experience that they’ve had of living in poverty and being left out of the economic benefit that can come

from the natural resources, will this government go to those First Nations and try to deal with trying to fix the damage that you've done under Bill 191, or are you going to be sending in the police—or will you send them to jail, as you did in the case of KI?

**Hon. Linda Jeffrey:** I think we all know that there are some unique opportunities in the north, and this is about working together. It's about working with First Nations and northern Ontarians, about building on all that potential. Together, we're going to create Ontario jobs and we're going to support families in the north while we protect the boreal forest region.

Resource development in the Far North is one of the best economic opportunities to come across Ontario in a very long time. We want to lead it and we want our communities to be part of it. We put in legislation, which is on the table, that will allow First Nations to direct that land use planning, decide whether they're going to do it and approve it.

This is historic legislation. We've never done business like this before, and it's important to recognize that that conversation has happened over the summer. It will continue onwards. This is about working together with First Nations communities, and we appreciate that we have land use plans in place now. We will continue—

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

#### IMMIGRANT SERVICES

**Mr. Bas Balkissoon:** My question is for the Minister of Citizenship and Immigration. My riding of Scarborough–Rouge River is home to many newcomers who have come to our province to contribute their skills and experience, and it is our responsibility to help newcomers in my community and across Ontario get the best start possible in their new home. This is important because, within a decade, immigrants will make up nearly 100% of Ontario's net labour growth.

To ensure that our newcomers succeed, we must help them access the settlement services, language training and job training that they need. Can the minister explain what the government is doing to help newcomers and their families get the settlement services they need?

**Hon. Eric Hoskins:** I certainly thank the member for this very important question. Ontario is very fortunate, in fact, proud to receive almost half of all newcomers that arrive in Canada each and every year. That's about 120,000 newcomers. Over the last five years, these newcomers have benefited from the Canada-Ontario immigration agreement, an agreement that invests in our newcomers and their families. This agreement has funded settlement services, language training and other resources to help our newcomers prosper.

Earlier this year, however, the first Canada-Ontario immigration agreement expired, and unfortunately we are still waiting for Ottawa to spend the remaining \$207 million that they promised our newcomers under that first agreement. We've also repeatedly asked the federal gov-

ernment to begin negotiations on a new comprehensive agreement that benefits our newcomers.

Today, on behalf of Ontario's newcomers, I urge the federal government to immediately come to the table so we can negotiate a new agreement that puts the needs of our newcomers—

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

**Mr. Bas Balkissoon:** Helping our newcomers get settled and integrated must be a priority of governments of all levels, whether they are federal, provincial or municipal. Each level of government must work together to help our newcomers get the services they need, when they need them and wherever they need them. Governments must make the settlement process simple, efficient and effective so that local needs of newcomers are addressed.

The minister said that he wants the federal government to begin negotiations on a new agreement that puts the needs of newcomers first. Can the minister tell us what Ontario wants in a new, comprehensive agreement with our federal government?

**Hon. Eric Hoskins:** Quite frankly, Ontario needs a new partnership that puts the needs of our newcomers first, a partnership that gives Ontario and settlement agencies increased ability to meet the local needs of our newcomers. We need a new partnership that gives Ontario a greater voice in immigration funding and greater control over how that funding is disbursed. This new partnership would improve the delivery and the responsiveness of newcomer services by aligning both the federal and the provincial programs.

Yesterday, I tabled a resolution in this Legislature calling on the federal government to give Ontario newcomers the remaining \$207 million from the first agreement and to immediately begin negotiations on a new comprehensive agreement. Helping our newcomers succeed is a priority of the McGuinty government, because when our newcomers succeed, Ontario succeeds.

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#### COMMUNITY SAFETY

**Ms. Lisa MacLeod:** My question is for the Minister of Health Promotion. You are a member of the legislation and regulations cabinet committee that recommended and rubber-stamped the secret G20 law. Why did you participate in rubber-stamping this law?

**The Speaker (Hon. Steve Peters):** I remind the member that you need to ask a question that relates to a minister's portfolio.

**Ms. Lisa MacLeod:** My question is to the Attorney General. You are a member of the legislation and regulations cabinet committee that recommended the secret G20 law that was rubber-stamped by the Premier. Why did you support the rubber-stamping of this legislation?

**Hon. Christopher Bentley:** I'm very pleased that yesterday a review was called by the government into the Public Works Protection Act legislation. As you know,

my colleague the Minister of Community Safety and Correctional Services called this.

It is noteworthy that former Chief Justice McMurtry is leading this review, a person who, for more than a decade, stood in the chair that I stand in as Attorney General, who has not only been the chief justice of the province of Ontario, but brings to this review—I think we would all agree—a sense of knowledge, passion, impartiality, determination, to give the best possible recommendations and a fearlessness in saying what needs to be said.

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

**Ms. Lisa MacLeod:** The terms of the McMurtry review have nothing to do with holding those accountable, like the Minister of Health Promotion, for the secret G20 law—and anything that they had to do to take in account for. The Minister of Health Promotion was at the table that thought it was a good idea to pass the secret G20 law. So were the Attorney General and the ministers of revenue, citizenship and immigration, municipal affairs, natural resources, labour, and consumer affairs. Guess who else was at the table? Let me tell you: the members for Peterborough, Ottawa Centre, Ottawa–Orléans, Mississauga–Streetsville, Willowdale, Bramalea–Gore–Malton, Ajax–Pickering and Algoma–Manitoulin. They all had seats at the table when this secret G20 law was stamped, so why didn't one of them speak up while people were being arrested in this city?

**Hon. Christopher Bentley:** As the member will know, it was the Prime Minister of Canada who named Toronto as the host. Toronto was the host of a conference. It was the federal government, led by the Prime Minister of Canada, the RCMP and the Toronto Police Service that requested additional security measures.

It is very, very important to remember the context in which the question is asked—and I'm sure my friend opposite will be able to call up the Prime Minister and ask him to conduct any inquiry that she wishes and provide any answer that he has to the question. She lives very close to the Prime Minister's residence.

We're conducting a review with former Chief Justice McMurtry to get the best possible advice.

#### CONDOMINIUM LEGISLATION

**Mr. Rosario Marchese:** My question is to the Minister of Consumer Services. There have been no amendments to the Condominium Act since 1998, and during that time, we have seen a huge increase in the number of people living in condominiums, and with it, a large number of problems. Condo owners are subject to a Wild West legal system that gives them no protection whatsoever.

I spoke to owners from northern Etobicoke who are paying \$1,000 a month in maintenance fees and who have had \$800,000 in reserve funds disappear—and the government acts as if there is nothing wrong with the Condominium Act.

When will the government admit that people are suffering because of weak legislation and change the act to give them better protection?

**Hon. John Gerretsen:** Obviously, this has to do with the member's private member's bill that's coming up later on today.

I should tell the member that yes, he is correct that there have been no amendments made since 1998. We are currently doing a questionnaire and a survey on-site. We've received something like 2,500 comments already. The questionnaire, which is accessible on the ministry's website, will be open and available to the general public until about the middle of October. We will be taking a look at any suggestion that comes along in order to better protect consumers, in order to better protect the condominium owners, and we'll take a look at the member's act as well to see how that fits into it.

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

**Mr. Rosario Marchese:** If the minister is proud of his government's inaction over the last three years, and if he's so proud of his little survey, then maybe he might join me in the rally at 12 o'clock and give that information to the people. I invite you.

A condo owner from Guelph spent \$30,000 to sue a developer over a badly constructed basement, and that's just to get a hearing. A 75-year-old woman from Richmond Hill called us because her property manager is threatening to sell her unit for no apparent reason. A downtown Toronto woman got injured in her elevator and was forced to pay \$1,800 to get the same elevator professionally inspected.

This afternoon, I will be debating my bill, Bill 79. This will be my third attempt to change the Condominium Act. Will the government finally respond to the concerns the condominium owners have been raising for years by supporting Bill 79?

**Hon. John Gerretsen:** The member knows that the condominium owners already have rights and protections with respect to the condominium corporations right now. They are members of the corporation. They can be members of the board of directors that make these kinds of decisions. They can go to their annual meetings.

But, as I mentioned before, we are doing a survey right now. We've already heard 2,500 different responses. We will be tabulating that to see what changes should be made, because he is quite correct that there are over 500,000 condominium unit owners across this province.

What we're all about on this side of the House is to give the consumer the best protection possible that they can have in the province of Ontario.

#### CHILDREN'S HEALTH SERVICES

**Mr. Khalil Ramal:** My question is for the Minister of Health and Long-Term Care. We all know that cancer is a serious issue that has devastating effects on individuals who are diagnosed, as well as their families and friends. In order for our people, and especially our children, to have the brightest future, we need to make sure that they are able to live full and prosperous lives well into adulthood. We know that the prospects for children surviving cancer are high, but we need to remain diligent.

Could the minister tell the House what she is doing to protect our people, especially our children, from that awful disease?

**Hon. Deborah Matthews:** The member for London–Fanshawe is absolutely right. We need to make sure that our kids, especially those diagnosed with cancer, get what they need so they can live prosperous, healthy lives well into adulthood.

Today, we're recognizing that September is Childhood Cancer Awareness Month. More than 400 children are diagnosed with cancer every year in Ontario; 60 to 70 of those are treated in London at the Children's Hospital of Western Ontario. I recently visited the hospital and welcomed Dr. Paul Gibson. He's joining a team of three oncologists to provide better care for kids with cancer. Our government is fully supportive of the hospital's tireless efforts to ensure that each patient and their family receives the best possible care and support.

I would also like to acknowledge the work of POGO, the Pediatric Oncology Group of Ontario. Many members are in the gallery today, and I look forward to the supplementary.

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

**Mr. Khalil Ramal:** It's great to hear that there are tangible options for children and their families as they move through their cancer treatment.

You mentioned the role of the Pediatric Oncology Group of Ontario, or POGO, and their work in helping children with cancer. We need organizations like POGO to continue this important grassroots work in providing care for children with cancer. With 14 centres across the province, POGO has been able to provide invaluable care, easing the child's journey through, as well as after cancer treatment.

Could the minister please explain to this House the important role that POGO plays in pediatric cancer treatment?

**Hon. Deborah Matthews:** POGO is a truly wonderful organization led by wonderful people. Since 1983, POGO and their growing number of partners—hospitals, other organizations and volunteers—have walked with children throughout their cancer journey. We are proud to partner with POGO.

Last year, we provided them with \$5.4 million for programs and services that they provide. One of those services is after-care services—services for kids after they have completed their cancer treatments. POGO also provides nurses who support children, their families and local health caregivers during the very difficult time when active treatment is going on.

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Today, about 3,000 kids in Ontario are getting cancer care. That means that 3,000 families need our support getting their families through that ordeal. The good news is—

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

## CHILDREN'S HEALTH SERVICES

**Mr. Frank Klees:** My question is to the Minister of Health. I'm pleased to hear the minister's concern for children. In the east gallery, anxiously awaiting the answer to this question, are Melodie and Peter Hughes, parents of 17-year-old Cody Hughes. Rheumatoid arthritis has virtually disintegrated the joints in Cody's jaw. He's in desperate need of having those joints replaced with titanium joints. The pain is excruciating and continuous. His morphine prescription is at the dose of a dying cancer patient. The family has been advised that Cody will have to wait four years for a procedure to remedy this situation.

It has been six weeks since I wrote to the minister and asked her to intervene. I have yet to hear from the minister. I can only assume that that's because she hasn't received the letter. I ask the minister this: Will she agree, following question period, to meet for five minutes—

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

**Hon. Deborah Matthews:** I want to say to Cody's parents, yes, of course, I would be honoured to meet with you after question period. We'll make those arrangements.

I want to thank the member for bringing this situation to my attention. It is one that I have been informed of, and we are looking very carefully at what we can do to make sure that this young man gets the care he needs as quickly as possible.

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

**Mr. Frank Klees:** I want to thank the minister for her reply. I am concerned, however, about the kind of research that her office has made into this situation. Although I wasn't responded to for six weeks by her office, when the media made an inquiry, Fil Martino of Rogers' First Local news received an email, in fact, within hours. Here was the quote from Ivan Langrish: "I know there are several hospitals which do pediatric dental procedures. Do you know if their doctor has explored referring Cody to another physician which may have a shorter wait time for the procedure?"

This shows a complete ignorance of the reality. There are only two doctors in the entire province who perform these procedures. The funding, which was set at \$250,000 in 1995, has not increased one nickel—

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

**Hon. Deborah Matthews:** As I said in the initial question, this is an issue that I am committed to looking into. I will happily meet with the parents following question period.

I know that these are very, very difficult challenges facing our health care system, and we are committed to increasing funding in health care every single year going forward. Sadly, it is the party opposite that has chosen to take a position to reduce health care spending in this province.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a second. Order.

I would just remind the honourable members that, yes, we do work in an environment that can get heated, but we do have to ensure that we have the ability to ask questions and hear the responses to questions, and that we do so in a respectful manner. There have been a number of occasions during today's question period when there have been interjections across the floor, member to member. I would just say to those individuals—because others hear that, and it starts to raise the temperature in the House as a whole. If you have personal comments that you desire to make to one another, there are lobbies on either side of the chamber, and I would encourage members to have those discussions out there.

The leader of the third party.

#### NUCLEAR WASTE

**Ms. Andrea Horwath:** My question is to the Premier. Seventy Great Lakes mayors and dozens of environmental groups and First Nations communities all oppose transporting 16 radioactive nuclear steam generators through the Great Lakes to Sweden. This shipment was not part of Bruce Power's initial proposal, and it exceeds by 50 times international limits for radioactivity on a single ship.

Why isn't the McGuinty government taking action to prevent this unprecedented and unnecessary threat to our Great Lakes?

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

**Hon. Brad Duguid:** I appreciate the question from the member opposite. I understand that Bruce Power has applied to ship 16 decommissioned steam generators to Sweden via the Great Lakes and the St. Lawrence Seaway.

The Canadian Nuclear Safety Commission is mandated to protect the health and safety and security of Canadians as well as the environment. I understand that this process that they are undertaking will allow Bruce to reduce the volume of waste that they have in storage by about 90%. That's a pretty good contribution in terms of improving environmental circumstances here in this province and across the country.

But it is the Canadian Nuclear Safety Commission that's responsible for these kinds of shipments. I think the member opposite knows that.

We know the member doesn't support nuclear energy. The member should know that that's 50% of our generation. That's the workhorse of our system. We certainly will always be working with the Canadian Nuclear Safety Commission to ensure that we're providing that power responsibly—

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

**Ms. Andrea Horwath:** This government and this minister keep saying that this is a federal responsibility, but the Ontario government is responsible for the protection of our Great Lakes. The government of this prov-

ince owns Ontario Power Generation, which owns and operates the radioactive waste site where the generators are stored.

When will the McGuinty government finally stop passing the buck and order OPG to slam the brakes on this hare-brained plan to ship radioactive nuclear waste through the Great Lakes?

**Hon. Brad Duguid:** I understand the concern the member is raising, but it is the Canadian Nuclear Safety Commission that is responsible for these issues. We can't rewrite the Constitution just because you want us to.

I think what's at issue is here is, once again, the NDP is opposed to something. They're opposed to everything. They're opposing our investments in aging infrastructure. You're opposing our measures that we're taking to create jobs and create an—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Hamilton East will please come to order, and he knows that he should be in his seat.

Minister?

**Hon. Brad Duguid:** They oppose clean, reliable, emission-free nuclear power that generates half of our energy supply. They're opposing the modernization of our energy system. They're opposing support for northern Ontario and helping them deal with energy bills. And they oppose the agreement with Samsung, which is creating 16,000 jobs in this country.

This is the member that had the gumption to get up on her feet just a few weeks ago to talk about jobs. She wants—

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

#### JOUR DES FRANCO-ONTARIENS ET DES FRANCO-ONTARIENNES

**M. Jean-Marc Lalonde:** Ma question s'adresse à la ministre déléguée aux Affaires francophones. Madame la Ministre, samedi prochain, le 25 septembre—dans deux jours—tout l'Ontario va célébrer pour la première fois le Jour des Franco-Ontariens et des Franco-Ontariennes. Nous savons que la présence française en Ontario remonte à presque 400 ans, et aujourd'hui plus de 600 000 francophones vivent en Ontario.

Je représente un comté avec une forte représentation francophone où beaucoup de gens ne parlent que le français. Il est important de reconnaître que les francophones sont une des communautés qui ont fondé notre belle province et notre beau pays.

Madame la Ministre, est-ce que vous croyez que cette journée dédiée aux Franco-Ontariens et aux Franco-Ontariennes atteint ce but visé?

**L'hon. Madeleine Meilleur:** Je voudrais remercier le député de Glengarry–Prescott–Russell pour sa question et pour son appui pour les francophones. Notre gouvernement déploie des efforts constants afin de soutenir les communautés francophones fortes. Le Jour des Franco-Ontariens et des Franco-Ontariennes est une étape de

plus dans cette direction. Cette journée sera reconnue dans les quatre coins de la province. C'est un moment idéal pour faire le lancement de cette grande première.

Cette année, nous célébrons le 35<sup>e</sup> anniversaire du dévoilement du drapeau franco-ontarien, le 100<sup>e</sup> anniversaire de l'Assemblée de la francophonie de l'Ontario, le 35<sup>e</sup> anniversaire du Festival franco-ontarien, le 25<sup>e</sup> anniversaire de la Fondation franco-ontarienne et bien d'autres anniversaires. Alors, ce sont des marques importantes de notre histoire et c'est pourquoi cette première journée a une signification particulière cette année.

J'invite tous les membres de l'Assemblée à célébrer ce jour avec les Franco-Ontariens de leur circonscription.

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

**M. Jean-Marc Lalonde:** Madame la Ministre, comme symbole, le Jour des Franco-Ontariens et des Franco-Ontariennes nous démontre l'engagement du gouvernement McGuinty envers les Franco-Ontariens.

La communauté franco-ontarienne est la deuxième plus importante population francophone au Canada après le Québec, et elle a grandement contribué au développement et à la prospérité de cette province. Donc, je suis fier que samedi, nous pouvons célébrer ensemble cette histoire.

Madame la Ministre, est-ce que vous pensez qu'un geste purement symbolique, comme cette journée, est satisfaisant pour notre communauté francophone?

**L'hon. Madeleine Meilleur:** Le gouvernement McGuinty, notre gouvernement, a toujours été du côté des francophones. Cette journée de célébration en est une preuve éloquente. Avant le gouvernement McGuinty, l'Office des affaires francophones a subi de nombreux revers. Depuis 2003, les Franco-Ontariens ont reçu plus d'investissements dans le domaine de l'éducation, de la culture et de la santé. Nous avons bien avancé. Nous avons créé le Commissariat aux services en français, nous avons revitalisé TFO en la rendant autonome, nous avons adopté une définition plus inclusive de « francophone », nous avons créé des entités de planification pour les services de santé en français et nous avons redynamisé l'Hôpital Montfort.

Donc, ce samedi, nous avons tous beaucoup à célébrer : non seulement une histoire francophone, mais aussi un futur avec beaucoup d'espoir.

#### ASSISTANCE TO FARMERS

**Mr. Jim Wilson:** My question is to the Minister of Agriculture, Food and Rural Affairs. Minister, farmers have told you over and over again that the current support programs are not working and that they need a business risk management program in order to survive.

You said the program would not work without federal support, but then six weeks ago you announced the program for grain farmers.

If it works for grain farmers with only provincial dollars, why won't it work for all the other sectors in our agricultural communities?

**Hon. Carol Mitchell:** I do appreciate the question from that side of the House. We know that what the farmers are looking for is bankability, predictability and stability. The work that the grain and oilseeds did in the development of their risk management program came from the grassroots up. It addressed the cost of production and it spoke to the need for what is in store for them in the future. By extending the grain and oilseeds, they have been absolutely crystal clear: In order for the program to work, all three have to be at the table.

We have heard from G&O, we have heard from the non-supply-managed sector, that the producers, the province and our federal government have to be at the table in—

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

**Mr. Jim Wilson:** Minister, farmers couldn't be more clear. Beef farmers, pork producers, and fruit and vegetable growers are all in trouble, and they are all asking for the same thing: a business risk management program based on the cost of production.

Our leader, the leader of the PC Party, has committed to a risk management program for all farmers in all sectors.

Farmers have consulted with their grassroots. They've done their research and provided you with all the information you need. They have worked together like you asked. So, Minister, will you commit today to immediately funding the provincial portion of the business risk management program for all sectors? If not, could you please explain to farmers why you believe one sector deserves more support than the other sectors?

**Hon. Carol Mitchell:** I did happen to notice that that was a position the Leader of the Opposition put forward. I've got to say that the farmers found it just a little passing strange, because when they were in government, they didn't provide any income stabilization—nothing. We have put \$1.8 billion to support our farmers. So when we see the Leader of the Opposition stand at the plowing match and commit to that, well, why didn't they then? They understand the track record.

But we are working with the coalition. We understand that the programs aren't working. We have taken that to the federal government and taken it to the table of the federal-provincial-territorial, and for the first time, the federal government has acknowledged that ag stability is not working for our farmers.

#### TOURISM

**Mr. Howard Hampton:** My question is to the Minister of Tourism. Across northern Ontario, bookings at tourist resorts are down by between 40% and 60%. This has devastated the economy in many northern Ontario communities. Can I ask: What is the McGuinty government doing to help tourist operators survive these devastating economic conditions?

**Hon. Michael Gravelle:** We are certainly very conscious of the challenges that are being faced by the tour-

ism industry in northern Ontario, but I can tell you that some of the economic development opportunities that are being brought forward to us, which we are very excited about, I think are helping them a great deal.

Certainly I know that there was a report brought forward which Greg Sorbara worked very hard on in terms of developing some opportunities for the tourism sector in northern—

**The Speaker (Hon. Steve Peters):** Stop the clock. I would just remind the honourable member that we use riding names, not individual names.

**Hon. Michael Gravelle:** I apologize, Mr. Speaker.

The fact is that this was a very important report that was brought forward, which has given some real impetus to some of the tourism development in terms of setting up regional tourism zones in the north that we know are going to make a great difference. Each one of the members in northern Ontario is working very, very hard with the tourism sector—certainly I am, along with all my colleagues—to help them develop plans for the future that will bring them even more prosperity in the future.

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

**Mr. Howard Hampton:** Speaker, I heard a lot of words; I'm quite sure I didn't hear an answer.

Let me spell out the nature of the problem to the minister. Tourist resorts in northern Minnesota do not charge the HST. Tourist resorts in Manitoba do not charge the HST. If someone is coming to a resort to spend \$5,000 for a week's stay, the difference amounts to \$300 or \$400 a week cheaper if they stay in Manitoba or in northern Minnesota. That's exactly what's happening. If I can quote the executive director of Sunset Country Travel Association, he says, "In my opinion, the HST is a spending killer from a consumer point of view."

Your government is killing the tourism industry across northern Ontario. What are you going to do to fix that?

**Hon. Michael Gravelle:** The member is ignoring the many positive developments that have taken place across the province in terms of tourism, let alone across northern Ontario. Since 2003, we have invested almost \$700 million in our tourism agencies, and certainly across the north—we have \$65 million in each of the next two years to support the transition to the regional tourism organizations I referenced in my first response, and \$40 million in annual funding to support the tourism region starting in 2012 being very well received by the sector.

The Ontario Tourism Marketing Partnership is another very, very positive part of the campaign that we're generating. This has generated more than 1.5 million trips and \$270 million in visitor spending, and our Celebrate Ontario funding, supporting so many festivals all across northern Ontario, was a massive success over this past summer.

We're very pleased to continue to work—

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

## DEFERRED VOTES

### FAR NORTH ACT, 2010

#### LOI DE 2010 SUR LE GRAND NORD

Deferred vote on the motion for third reading of Bill 191, An Act with respect to land use planning and protection in the Far North / Projet de loi 191, Loi relative à l'aménagement et à la protection du Grand Nord.

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

*The division bells rang from 1139 to 1144.*

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

#### Ayes

Balkissoon, Bas	Gravelle, Michael	Pendergast, Leeanna
Bartolucci, Rick	Hoskins, Eric	Phillips, Gerry
Bentley, Christopher	Hoy, Pat	Ramal, Khalil
Best, Margaret	Jaczek, Helena	Rinaldi, Lou
Brown, Michael A.	Jeffrey, Linda	Ruprecht, Tony
Cansfield, Donna H.	Johnson, Rick	Sandals, Liz
Carroll, Aileen	Kular, Kuldip	Sergio, Mario
Chiarelli, Bob	Kwinter, Monte	Smith, Monique
Crozier, Bruce	Lalonde, Jean-Marc	Sousa, Charles
Delaney, Bob	Matthews, Deborah	Takhar, Harinder S.
Dickson, Joe	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Wilkinson, John
Duncan, Dwight	Milloy, John	Wynne, Kathleen O.
Flynn, Kevin Daniel	Mitchell, Carol	Zimmer, David
Fonseca, Peter	Murray, Glen R.	
Gerretsen, John	Oraziotti, David	

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

#### Nays

Arnott, Ted	Horwath, Andrea	Ouellette, Jerry J.
Bisson, Gilles	Hudak, Tim	Prue, Michael
Chudleigh, Ted	Jones, Sylvia	Savoline, Joyce
Clark, Steve	Klees, Frank	Shurman, Peter
DiNovo, Cheri	MacLeod, Lisa	Tabuns, Peter
Elliott, Christine	Marchese, Rosario	Wilson, Jim
Gélinas, France	Miller, Norm	Witmer, Elizabeth
Hampton, Howard	Miller, Paul	Yakubski, John
Hillier, Randy	Munro, Julia	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 46; the nays are 26.

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

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

*Third reading agreed to.*

### WATER OPPORTUNITIES AND WATER CONSERVATION ACT, 2010

#### LOI DE 2010 SUR LE DÉVELOPPEMENT DES TECHNOLOGIES DE L'EAU ET LA CONSERVATION DE L'EAU

Deferred vote on the motion for second reading of Bill 72, An Act to enact the Water Opportunities Act, 2010 and to amend other Acts in respect of water conservation

and other matters / *Projet de loi 72, Loi édictant la Loi de 2010 sur le développement des technologies de l'eau et modifiant d'autres lois en ce qui concerne la conservation de l'eau et d'autres questions.*

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

*The division bells rang from 1147 to 1148.*

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

#### Ayes

Balkissoon, Bas	Gravelle, Michael	Oraziotti, David
Bartolucci, Rick	Hampton, Howard	Pendergast, Leeanna
Bentley, Christopher	Horwath, Andrea	Phillips, Gerry
Best, Margaret	Hoskins, Eric	Prue, Michael
Bisson, Gilles	Hoy, Pat	Ramal, Khalil
Brown, Michael A.	Jaczek, Helena	Rinaldi, Lou
Cansfield, Donna H.	Jeffrey, Linda	Ruprecht, Tony
Carroll, Aileen	Johnson, Rick	Sandals, Liz
Chiarelli, Bob	Kular, Kuldip	Sergio, Mario
Crozier, Bruce	Kwinter, Monte	Smith, Monique
Delaney, Bob	Lalonde, Jean-Marc	Sousa, Charles
Dickson, Joe	Marchese, Rosario	Tabuns, Peter
DiNovo, Cheri	Matthews, Deborah	Takhar, Harinder S.
Duguid, Brad	McNeely, Phil	Van Bommel, Maria
Duncan, Dwight	Meilleur, Madeleine	Wilkinson, John
Flynn, Kevin Daniel	Miller, Paul	Wynne, Kathleen O.
Fonseca, Peter	Milloy, John	Zimmer, David
Gerretsen, John	Mitchell, Carol	
Gélinas, France	Murray, Glen R.	

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

#### Nays

Arnott, Ted	Jones, Sylvia	Savoline, Joyce
Chudleigh, Ted	Klees, Frank	Shurman, Peter
Clark, Steve	MacLeod, Lisa	Wilson, Jim
Elliott, Christine	Miller, Norm	Witmer, Elizabeth
Hillier, Randy	Munro, Julia	Yakabuski, John
Hudak, Tim	Ouellette, Jerry J.	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 55; the nays are 17.

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

*Second reading agreed to.*

**The Speaker (Hon. Steve Peters):** Shall the bill be ordered for third reading?

**Hon. John Wilkinson:** I would ask that the bill be referred to the Standing Committee on General Government.

**The Speaker (Hon. Steve Peters):** So ordered.

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

*The House recessed from 1151 to 1300.*

## INTRODUCTION OF VISITORS

**Mr. Reza Moridi:** It's my pleasure to welcome Ms. Susan Birnie, deputy provincial commissioner, Ontario Council, Girl Guides of Canada, and Ms. Lyn Lunsted, past president of the 1st Richvale Trefoil Guild of the Girl Guides, to the House today.

## MEMBERS' STATEMENTS

### GREEN LEGACY PROGRAM

**Mr. Ted Arnott:** We should never take our trees for granted. They purvey beauty, greenery, shelter and habitat for animals. In removing carbon dioxide from the atmosphere, trees support life on earth. Yet we are planting only three million trees per year in southern Ontario—not enough, says Environmental Commissioner Gord Miller. The commissioner's annual report, released yesterday, calls on the government to raise its target of 50 million trees planted in southern Ontario by 2020 to a total of one billion trees, which is certainly an ambitious goal.

But one municipality in particular is already doing its part. In fact, the county of Wellington has been leading the way since 2004 when it launched its impressive Green Legacy tree-planting program. This initiative has brought communities together, involving local environmental groups, service clubs, schools, municipalities and private landowners, farmers and other organizations. After achieving their goal to plant 150,000 trees in 2004, the county will have planted a staggering one million trees this year. That millionth tree will be planted Sunday, October 3, at the Wellington County Museum and Archives. It's no wonder that the county's Green Legacy program has just received a Grand River watershed award for its outstanding conservation and environmental work with the community.

To the hundreds of leaders and volunteers who have made Green Legacy such a success, thank you, and well done.

### STUDENT ACHIEVEMENT

**Mr. Charles Sousa:** Our government has made education a priority in the province of Ontario. The initiatives that we have undertaken are helping students to access safer schools and achieve higher test scores. But one of the greatest achievements is the increase in graduation rates due to our Learning to 18 initiative. Learning to 18 requires that our students stay in school until the age of 18 or until they graduate. By providing a range of innovative programs to students, we are helping them to engage more effectively in their learning.

The results of our initiatives in education speak for themselves: 53,000 more students have a high school diploma today than they did under the Hudak-Harris era. This means that more of our students have the education and tools they need to succeed in life. We know that when Ontario students succeed, Ontario excels.

We know that having access to safe and effective education can help provide access to a better future. That's why education remains one of our core priorities. It's vitally important for our students and for the future of Ontario.

## TUTUS FOR TANNER

**Ms. Lisa MacLeod:** Last summer I was able to meet some very remarkable people, and it all came about because of Twitter.

Catherine Connors, who's a resident of Bowmanville here in the province of Ontario, made the world aware of her nephew Tanner. He's a boy fighting Duchenne muscular dystrophy, and he fights this disease daily. It's debilitating. Catherine, a great Ontarian, created a run for her nephew. It was called Tutus for Tanner, and I'm sure many of you heard about it.

On the way to New York City, Air Canada disassembled his wheelchair. It went through Twitter. A man from Oakville, Scott Stratten of UnMarketing, tweeted about this. It reached a lady in Nepean named Krista House, and then it reached me at about 10:30 on an evening. My staff and I decided to get involved. We were able to contact the then transportation minister, John Baird, to work with Air Canada, and we were finally able to get—through thousands of people who were following this saga on Twitter—Tanner his wheelchair back.

This Legislature played an exemplary role. We were able to host Tanner and his family here before they went back to British Columbia, and Speaker Peters actually brought this young man on to the floor of this House. Dr. Marie Bountrogianni, a former MPP whom many of us in this chamber are very fond of, also invited Tanner and his family to the Royal Ontario Museum. For Tanner, the most exciting part of Toronto was the fact that the Speaker of the Ontario Legislature lives here, and he was stuck on that the entire time he was here.

I'd also be remiss not to say thank you so much to a man named Jack Matrosov. When I contacted his Mississauga company to see if we could arrange for transportation for Tanner when he was in Toronto, they stepped up to the plate.

We have a great province here and a lot of great people. Tutus for Tanner was a very important event. Thousands of people helped him. They ran for him and they fought for him.

I think it's very important for this Legislature to know what we were able to do in August of this past year.

## PAT SILVER

**Mr. Michael Prue:** Each year the Beach community honours one of its citizens, a citizen who has, through their own extraordinary efforts, enhanced and built the community that we lovingly call the Beach.

This year, citizens will be gathering at the Millennium Gardens at Eastern Avenue and Coxwell Avenue at 5:30 on October 1 to honour the Beach Citizen of the year, Pat Silver. Pat Silver is a member of the Beach Triangle Residents Association. She's been instrumental in helping the Beaches Alternative school, the East Alternative School and the Beach synagogue. She's been instrumental, as well, in helping to found the Danforth Mosaic

BIA, which is doing an amazing job along the Danforth and revitalizing that area and bringing the community to shop in the stores.

One of her accomplishments is that she is a member of the Sphere Clown Band. I was not aware of this, but the Sphere Clown Band is an international organization that travels around the world bringing joy primarily to children, but they've also played at the White House and in China.

So the citizens of the Beach have decided that she is the exemplary citizen whom we will be honouring. Everyone is welcome to come to the Millennium Gardens on October 1 at 5:30, where we'll engrave the stone with the name Pat Silver.

## GIRL GUIDES

**Mr. Reza Moridi:** I am pleased to rise in this House today on the occasion of the 100th anniversary of Girl Guides in Canada. Over seven million Girl Guides, ranging from the youngest Sparks through to Brownies, Pathfinders and finally to Rangers, are volunteering in communities across Ontario and Canada. The Guiding movement is active in over 145 countries.

The training that Girl Guides receive will help them to conquer challenges they will face and enable them to become knowledgeable, confident and resourceful citizens. The development of leadership skills will help to ensure that they will mature into active citizens and make a difference in the world.

## 1310

This weekend I will have the pleasure to visit an exhibit showcasing the past 100 years of Guiding, being hosted by the Trefoil Guild in Richmond Hill. This branch of the Girl Guides is made up of long-time active members of Guiding, who participate in service projects and provide younger Guides with assistance.

It is my honour to recognize the Girl Guides of Canada today.

## LEGION WEEK

**Ms. Sylvia Jones:** I rise today to recognize Royal Canadian Legions across Ontario during Legion Week. Legions are a strong advocate for Canadian veterans and their families and are respected community organizations that set an outstanding example of volunteerism. As the representative for Dufferin—Caledon, I want to especially recognize the Orangeville, Shelburne, Alton and Bolton Legions for their contribution to the building of a better community through their programs and fundraising to support many local organizations. We thank you.

Earlier this month, I was pleased to attend the 75th anniversary of the Legion's Colonel Fitzgerald branch in Orangeville. It was a pleasure to celebrate and recognize the branch's distinguished record of service to veterans and their community.

Every event I attend through the Legion, I am reminded of the important role they play in connecting

our youth today with history. The Legion's unwavering support of land, sea and air cadet programs helps foster patriotism and leadership. Whether it is through sponsoring a public speaking event for students, teaching young people the importance of remembrance or supporting a soldier returning from Afghanistan, the Legion is preserving its legacy of service.

I applaud every Legion member for their incredible contributions and outreach to our community. Lest we forget.

#### FRED OLIVER

**Mr. Kevin Daniel Flynn:** It is a pleasure to rise in the Legislature today to recognize a political career without parallel in Oakville. For more than half a century, Fred Oliver has devoted himself tirelessly to serving the community. In fact, Fred's service began before the town of Oakville even officially existed, when, in 1948, Fred was appointed police chief of the township of Trafalgar. He continued in that role when Trafalgar was amalgamated into Oakville, and later served as deputy police chief for the region of Halton. Fred would also serve as president of the Ontario Association of Chiefs of Police, and sat on the police services board in the region of Halton, but his priority was always Oakville.

He founded the Town of Oakville Water Air Rescue Force in 1954 and served as commander for 16 years. He volunteered with the Canadian Open, the Lions Club and countless other organizations, Sheridan College and the hospital. He retired from the force in 1980 and was then elected to the first of eight terms on council, where he dedicated himself to improving the lives of those he represented.

Two weeks ago, Fred announced that due to health concerns he would not seek another term on council.

Fred, I would like to thank you for many years of service. I'm truly honoured to have had the opportunity to work with you during our years on council. My best goes out to you, your wife, Irma, and your family, as you begin a very well deserved retirement.

#### TASTE OF STREETSVILLE

**Mr. Bob Delaney:** Here is a great secret about fabulous dining in western Mississauga. The second annual Taste of Streetsville began on September 14 and runs until October 8. Mondello Ristorante, Si Andiamo Pasta Plus, Saucy, Enzo's Two Guys from Italy, Nawab Authentic Indian Cuisine, the Franklin House, Cagney's, Cuchulainn's Irish Pub and Cantina Mexicana are among those offering a fantastic three-course meal for—wait for it—\$25. I join with the Streetsville BIA in inviting hungry diners from all over Ontario to enjoy fine dining in Streetsville.

Fifty cents from each meal will be donated to the Credit Valley Hospital Foundation's Young Ambassadors. The foundation's Young Ambassadors are a community of young professional volunteers supporting the foundation's \$45-million Lifetime of Care Campaign.

I would also like to take this opportunity to introduce two old and very close friends of mine, Bonnie and Jim Murray from Fredericton, New Brunswick, who are in Ontario today to attend a reunion meeting of the University of New Brunswick. I welcome them to the Ontario Legislature.

#### SHERMAN HEALTH SCIENCE RESEARCH CENTRE

**Mr. Mario Sergio:** Last week, I had the privilege of attending the grand opening of the Sherman Health Science Research Centre at York University, in my riding of York West.

This new state-of-the-art facility features the latest in MRI technology. It gives York researchers and grad students in-house access to the most advanced brain and vision technology. The Sherman Centre boosts the research capacity of York University and strengthens the relationship between the engineering and the health and science fields that strive to advance human health.

Barry Sherman, president and CEO of Apotex, the largest Canadian-owned pharmaceutical company, and his wife, Honey Sherman, a member of the York University Foundation board, generously contributed \$5 million towards this research facility. I would like to thank them for their incredible commitment to advancing York University's position on the world stage as a cutting-edge academic and research institution. I also congratulate the faculty, researchers and grad students who will now have the access to laboratories that are sure to lead the new discoveries and treatments in brain, vision and biomechanics.

I would also like to mention—and I'm very proud, Speaker—the contribution by the province of Ontario. There is no better example than York University to prove our commitment to higher education and research within the province of Ontario.

#### INTRODUCTION OF BILLS

#### GOVERNMENT OF ONTARIO BUY LOCAL FOOD ACT, 2010 LOI DE 2010 SUR L'ACHAT D'ALIMENTS LOCAUX PAR LE GOUVERNEMENT DE L'ONTARIO

Ms. Horwath moved first reading of the following bill:  
Bill 108, An Act to require ministries of the Government of Ontario to buy local, local organic and local sustainable food / Projet de loi 108, Loi exigeant que les ministères du gouvernement de l'Ontario achètent des aliments locaux, des aliments biologiques locaux ou des aliments locaux durables.

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

*First reading agreed to.*

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

**Ms. Andrea Horwath:** Yes. This bill requires ministries of the government of Ontario that spend more than \$25,000 on food in a year to buy food that is local, local-organic or local-sustainable, except where the cost of doing so is more than 10% higher than the cost of buying food that is not local, local-organic or local-sustainable.

The bill further also requires that, beginning in 2012, increasing in 2015 and again in 2020, ministries subject to the act spend a certain minimum percentage of their total annual food expenditures on local, local-organic or local-sustainable food, regardless of the cost of doing so.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### JOUR DES FRANCO-ONTARIENS ET DES FRANCO-ONTARIENNES

**L'hon. Madeleine Meilleur:** Je vous remercie de m'accorder ce moment pour rappeler à l'Assemblée législative que samedi le 25 septembre, l'Ontario va célébrer le premier Jour des Franco-Ontariens et des Franco-Ontariennes. Mes collègues, députés et ministres se souviendront que nous avons adopté à l'unanimité, le 26 avril, la Loi de 2010 sur le Jour des Franco-Ontariens et des Franco-Ontariennes.

Cette loi vise à reconnaître la contribution incommensurable des francophones à la vitalité culturelle, sociale, économique et politique de l'Ontario. L'année 2010 est le moment idéal pour faire le lancement de cette grande première en Ontario. En effet, cette année l'Ontario célèbre 400 ans de présence française, un jalon important de notre histoire qui sera d'ailleurs fêté au cours des prochaines années.

1320

En 2010, nous célébrons également le 100<sup>e</sup> anniversaire des forces vives francophones au sein de l'Assemblée de la francophonie de l'Ontario. Et la communauté franco-ontarienne commémore aussi le 35<sup>e</sup> anniversaire du dévoilement du drapeau franco-ontarien. En 1975, le drapeau avait justement été dévoilé le 25 septembre, date emblématique pour ce Jour des Franco-Ontariens et des Franco-Ontariennes.

Le gouvernement de l'Ontario souscrit aux principes énoncés par la convention de l'UNESCO sur la protection et la promotion de la diversité des expressions culturelles. Permettez-moi de citer l'un des principes qui vient corroborer cette loi que nous célébrerons.

Je cite l'UNESCO : « La diversité culturelle constitue un patrimoine commun de l'humanité et elle doit être célébrée et préservée au profit de tous. » Fin de la citation. Ce que les Nations Unies affirment dans ce principe, c'est que tout état démocratique a le devoir de célébrer et de préserver sa culture.

Comme francophone, permettez-moi de redire combien de suis fière que l'Ontario soit un modèle d'ouverture aux cultures, du respect de la différence entre les communautés et de promotion de sa diversité culturelle. L'Ontario est une province d'accueil. Notre avenir dépend de l'immigration et de l'harmonie entre les peuples. C'est pourquoi la dualité linguistique de notre province est une force. C'est pourquoi notre gouvernement est engagé à en faire la promotion.

Depuis 2003, sous le leadership de Dalton McGuinty, nous avons participé activement à l'avancement des francophones par le biais de nouveaux services en français. Le financement des écoles françaises, les garderies et la politique d'aménagement linguistique, ce sont là des réalisations qui font que les écoles françaises de l'Ontario fournissent une qualité supérieure en éducation.

Les collèges francophones et les universités bilingues de l'Ontario connaissent un taux de diplomation plus élevé que la moyenne provinciale. Les investissements dans l'infrastructure, et surtout la formation et la recherche, sont axés sur l'avancement économique et social de l'Ontario au profit de tous.

Dans le secteur de la santé, je suis aussi tellement fière que les francophones aient une voix dans la gestion et la performance des soins de santé en français grâce à la création de nouvelles entités de planification francophones cette année.

En bref, notre gouvernement est porteur d'un message puissant. Ce message, c'est celui de la diversité culturelle. Ce message, c'est celui de l'harmonie entre les peuples. C'est ça que nous allons célébrer le 25 septembre, et j'en suis fière.

Monsieur le Président, chers collègues, le Jour des Franco-Ontariens et des Franco-Ontariennes est une belle occasion pour poursuivre la mission d'ouverture, de développement et de tolérance qui est la nôtre. Le 25 septembre, je vous invite tous à fêter avec tous les francophones 400 ans d'histoire collective en Ontario.

Je voudrais aussi remercier le député de Leeds–Grenville qui, samedi dernier, a célébré avec les francophones de sa circonscription la journée franco-ontarienne un peu à l'avance, mais c'était très bien. Alors, je dis à tout le monde, bonne fête, et bonne fête à tous les Franco-Ontariens.

### WORLD HEART DAY

**Hon. Margaret R. Best:** September 26 is World Heart Day, and today I rise to remind this House and Ontarians about the importance of this day and the challenges that the issue of heart disease poses for our province and the health of our citizens.

Today, nine in 10 Canadians have at least one risk factor for heart disease and stroke. These factors include smoking, physical inactivity, obesity and high blood pressure, just to name a few.

Heart disease, along with stroke, is responsible for one in three deaths in Canada. According to the Heart and Stroke Foundation, groups now considered at risk for

heart disease and stroke include young adults in their 20s and 30s, women between 35 and 45, baby boomers within the 50-to-64 age range, ethno-cultural communities and aboriginal people. These statistics are alarming indeed. Ontarians obesity levels across the age spectrum are at dangerously high levels, with a significant portion of the population at unhealthy weights.

According to the Childhood Obesity Foundation, a Canadian-based non-profit organization, obesity rates in Canadian children have almost tripled in the past 25 years, and now approximately 26% of children aged 2 to 17 are overweight or obese. If this trend continues, in 20 years, 70% of the 35- to 44-year-olds in Canada will be overweight or obese.

As highlighted in the federal government's recent sodium working group report, Canadians consume too much sodium—as much as two and a quarter times the recommended limit for adults. This excessive sodium consumption puts individuals at risk for hypertension, which contributes to stroke and also to heart disease. High sodium consumption is a serious public health concern, and I urge Ontarians to reduce their personal sodium consumption as part of an overall healthy diet.

It is important to note that heart disease and stroke can largely be prevented by taking steps to improve your own health and the health of Ontario's children. Indeed, health promotion is everybody's business. I challenge each and every Ontarian, starting with every member of this Legislature, to engage in daily physical activities that suit your physical abilities; eat a healthy diet rich in fruit and vegetables; reduce the daily amount of sodium, sugar and fat consumed; avoid tobacco use and second-hand smoke; get to, and maintain, a healthy weight; and manage stress levels effectively.

Healthy eating, physical activity and not smoking are priorities for the Ministry of Health Promotion and Sport, which has a number of initiatives aimed at preventing obesity and disease and empowering Ontarians to develop healthy habits, including:

- our smoke-free Ontario legislation, including the recent ban on the sale and distribution of flavoured cigars;

- the healthy communities fund, which supports local groups with community-based programming that promotes physical activity, healthy eating, smoking cessation, addiction prevention and mental health;

- Ontario's after-school program, which provides supervised programming for children and youth in priority communities from 3:30 p.m. to 6 p.m. on physical activity, nutrition and wellness; and

- our EatRight Ontario program, a free service providing nutrition and healthy eating advice from registered dietitians online or by telephone in more than 110 languages.

However, the government of Ontario cannot do this work alone. We all have a part to play in it. The ministry works closely with a wide variety of partners, including Ontario's public health units, schools and community centres, as well as non-governmental organizations such

as the Heart and Stroke Foundation of Ontario, whose research and advocacy to prevent cardiovascular disease and stroke is commendable.

Our government continues our work in raising awareness, educating Ontarians and providing healthy environments, which are crucial to good health. As I've often said, your health is your wealth. It is indeed your most important asset, and I say that to these young people who are in the Legislature with us as pages. Invest in it. For those of you who are able: walk, ride, run, get physical; and for persons who are living with a disability: engage in daily activities which suit your abilities.

The quality and the length of life depends on a healthy heart. Remember that your heart is for life. And do not forget to eat healthy, local Ontario foods and to eat right, Ontario.

1330

## NATIONAL BIOTECHNOLOGY WEEK

### SEMAINE NATIONALE DES BIOTECHNOLOGIES

**Hon. Glen R. Murray:** This is an important week for Ontario as we recognize National Biotechnology Week.

Le secteur ontarien des sciences de la vie, qui comprend les biotechnologies, emploie au-delà de 43 000 personnes qui travaillent auprès de quelque 850 entreprises, lesquelles génèrent 14 milliards de dollars de recettes chaque année.

Les biotechnologies ont le potentiel d'offrir des solutions à un grand nombre des défis que nous devons relever ici en Ontario et ailleurs dans le monde.

L'Ontario est déjà la plus imposante plaque tournante des activités biomédicales au Canada et la troisième en importance en Amérique du Nord.

Ce secteur est vigoureux et croissant, et notre nouvelle stratégie de commercialisation des sciences de la vie contribuera à faire en sorte qu'un nombre encore plus élevé de technologies biomédicales de pointe soient découvertes en Ontario et fabriquées ici aux fins de vente à l'échelle du globe.

We're leading the world in areas like stem cell research, working with other leading jurisdictions like California and Japan to push the boundaries of human knowledge. The research that we are fostering here in Ontario right now holds the promise of revolutionizing treatments for illnesses like cancer, Parkinson's and Alzheimer's, traumatic injuries and heart disease.

It holds the promise of creating solutions to the global problem of climate change by revolutionizing the way we build and power our vehicles. Research is going on across our province to find new ways of using crops to build lighter, stronger and greener auto parts. And at Ontario universities, researchers are working on the next generation of biofuels that use agricultural by-products like corn husks.

In Ontario, we see global challenges as opportunities to change the world, to work together and to bring our

talent, commitment and imagination to bear in delivering bio-based products, services and the jobs of the future.

We have a vibrant biotech industry where multi-nationals and homegrown companies have proven themselves true leaders in innovation. But for all our strengths in biotechnology, for all our achievements and discoveries, it would be a mistake to rest on our laurels even for a moment. Increased global competition means that for Ontario to shine, we need to continue attracting and retaining the best scientific minds. We need to create the conditions for new ideas to flourish; for better collaboration among academics, industry and government; and for easier access to capital, especially in the earliest stages of the business.

C'est pourquoi notre stratégie de commercialisation des sciences de la vie comprend un fonds de 7 millions de dollars à l'appui des sociétés biotechnologiques qui insiste sur la mise au point des produits aux premières étapes du processus.

Nous comprenons l'importance non seulement de faire de l'innovation un pan de notre culture, mais également de montrer au monde entier que l'Ontario est un leader en biotechnologies. Voilà pourquoi nous soulignons et nous célébrons l'innovation ontarienne durant la Semaine nationale des biotechnologies.

That's why the McGuinty government is investing in research and innovation that will help deliver better health care, cleaner energy, and more sustainable and affordable ways of living and working. That's really what our \$161-million life science commercialization strategy is all about: positioning Ontario as one of the best provinces in the world for scientists to come to to research, to collaborate and to innovate.

We know that the new clean technology products and services that we develop and sell will not only create good Ontario jobs for our families, but a cleaner and better planet for all. I want to thank my colleagues in the Legislature for supposing these programs.

**The Deputy Speaker (Mr. Bruce Crozier):** Responses?

#### JOUR DES FRANCO-ONTARIENS ET DES FRANCO-ONTARIENNES

**M. Peter Shurman:** À titre de porte-parole de l'opposition pour les affaires francophones, je suis heureux de commémorer aujourd'hui le Jour des Franco-Ontariens et des Franco-Ontariennes qui aura lieu le samedi 25 septembre. Ceci est la première fois que nous reconnaissons officiellement ce jour depuis que le projet de loi 24 fut adopté au mois d'avril.

Depuis les 35 dernières années, le 25 septembre a toujours été un jour très significatif pour la communauté francophone. Le 25 septembre 1975, le drapeau francophone vert et blanc a été levé pour la première fois à l'Université de Sudbury. Le drapeau fut adopté par l'Association canadienne-française de l'Ontario en 1977.

Donc, le Jour des Franco-Ontariens et des Franco-Ontariennes nous donne l'occasion de reconnaître le rôle

spécial qu'occupe la communauté francophone dans l'histoire de notre province. La présence francophone en Ontario date depuis 400 ans. Ils sont parmi les premiers peuples fondateurs de notre merveilleuse nation.

Pour la majorité du 20<sup>e</sup> siècle et au-delà, le Parti PC a contribué à la promotion et à la conservation de l'aspect unique que tient cette communauté en Ontario. Le dynamisme de la communauté francophone que nous voyons aujourd'hui confirme que la langue et la culture françaises demeurent une partie intégrante et fondamentale de la société ontarienne.

Bonne journée des Franco-Ontariens et des Franco-Ontariennes.

#### NATIONAL BIOTECHNOLOGY WEEK

**Mr. Peter Shurman:** I'd like to continue by responding to the Minister of Research and Innovation. In the compendium, there's a paragraph that says that a major contributor to Ontario's thriving life sciences sector, biotechnology, is immensely important to our economy and our province. Ontario's life sciences sector employs about 43,000 people at some 850 companies, generating about \$14 billion in revenues annually. That's pretty good.

However, do you know how much better we could do if we understood what we are doing with venture capital that is not flowing into the province of Ontario? And this, in my response to the minister, is what I would like to highlight. The Ontario venture capital fund was set up to bring money into the province of Ontario. There is \$150 million allocated in the budgetary plans of the Liberal government of Dalton McGuinty, and there's no take-up whatsoever. Why would that be? The answer is simple: Because nobody is interested, in these days, in taking advantage of Ontario as a location in that area, at least by way of expansion, when you've got a 10% tax credit and next door, in the province of Quebec, the tax credit is 36%. If you want a vibrant sector in biotechnology, that's what you're looking for; you're looking for people who come in and make a legitimate investment in something that deserves legitimate investment and that's getting it in provinces other than Ontario.

So before you take credit, Minister, for what's going on in Ontario, look beyond your own backyard.

#### WORLD HEART DAY

**Mrs. Christine Elliott:** I am pleased to respond, on behalf of the PC caucus, to the minister's comments on World Heart Day and to acknowledge this milestone occasion. This Sunday, the World Heart Federation and its members will be celebrating the 10-year anniversary of the occasion.

In recognition of this milestone, the World Heart Foundation is encouraging governments, health care professionals, employers and individuals to work towards reducing the burden of heart disease and stroke. This year, the focus of World Heart Day is the role of the

workplace in the promotion of heart-healthy messages. The federation aims to encourage workplaces to promote healthy attitudes and working environments, which will, in turn, benefit employers in terms of productivity, attendance and the general well-being of their employees.

The World Health Organization reports that cardiovascular diseases are the world's largest killers, claiming 17 million lives a year. Risk factors for heart disease and stroke include high blood pressure, high cholesterol and blood glucose levels, smoking, poor nutrition, inadequate physical activity and obesity. World Heart Day will help to build awareness of these risk factors and the need to adopt a healthy lifestyle.

In closing, I would like to thank the World Heart Federation, the Heart and Stroke Foundation and the many other organizations who have dedicated their time to doing this important work.

#### JOUR DES FRANCO-ONTARIENS ET DES FRANCO-ONTARIENNES

**M<sup>me</sup> France Gélinas:** Given that we only have five minutes to respond, I'm only going to be responding to the first two. So here I go.

Il n'y aura pas un endroit en Ontario où la vitalité franco-ontarienne sera plus évidente ou la culture franco-ontarienne sera plus vibrante qu'à Sudbury ce samedi le 25 septembre en l'honneur de la première journée franco-ontarienne.

**1340**

C'est également plusieurs honneurs que nous allons célébrer à Sudbury, en commençant avec le 35<sup>e</sup> anniversaire du drapeau franco-ontarien, qui a été conçu à Sudbury. Le drapeau original, je l'ai vu plusieurs fois. J'ai vu les gens qui l'ont créé. Ce n'était pas des couturiers de haute couture, mais il est quand même très beau et ça vaut la peine de venir à Sudbury pour le voir. Il sera hissé au mât de l'Université de Sudbury à 15h30 samedi après-midi. Venez voir ça. C'est une superbe, belle célébration qu'ils ont organisée. Ça va valoir la peine. Je vous garantis que vous allez être fier des Franco-Ontariens et des Franco-Ontariennes.

Mais ce n'est pas tout. Le 25 septembre sera également l'occasion de plusieurs célébrations.

On commence en soulignant le 100<sup>e</sup> anniversaire de l'ACFO du grand Sudbury.

Le Carrefour francophone, qui était connu sous le nom de Centre des jeunes, célèbre son 60<sup>e</sup> anniversaire. J'ai travaillé là pendant un an et demi.

L'Université Laurentienne célèbre son 50<sup>e</sup> anniversaire.

Le Club Richelieu—on en a plusieurs à Sudbury, donc c'est le Club Richelieu Les Patriotes—célèbre son 25<sup>e</sup>.

Le Collège Boréal, notre collège francophone, célèbre son 15<sup>e</sup>.

La Galerie du Nouvel-Ontario, une superbe galerie progressive qui me fait toujours penser à mon bon ami Michel Galipeau, célèbre son 15<sup>e</sup> anniversaire.

Le Centre Victoria pour femmes, un autre organisme pour et par les francophones, célèbre son 15<sup>e</sup> anniversaire. Salut, madame Christine Caldwell, qui siège à leur conseil d'administration.

Donc, on aura un gala des anniversaires. Si vous voulez ressentir ce que c'est que la francophonie en Ontario, vous devez venir à Sudbury.

Et si vous pensez que parfois c'est très bruyant à l'Assemblée, c'est parce que vous n'avez jamais assisté à un tintamarre. Quand l'École secondaire catholique Champlain dans mon comté décide d'organiser un tintamarre, ils n'y vont pas avec le dos de la cuillère. C'est tellement bruyant que tu ne peux plus t'entendre penser. Je félicite M<sup>me</sup> Lyse-Anne Papineau, qui est la directrice du Conseil scolaire catholique du Nouvel-Ontario, qui amène des étudiants de plusieurs écoles qui viennent participer au tintamarre. C'est vraiment une occasion pour eux de démontrer leur fierté.

Mais là, je manque de temps, so I'm going to go right into World Heart Day, because I'm running out of time.

#### WORLD HEART DAY

**M<sup>me</sup> France Gélinas:** We all know that World Heart Day brings attention to how to make healthy decisions for heart health. World Heart Day brings attention to the fact that heart disease and stroke are the world's leading causes of death but that 80% of those premature deaths from heart disease and stroke could be avoided if we could only tackle the four main risk factors: use of tobacco, unhealthy diet, physical inactivity, and unhealthy weight. Too many lives are cut short—and quite often, quite suddenly—with tremendous hardship for the families, friends and loved ones. All of this could change with the right health promotion initiative.

We in this Legislature have the responsibility to do everything in our power to assist people to make healthy decisions. It is the right thing to do. It makes sense in terms of lessening personal tragedy. It makes sense in terms of saving precious health care dollars.

In Ontario today, we are facing an obesity epidemic. This will put a huge strain on our health care system. I introduced a private member's bill, Healthy Decisions for Healthy Eating. It wouldn't cost the taxpayers of Ontario anything. It would mandate that big restaurant chains post the calorie labelling of the food they serve, either on their menu or menu board. It is not a state-of-the-art idea; it was when it was first introduced, but now it is the law across the States. Here again, an opportunity to make people healthier is not acted upon. I ask the Minister of Health Promotion to run with it. We need this in Ontario.

#### PETITIONS

##### SOCIAL ASSISTANCE

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

"We, the undersigned, hereby respectfully request the Ontario Legislative Assembly, the Ministry of Community and Social Services, the Ontario disability support program and/or Ontario Works, as well as any and all associated groups, organizations and/or individuals, to reinstate the special diet allowance, effective immediately.

"The special diet allowance is used to enable us to buy the foods we are required to have in order to achieve optimum health. At present, the majority of us that must exist on the Ontario disability support program and/or Ontario Works regular monthly benefits cannot afford the fresh fruit and vegetables, meat, fish, milk or even particular required supplements on an ongoing, consistent basis without this special diet allowance.

"We also respectfully request at this time that the Ontario Legislative Assembly, the Ministry of Community and Social Services, the Ontario disability support program and/or Ontario Works' regular monthly benefit rates be raised to reflect the true cost of living and be increased accordingly on an annual basis so that we are able to maintain optimum health and afford the necessities of life that our conditions require."

It is signed by many residents, mostly from the city of Cambridge, and I affix my signature thereto.

#### TAXATION

**Mr. Jim Wilson:** I want to thank the corporation of the town of New Tecumseth council for composing this petition and for circulating it.

"To the Legislative Assembly of Ontario:

"Whereas the government of the province of Ontario has entered into an agreement with the government of Canada to implement the harmonized goods and services tax; and

"Whereas the majority of Ontario taxpayers are opposed to the implementation of this tax; and

"Whereas the HST will add 8% to many goods and services where currently only the 5% GST is charged and will result in increased costs for all Ontarians and may create financial hardship for lower-income families and individuals;

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

"That the government rescind its decision to implement the HST in Ontario."

I agree with this petition and I will sign it.

#### HOME WARRANTY PROGRAM

**Ms. Cheri DiNovo:** I'm reading a petition supporting extending the Ombudsman of Ontario's jurisdiction to include the Tarion Warranty Corp.

"Whereas homeowners have purchased a newly built home in good faith and often soon find they are victims of construction defects, often including Ontario building code violations, such as faulty heating, ventilation and air

conditioning (HVAC) systems, leaking roofs, cracked foundations etc.;

"Whereas, often when homeowners seek restitution and repairs from the builder and the Tarion Warranty Corp., they encounter an unwieldy bureaucratic system that often fails to compensate them for the high cost of repairing these construction defects, while the builder often escapes with impunity;

"Whereas the Tarion Warranty Corp. is supposed to be an important part of the consumer protection system in Ontario related to newly built homes;

"Whereas the government to date has ignored calls to make its Tarion agency truly accountable to consumers;

"Be it resolved that we, the undersigned, support MPP Cheri DiNovo's private member's bill, which calls for the Ombudsman to be given oversight of Tarion and the power to deal with unresolved complaints;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to amend the Ontario New Home Warranties Plan Act to provide that the Ombudsman's powers under the Ombudsman Act in respect of any governmental organization apply to the corporation established under the Ontario New Home Warranties Plan Act, and to provide for necessary modifications in the application of the Ombudsman Act."

I couldn't agree more, and I'm going to sign this and give it to Thomas to be delivered.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Frank Klees:** I have literally hundreds of signatures on a petition delivered to me by Mr. Douglas G. Brown, and it reads as follows:

"A petition to the Parliament of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals ... recently and unilaterally announced that it would euthanize all animals in its care in its Newmarket shelter, citing a ringworm outbreak as justification;

"Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

"Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

"Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen's Park by Newmarket-Aurora MPP Frank Klees on June 1, 2010, which reads as follows:

"That, in the opinion of this House, the Ontario Legislature should call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal

shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

**1350**

I'm pleased to affix my signature and thank all of those who supported this petition.

#### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Nickel Belt, and it reads as follows:

“Whereas the Ontario government is making ... PET scanning a publicly insured health service available to cancer and cardiac patients....; and

“Whereas,” since “October 2009, insured PET scans” have been “performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

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

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

I fully support this petition, will affix my name to it and send it to the clerks with page Brandon.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Ms. Lisa MacLeod:** It's my pleasure to be able to introduce a petition on behalf of my colleague from Newmarket–Aurora.

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care in its Newmarket shelter, citing a ringworm outbreak as justification;

“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen's Park by Newmarket–Aurora MPP Frank Klees on June 1, 2010, which reads as follows:

“That, in the opinion of this House, the Ontario Legislature should call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly

defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.”

I agree with this and I will affix my signature supporting MPP Frank Klees and provide this to Caelan.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

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

“To the Legislative Assembly of Ontario:

“Whereas almost 12,000 Ontario citizens who have an intellectual disability are on waiting lists for residential supports;

“Whereas another 7,000 individuals are waiting for other supports;

“Whereas 80% of the 1,500 parents providing primary care for their adult children waiting for residential services are over the age of 70;

“Whereas the government of Ontario made a commitment in 2007 to provide a 2% base funding increase to agencies providing developmental services every year up to 2010-11;

“Whereas the government has decided not to provide the 2% funding increase promised for the current year;

“Whereas the failure to honour this funding commitment will cause further deterioration of supports and services for people who have an intellectual disability;

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

“That the government of Ontario reinstate the 2% base funding increase promised four years ago to service providers in the developmental services sector.”

It is signed by many people in the Hamilton, Grimsby and Ancaster area. I am in agreement and will sign this petition and send it with page Rodney.

#### REPLACEMENT WORKERS

**M<sup>me</sup> France Gélinas:** I have this petition that actually comes from all over Ontario, and it reads as follows:

“Whereas strikes and lockouts are rare: 97% of collective agreements are settled without a strike or lockout; and

“Whereas anti-temporary replacement workers' laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those two provinces have never repealed these laws; and

“Whereas anti-temporary replacement workers' legislation has reduced the length and divisiveness of labour disputes; and

“Whereas the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community in the short and the long term as well as the well-being of its residents;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout.”

I fully support this petition, will affix my name to it and send it to the Clerk with page Christopher.

#### SOCIAL ASSISTANCE

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

“To the Legislative Assembly of Ontario:

“Whereas we, the undersigned, are devastated to learn of the provincial government’s decision, as part of the 2010 provincial budget, to terminate the special diet allowance and replace it with a new program under the Ministry of Health;

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

“We ask that, through the transition to the new special diet program, the provincial government ensures no disruption to the income to anyone receiving the current special diet allowance. Moreover, we ask that the new criteria for eligibility for the new program is transparent, fair and that it serves to support low-income Ontarians in the pursuit of better health. Please consider this request.”

I’m in agreement and will sign my name to it and send it with page Thomas.

#### PRIVATE MEMBERS’ PUBLIC BUSINESS

#### CONDOMINIUM OWNERS PROTECTION ACT, 2010

#### LOI DE 2010 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

Mr. Marchese moved second reading of the following bill:

Bill 79, An Act to amend various Acts with respect to condominiums / Projet de loi 79, Loi modifiant diverses lois en ce qui a trait aux condominiums.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Marchese, pursuant to standing order 98, you have up to 12 minutes.

**Mr. Rosario Marchese:** Before I start debating the bill, I want to thank the 50 or so condominium owners who have come to witness the debate. They are from different parts of the city and beyond. In fact, one of them is from Guelph; I’m going to mention him in a second.

I want to say that I have tried to deal with condominium issues for the last three years. I have introduced two bills in the past, and this is the third. My other two bills were supported by enough members of the Liberal Party and enough members of the Conservative

Party, and with the great support of New Democrats we were able to pass them through and send them to a legislative committee. The problem is, once they get to a legislative committee, they have a tendency to die there if the Liberal majority doesn’t want those bills to be dealt with.

I’m hoping that Bill 79 will pass today, and I am hoping that once it gets sent to a legislative committee, it will be supported this time, this year, by the government because, in my view and in the view of many condominium owners, the time has come to change the Condominium Act.

The Condominium Act is one thick document. I suspect that the majority of condominium owners have never seen it and never read it, nor do they necessarily want to read it, because much of it is written by lawyers and much of it is complicated, similar to so many declarations and contracts that condominium owners have to involve themselves with at the time of purchase. They’re very complex, and the majority of condo owners never read those declarations, which leads to problems. But the majority of them really can’t afford to pay condominium lawyers to do that work, because condos are already expensive, and if you want a good condo lawyer, it costs anywhere from 3,000 to 5,000 bucks. That’s an added cost, and many of them probably avoid that cost, which is unfortunate, because then, many of them find themselves with a lot of secret clauses that they never imagined, which bring on additional costs that they never imagined. And that’s part of the ongoing problem.

#### 1400

We have close to one million people who live in condominiums in the province of Ontario, and half of them live in Toronto. The last time we changed this act was in 1998. The first one was in 1978, the second in 1998. Since then, we have seen an explosion of condominium growth and a whole lot of people living in condominiums. They, in effect, have replaced rental buildings.

I believe the government has not kept up with those growing changes. We have seen tremendous problems, and the government, in my view, has refused to open up the act and allow condominium owners an opportunity to respond to changes that they believe ought to happen in order for them to have the protections they’re desperately looking for.

I think it’s just a question of time until the minister and this government decide to make changes. I say to the Liberal members and some ministers who are here, you don’t have to accept my bill. You can bring your own bill. Bring your own condo changes, but give condominium owners an opportunity to respond to it so that they can have a voice in the changes that they’re calling for, that I’ve been calling for, for the last three years.

At the moment, if a condo owner has a problem with a developer, where do they go? If a condo owner has a problem with a property manager, where do they go? If a condo owner has a problem with a board, who do they turn to for help? There is no one to turn to for help. The

only support that the condo act gives people is your right to go in front of an arbitration panel, an arbitration group that does mediation. But that's costly. You're going to lawyers, in effect, to solve a problem.

The majority of condo owners are just modest-income people. They don't have the money, the resources, the time or the skills to take on a developer or a property manager or board—they do not. The only recourse is arbitration, mediation and, from there, the court system; and all of it means big bucks to have to defend yourself. It's just not right. It isn't right that they do not have a place to go to solve a problem that doesn't cost, and should not cost, so much.

We have a tribunal system for renters, and there are 3.3 million people who live in rental buildings. There's a tribunal; it costs money. It costs Ontario citizens \$27 million to run that tribunal. They raise \$10 million from service fees. I find it sad that a tenant has to pay a fee to defend himself or herself against a landlord. I find it sad, but they do raise \$10 million from fees.

We need a tribunal-like place for people to go that is affordable. My bill proposes to create a review board that has the power to appoint review officers, who would be lawyers, to solve disputes between a condo owner and a developer, a condo owner and board, a condo owner and a property manager. It should be an easy process and it should be affordable.

I've got to tell you, people I spoke to said that recommendation was made in 1978, and it was rejected by the lawyers and by the developers in 1978. The Conservative government at the time obviously caved in to the developers and we didn't get a tribunal that I believe condominium owners need today.

I've got to say, I've had a lot of support from Conservative members over the last couple of years, so it's not an attack on them at all. I'm just giving an historical picture of what happened in 1978. I think it's time to have a tribunal-like system so that people can go to a lawyer, state the case, the lawyer solves it and we're done. That's the way it should be. That is the main component of my bill.

The other component of that particular bill, which I introduced three years ago, was that we should have good-faith language. It's a bill that's coming up when we talk about the franchise act. In the franchisor act, there is good-faith language that binds a franchisor to keep his or her word as they sell a franchise to somebody. We don't have that in the Condominium Act, and we need that language. Why? Because many developers say one thing at the point of sale and do another once you get into your condo building. We need to correct that. We need to be able to keep a developer to his or her word. If they say there's going to be a pool, there should be a pool, and if they say there's not going to be a pool, there should be no pool that the condominium owners have to pay for down the line. So we need good-faith language.

We also need other changes. Tarion is the entity that provides the warranties when the workmanship of a developer is shoddy. What condominium owners tell us

is that Tarion does not represent homeowners or condominium owners; rather, from what they tell me, it supports the developer. It's got to change. It shouldn't be that way. It's a warranty program.

A Tarion board that provides warranties for shoddy workmanship should be representing condo owners and homeowners. But once you join that board, if you're a consumer advocate, you have to leave that behind. You cannot advocate for consumers; you can't advocate for condo owners or homeowners. You've got to advocate on behalf of the board, and the board said, "You are not an advocate of homeowners and condo owners." It's just wrong. That's got to change.

My bill addresses that in two ways. It says they should respond promptly and the board should be representative of consumers. Half of the board members will have an advocacy role, a consumer role, and two of those members will come from condominiums and homeowners so that their voices are heard in Tarion. I think it's a modest proposal, and it's a reasonable one.

I should tell you my bill says that if a factory is converted into a condominium, it should be covered by a warranty. At the moment, it's not. I remember the then minister, the now minister without portfolio, saying he would refer it to the head of Tarion three years ago. He referred the matter to Tarion. Tarion said, "No, we've got other issues to deal with." So buildings that convert into condominiums have no warranty program. It just doesn't make any sense. Why wouldn't they be covered by a warranty?

The minister without portfolio should be able to speak up against these things. He should have called the head of Tarion and said, "No, you've got to get them covered." But three years have passed and there's no coverage.

We need changes. There are horror stories. A condo owner from Guelph who is here today told me he spent \$40,000 to sue a developer over a badly constructed basement. A 70-year-old woman from Richmond Hill called us because her property manager is threatening to sell her unit for no reason. A downtown woman who is here today got injured in her elevator and was forced to pay \$1,800 to get the same elevator professionally inspected. She has to pay for that. It's just nuts; it's wrong.

We need to change the condo act in order to give condo owners the protections they need. They need rights. They need protection. At the moment, the condo act does not give it to them. I am hoping that this year the Liberal members will listen to us, the minister will listen to us and the Premier will listen to the changes that I am proposing.

Thank you for coming to listen to this debate.

*Interruption.*

**The Acting Speaker (Mr. Jim Wilson):** Order. Order, please, in the galleries. I'd just remind members of the public in the galleries that while we welcome you here at Queen's Park to watch the debate, you're not in any way allowed to participate in the debate, and that includes clapping. Thank you very much.

Further debate?

1410

**Mr. Mario Sergio:** It's always a privilege and an honour to rise in the House and address issues that pertain to our common taxpayers, especially on this particular bill brought forward by the member from Trinity–Spadina. Although the number is different and the content of the bill is different, it's getting closer. We're coming down from Bill 186 to 79, so it looks good for Mr. Marchese. I have to say that he's very persistent and very persuasive.

We should be looking at this bill as the initial document to stir up a debate that I believe is much needed with respect to the Condominium Act, condominium owners, developers, Tarion and a slew of other things as well. I hope that Mr. Marchese's bill will go forward. I would like to see this bill go to a committee, where we can have public hearings, where we can indeed hear from the various stakeholders, and hear more than what we are saying in the House today.

I myself have a lot of condominiums in my area, and I could tell the House a number of horror stories as well. While the bill may be far from being perfect, I think we should be using it as a way of initiating a debate, and I do hope that it will move it on to hearing the various stakeholders who have an interest in this. Also, as a government, we should have an interest in this as well, because in the end we are dealing with our own people. We need to protect our people.

The bill calls for a number of things. Some of them I feel are necessary, some I think we should have a second look at, but, as I said, we do need to have a look at how the various condominium laws are governing our owners in Ontario.

Yes, there is a problem with Tarion; yes, there is a problem with the Building Code; yes, there is a problem with developers; yes, there is a problem with owners wanting to purchase that first condominium unit. Often, they are not fully aware of what to expect. Once they are about to close, if they are saying, "Well, the unit does not have a sink. I can't move, I cannot close," believe it or not, the agreement of purchase and sale says that it is sufficiently completed for you to close and occupy that unit—and there is no recourse, because if you don't close you forfeit the deposit, and then you are out of luck. There are no ifs or buts.

In the month of October, I had a senior couple who had no hot water tank. They had no hot water and no heat. They were forced to move into the unit. Otherwise, they would be losing not only the deposit; they would be losing the unit. They had sold their own house; they were scaling down. They were put in a position where they were forced to close. I have to say, there wasn't any recourse for those particular people.

The member is bringing forth a private member's bill that I think deserves at least to move forward and hear more from the various—even from the industries, the owners, the corporations, the maintenance and the management people. I think there are a slew of people who have a stake in this.

Some of the things, frankly, that the bill is saying—I don't know if they could be done. How are we going to do it? Sure, the board has a lot to do, with respect to the management and how the condominium is moving along. Creating another board: Is this good or bad? Are we creating another layer? We have problems now between management, owners, condominium corporations and the board as well. I think that there is a huge problem there. How are we going to fix that? I think this would come out if we had some consultation and some public hearings.

The building code: Yes, some changes are needed there, but are we going to do it this particular way? There is an existing Ontario building code, and I think it should be enforced.

When it comes to noise, is that the proper way of doing it? We have the local municipalities that should be the first ones to respond, to be approached and to solve the problem. But seeing that the time—it is unfair to us, and we have to be caught at a very particular time.

I just would like to say, yes, it is not everything that we all would like to see, but at least the bill is an initial step to move forward and see where we go from here. I hope that we can improve it and satisfy the requirements that Mr. Marchese has brought forth. I think it's important that we do look at it and bring in necessary changes for the benefit of present and future condominium owners.

I will leave some time for my colleague. I thank the member for bringing the bill forward.

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

**Mrs. Elizabeth Witmer:** I'm certainly pleased to join the debate on Bill 79, the Condominium Owners Protection Act, 2010, that has been put forward by the member for Trinity–Spadina.

I want to commend the efforts of the honourable member from Trinity–Spadina. I know that he, as an individual who represents a very highly concentrated and densely populated urban riding, is very familiar with the concerns of condominium owners, and so I applaud him for bringing it forward.

The first Condominium Act was passed in 1998 and came into effect in 2001. Obviously, since that time, we have seen a tremendous growth in condominium development, and it's certainly now time to address some of the issues that have been brought forward.

I also live in an urban riding, and I am seeing an increasing amount of condominium development. Of course, as a result I have more condominium owners, and I also tend to hear from those individuals about concerns that they have.

This bill, if it's passed today, will give us an opportunity to review at committee the concerns that have been raised throughout the province of Ontario and to seek solutions to those problems.

I think it's important to remember that condominium owners are, in fact, property owners. Although they don't own the property, it's really important that we ensure that

their rights and their interests are protected. So we are taking, I believe, a step in the right direction by reviewing what is happening currently.

We do know that condominiums, because they're different than apartments and because they're different than homes, do have their own very unique set of challenges, by virtue of the fact that each unit is individually owned, with the board of directors essentially governing the building as a whole, while a separate, third party property maintenance company is responsible for upkeep and repairs. You can sometimes find yourself in a very complex situation and one that is rather difficult to navigate.

It seems that often today we find that there are owners of condominiums who do not have the necessary protections and do not have the recourse to resolve the problems they are encountering. As a result, they become the victim.

I think if we take a look at this bill, it's going to strengthen the standing of condo owners. Therefore, it's going to provide them with some relief from the complex, varied and more and more problems that we're hearing about today.

Condominium development and ownership have become integral elements to the economy of many of our urban centres in Ontario. They do serve, I believe, a very useful purpose. I think if you take a look, a lot of the condominiums do go up at a time when we're trying to reduce our carbon footprint and decrease sprawl. We have to make sure that, obviously, people who are going to be buying the condominiums and people who are going to be building the condominiums—that we have the incentives, the proper structures in place in order to provide protection for everybody. So I think this bill is a step in the right direction. It's going to ensure that there are structures and there are safeguards to guarantee that the rights of everybody are protected and that people receive value for their money.

**1420**

We do know—and I take a look at some of the points that have been made by the member from Trinity–Spadina—that some of the concerns we hear about are shoddy workmanship, unfinished lobbies, units that look different than they were thought to be, or lack of soundproofing. Also, there are governance issues today, and that's a very serious issue as well. And of course, at the end of the day, I think it's this utter lack of recourse when you have disputes between owners, boards, property managers or developers. Currently, people are going to court to try to resolve that.

If you take a look at the support for the bill, I think there are several condominium owners' associations that appear very supportive. So we do have a duty to review the situation and try to rectify it. This bill is a first step in the direction. Purchasers have the right to receive what they paid for. Buying a condo only to learn later that it's different from what you expected is just not acceptable.

Hopefully, this bill will take us forward to a point where we can ensure that the problems that are being

encountered today will be addressed. Obviously, there are sections within this bill that I may or may not agree with, but on the whole, I do support this piece of legislation, I commend the member and I will be supporting it.

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

**Mr. Michael Prue:** It is indeed a privilege and an honour to stand here and support my colleague from Trinity–Spadina as he, for the third time, tries to get this bill passed.

When a good idea comes along in this Legislature, it may be embraced, but then nothing happens with it. We may all stand up and talk about what is contained within the body of the bill and how we want it to move forward, but it seems that it never does.

I want to commend Mr. Marchese, the member from Trinity–Spadina, because he has not given up hope. He continues to fight this battle, not once, not twice, but three times. I'm hoping the third time is lucky, because what he is trying to do is very simple in legislation.

I only want to talk about three small aspects of the bill and leave additional time for my colleague to talk about it. The first one is the whole question of Tarion. That is a board and a body that is run by developers for developers in order to make sure that developers get what they want and that they are protected when people are angry at the shoddy work or service they have delivered. Over the years of my time in this Legislature, we have tried to deal with so many people who have shoddily built homes, shoddily built condominiums, shoddily built everything, and the developers, through Tarion, are able to skirt around the issues, to not have to pay, to not have to repair, to do whatever they end up doing.

When I've talked with officials from Tarion, they shrug their shoulders and say, "This is the way it is; this is the way it should be; buyer beware." They give me all this stuff.

But I want to tell you that that will all end in a minute if this bill is passed. When half of the people on the Tarion board are consumers, homeowners, condominium owners—when half of them are there—they will understand and they will not let this happen. So I think the first thing that has to happen here is that half of the board of Tarion needs to be consumers and consumer advocates; they don't need any longer to be developers and developers' representatives alone. I think a half-and-half mixture, which has been put down here, will do wonders in getting shoddily built homes and condominiums repaired and give equal voice to consumers and those who produce the product.

The second thing I want to talk about is the whole issue of conversion condominiums and lofts. Being a representative from Toronto, we see many older buildings being converted to lofts, and we think that's a good thing. We think that repairing and restoring historical buildings and making neighbourhoods remain roughly the same and bringing life to downtown factory areas that are no longer any good for manufacturing is a wonderful thing. It's far better, in our view, to repair those old

factories, those old storage facilities, those old office buildings that no longer meet the 21st-century standard; to repair them for good, decent homes and loft homes.

Certainly I know that in Toronto when loft homes are sold, they sell out rapidly. People want to live in them. People want the high ceilings. People want to have bedrooms on a mezzanine level. They want the convenience of living in the downtown core. But these conversion condos have not been included in warranties and they need to be, so that people are protected the same as if you start at ground level and build up. They need to be protected in exactly the same way. So I commend my colleague from Trinity–Spadina for including this, too, in his bill.

Last but not least, I want to talk about the provision in his bill that allows for a condo review board. We live in a litigious society—not so litigious as the United States, thank God, but litigious enough—where, when people are unhappy, they are forced to go to courts. This is a time-consuming expense. This is something that ought not to be meted out to individual condominium owners. Why should people be forced to go to court? Why should they be forced to hire lawyers over grievances that should ordinarily be resolved in a civilized way? Having boards instead of courts is a good thing. Having an opportunity to sit there and have an arbitrated settlement without having a forced, legal protracted manoeuvre is a good thing.

I want to say that I will be supporting in its entirety that which has been put forward by the member from Trinity–Spadina. I'm asking the members, particularly on the government benches opposite, to support this bill, but to support it in whole: to support it and to talk in caucus about making sure it goes to committee, making sure that that committee has an opportunity to listen to people as they come forward, to absorb and do everything that is necessary from what they state to make this into law, and then to argue in your caucus to bring it forward for third reading.

If you have a better idea, then come out with a government bill. I'm sure that if it's better, I'll support it instead. In the meantime, after three years, this is the best we've had. This is the best hope we have to help those Ontarians who now live in condominiums and to do the right thing by people who are trying to protect their biggest, their best and their most important investment, which is their homes.

Congratulations to the member from Trinity–Spadina.

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

**Mr. David Zimmer:** I want to compliment the member from Trinity–Spadina for bringing this legislation through. I see much in it that warrants my support, and in fact I will be supporting this bill. I say that for a couple of reasons.

In my riding of Willowdale, I have a huge amount of experience with condominium issues. I'm in my riding every Friday at my constituency office when the House is sitting, and more days than that when it's not sitting, and

every one of those days I have several appointments dealing with condominium issues in Willowdale. Willowdale, by most estimations, has more condominiums in it per capita than any place else in Canada. I hear a lot about the issues that this bill is going to address. I could speak at length about it, but I want to speak to one section in particular that I think deserves great credit and I know has struck a real chord with my constituents in Willowdale.

#### 1430

One of the things that I hear about in those many, many constituency meetings is this issue: A dispute of some sort has arisen in the condominium. It may be a dispute between the condominium owner and the condominium corporation; it may be a dispute between two condominium owners. There are various combinations of these disputes that arise in the condominium.

To date, for the most part, these disputes often—more often than not—get out of control and become intractable, and when they become intractable, they become bitter disputes between residents, owners in the condominium, between the condominium owner and the condominium corporation, and all the other various combinations.

Then the parties get involved with trying to resolve the dispute and inevitably they get the advice: “Well, it's a condominium. It's a very complicated area and you need to see a lawyer. You've got to go into the judicial process and get this sorted out somehow.” The cost of doing that is just prohibitive. It just gets way out of whack.

This bill—and I'm just going to quote from the preamble of the bill—sets out something called a review board. I'll just quote what the intention of the review board is:

“The review board's objects include advising the public on matters relating to condominiums, providing information to condominium corporations and owners of condominium units on matters of concern to them and”—I think the real benefit of this legislation—“assisting in the resolution of disputes, including disputes involving,” and then it lists types of disputes.

I think that if this legislation passes, this mechanism, this vehicle to resolve these disputes by way of a review board—and that might be by way of arbitration, mediation and so forth—is going to go a huge way to alleviate and resolve the anxieties that the condominium owners—and the condominium corporations board, because they're in this dispute also. At the end of the day, a resolution to the satisfaction of all parties is the best thing for everybody: the condo owner, the condo corporation, the individual directors and what have you.

Further, to assist the work of the review board there has to be a mechanism to mediate, to arbitrate, to get the parties to these intractable disputes together and to get them talking, to keep them out of the litigation system, to keep them out of the lawyers' offices, to save money that they can use for their otherwise monthly living expenses.

The legislation contemplates something called review officers, and they will be set up by the review board:

“The review board shall appoint review officers who shall perform the duties and exercise the powers given to them by this act and the regulations under the supervision of the review board and shall perform such other duties as are assigned to them by the review board.”

As I understand the legislation, there is the review board to resolve, as I’ve said for about the third time, these otherwise intractable disputes. It goes a step farther and it provides personnel—man persons, woman persons—to assist in the resolution of those disputes. That’s a good thing for all concerned in the condominium world. It’s a good thing for the constituents of Willowdale. It’s a good thing for the constituents anywhere in Ontario who are in a condominium lifestyle situation.

There is one last point here that I think is very helpful. The act contemplates an annual report. So the review board every year is going to do a report on what the review board has dealt with that year—disputes that have come in the door, disputes that have been resolved; it will keep statistics on various issues in condominium corporations. That report will be filed with the Lieutenant Governor. Why is that important? Because that will give us in this Legislature an insight into what the review board and the review officers are seeing in the condominium world and we can constantly monitor it and, from time to time, we may want to refresh the legislation.

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

**Ms. Lisa MacLeod:** It’s a pleasure to be able to speak to Bill 79 in support of my colleague from Trinity–Spadina, Rosario Marchese. I appreciate the opportunity because he has brought this bill forward a number of times—three, in fact—and he has received, on all those occasions, support from our party, the Progressive Conservative Party, and in particular from our critic for consumer services, Julia Munro.

I’d also like to welcome the people in the gallery today who’ve taken the time to come to Queen’s Park to witness this debate because this issue is important to them and other property owners right across the province. Thank you all very much for coming here. I think you’re probably pleasantly surprised to see that all three political parties here today have taken your concerns into consideration. They will be supporting this piece of legislation to see it move forward so that we can best protect your property rights, your pocketbooks and your way of life.

We recognize that many condo owners have concerns about how the current Condominium Act works—or doesn’t work. Certainly, in the Progressive Conservative Party, we’d like to see reforms made, and that is why we will be supporting Mr. Marchese’s bill.

We’d also like to see reforms that would enhance the rights of property owners. Where I come from, there are not a whole lot of condominiums. I live in a suburban-rural riding, so I probably have a few more farms than I do condominiums. But my husband and I, as we started out on our married life 10 years ago—our first place was a condominium. It can be one of the best things in the

world, or it can also be something that’s quite difficult. It’s always great to have great neighbours, but it’s also important to have good property management. I think that’s why it’s important that this act is passed.

Mr. Marchese has been very upfront that he’d like to rectify a number of challenges that condo owners across Ontario are facing. The first one is clearly some structural problems, like shoddy workmanship. I don’t think in this day and age we should be tolerating people doing work and not finishing it. When you’re looking at unfinished lobbies, units that are smaller or very different from what the owners thought they were getting or the lack of soundproofing, we think that needs to be rectified. I think this bill is setting out to do that, to give you the protections that you deserve.

It’s also very difficult in this day and age when you look at condo owners right now, one of the hardest-hit groups when you think of the HST. Even if you are taking that on yourselves, you’re hit with two problems. One is, you’re either going to have to fix it yourself and you’re paying the HST, or you’re going to have to get somebody who is doing it under the table, and you may not get the guarantees; the second thing is, you’re paying this increased price because of the HST on many of these issues, and in many of the cases you’re finding that some of this work isn’t getting done. So it’s a very important issue.

The other issue that I think Mr. Marchese wants to correct, and we certainly support, is bad governance, whether that’s the misuse of proxy votes, whether that’s intimidating owners who try to organize residents or whether that’s expensive alterations that are carried out with or without owner approval. The reality is, we need to strengthen and reform board governance. I think that many of the parties here have spoken to that today.

Finally, I think he seeks to alleviate disputes between owners, boards, property management or developers. He really feels, as we all do, that this can only be solved in the courts presently. That’s really no way that Ontarians would like to be spending their time and/or their money. I think there’s a better way, and for this review mechanism he’s certainly setting out to achieve better decision-making, maintenance and interactions.

I’d like to point out that other than those in the gallery today, who have come—I believe they’ve travelled from either Mississauga or Brampton, Mr. Marchese?

**Mr. Rosario Marchese:** Different places.

**Ms. Lisa MacLeod:** Different places—there are many different stakeholders who have spoken out in support of this type of a bill. I want to preface the condo owners association of Ontario, who we worked with in my office with respect to the HST. They are very much in support of Mr. Marchese’s bill. The Canadian Alliance for Condominium Owners’ Rights has also spoken out. They state that because of the government’s failure or refusal to address the protection interests of condo unit owners, this type of bill is needed. The Condo Information Centre also recognized five sources of problems. One is the lack of government regulation and enforcement over the

condo industry in general, and lack of enforcement of the condo act.

**1440**

You see here that there are people throughout the province who are supportive of this piece of legislation. We have heard from colleagues from all three political parties who are speaking of the need for change and progress. We have heard from those who have taken the time to join us in the gallery today that enough isn't enough. We must continue to make progress, continue to work in the right direction to ensure that there is access to information, access to assistance and access to an appropriate appeal board. That's why we'll certainly continue to support Mr. Marchese's bill, and that is why not only will we vote for it today but we will look forward to this bill coming back to this chamber for third reading and voting for it again then.

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

**Ms. Cheri DiNovo:** It's a pleasure to rise to this. And thank you for coming down, all of those who have.

Something to add to the debate: Of course, I'm going to be supporting the member from Trinity-Spadina on this bill. It should have been passed six years ago. We shouldn't have to speak about it three times before we see action on it.

One of the problems with being a condo owner or new homeowner is that if you complain about the developer, if you complain about your board—in the case of condo owners—the cost and the value of your unit or your home go down and you can't sell it as easily. So you're caught between a rock and a hard place. That's probably one of the major reasons it's been so difficult for condo owners and new homeowners to really wrestle with this problem and to wrestle with the issue before us, which is Tarion. I want to make that point, because that's why it's so important that condo owners get together, that new homeowners get together, that they speak as a collective rather than as individual unit owners. I'm working with boards in my own riding to make sure that happens.

Second of all, it is absolutely true that condo owners in the province of Ontario have less rights than tenants—less rights than tenants—and tenants rights' are nothing to crow about. This bill will go towards ameliorating that.

Canadians for Properly Built Homes, a group that I've worked with very closely—Karen Somerville; and a shout-out to them—and that is supporting me on the Ombudsman oversight of Tarion, which is another piece as well, have been at this for a long time with the same kinds of problems. They're dealing with a bureaucracy that doesn't listen, a government that says all the right things but doesn't do all the right things. That's the problem here.

In the member from Trinity-Spadina's bill you've got what is necessary in terms of reforming the condo act. It's pretty straightforward; it's pretty obvious. I don't know a better way of doing it. If the government does, it would be interesting to hear a better way of doing it. Certainly, I was very appreciative hearing the member from Willowdale. I suspect he might get into a little bit of

trouble for what he said. What would be really nice would be to hear from the cabinet. What would really be nice is to hear from the Minister of Consumer Services or the Minister of Housing that their ministry is going to take action on this. We've been at this—Mr. Marchese has been at this—for seven years. How much longer? How many more majority governments do the Liberals and the McGuinty government have to get before we get some action on this file?

Again, it's not enough, really, just even to pass it, which I assume we're going to. We need not only to get it to committee, we need to pass this bill. And if not this bill, as the member from Trinity-Spadina said, we need the government to bring forth its own bill for debate that we can move forward on.

Just to reiterate, condo development is a very good thing. Don't get me wrong. We want density in the city of Toronto. We think it's a very good way to live. We think to live in a condo makes a lot of sense. My husband and I rented a condo for a while. We were thinking of buying it, and then we went to a board meeting and learned that the maintenance fees had gone up 50% after the developer pulled up stakes and went away—50%. This is not uncommon. You're sold one bill of maintenance fees and then, all of a sudden, the developer's warranty period ends and the maintenance fees go up. That's one of many, many problems that face condo owners. It shouldn't be that way. This is the forward way of living in big cities. This is what we need more of.

We need to get this right so that more and more people feel comfortable in purchasing units, and so that individual condo owners—and new homeowners, for that matter, because it is the same kind of issue—aren't forced to choose between speaking out and the value of their unit and their condo development going down, or keeping quiet and having the same problems roll along and get passed on to the next owner and the next owner.

In short, absolutely, we should all vote for this bill, but more than that, I really implore the government to move on it. I met with Tarion. I toured their offices. I heard about it. But what we're talking about there, you've heard before. We're talking about the fox in charge of the henhouse here. I'm telling you that if you're going to have a fox in charge of the henhouse, you're going to have developers looking after issues that have to do with developers. You had better have some supervision, and you had better have some even voices within Tarion itself to represent consumers. Again, the member from Trinity-Spadina's bill addresses that.

So let's pass it. Let's do more than pass it here. Let's move it forward to committee, and more than move it forward to committee, let's actually get this government to move on this. We need to hear from them, and we need action so that the lawsuits cease, so that the problems cease, so that the rallies don't have to happen year in and year out, and so that Mr. Marchese's bill becomes law.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Trinity-Spadina has two minutes for his response.

**Mr. Rosario Marchese:** I want to thank Linda Pinizzotto, the president of the Condo Owners Association that represents about 200 condominiums in my riding. It's the first condo owners' association we set up in the whole province. She's working hard to set up chapters across the province. I hope they continue to grow and to have the influence on governments that they deserve.

I want to thank the condo owners who came from northern Etobicoke, because they brought to me a problem they are suffering with; that is, they are paying \$1,000 a month in maintenance fees and had \$800,000 in reserve funds disappear. Where did that money go? They don't have a clue. They couldn't get any board meetings. They couldn't get the board to have a meeting to talk about that problem. They had to go to court. The court appointed an administrator, and the administrator is dealing with it but doesn't have to tell them a single word about what happened to that money. There are 10 condominiums that are under an administrator. We found that out not from the Ministry of Consumer Services but from that group that has been fighting this particular problem in court. Thank you for coming today and for all your efforts.

I want to say that we've had five different ministers in the last seven years. How can you have any continuity when ministers come and go? It's just not good. We've got some good developers, some good property managers and some good boards, but when problems exist with any one of these entities, the problems can be horrible.

I want to thank the member from York West, who spoke in favour this year as opposed to last year—he was a little more critical of my bill last year—so that was good, and the member from Don Valley West.

To those of you who have come here today, it appears that this bill will pass. But don't let up, because we need to persuade the Premier and the new Minister of Consumer Services that they've got to make amendments to this bill. Don't let up; keep up the pressure.

**The Acting Speaker (Mr. Jim Wilson):** For the public who are in the gallery with us today and those watching at home, we will vote on Mr. Marchese's ballot item in about 100 minutes.

**Mr. Rosario Marchese:** On a point of order: I mentioned the member from Don Valley West, but it was the member from Willowdale that I was referring to.

**The Acting Speaker (Mr. Jim Wilson):** Okay, so you're correcting your own record. Thank you.

ARTHUR WISHART AMENDMENT ACT  
(FRANCHISE DISCLOSURE), 2010  
LOI DE 2010 MODIFIANT  
LA LOI ARTHUR WISHART  
SUR LA DIVULGATION  
RELATIVE AUX FRANCHISES

Ms. Jaczek moved second reading of the following bill:

Bill 102, An Act to amend the Arthur Wishart Act (Franchise Disclosure), 2000 / Projet de loi 102, Loi modifiant la Loi Arthur Wishart de 2000 sur la divulgation relative aux franchises.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98, the honourable member has 12 minutes for her presentation.

**Ms. Helena Jaczek:** At the outset I would like to make sure that everyone knows that this bill, Bill 102, An Act to amend the Arthur Wishart Act (Franchise Disclosure), 2000, is co-sponsored by my colleague from Parkdale–High Park and my colleague from Parry Sound–Muskoka. I think that this type of collaboration is something our constituents expect of us. We know that in our ridings many people did not actually vote for us or our party and it is our duty to represent them in this House wherever we can. It has been certainly an interesting and very satisfying experience to work with my two colleagues on this particular bill.

**1450**

I'd also like to recognize in the west members' gallery some supporters of the bill: Les Stewart, the founder of the Canadian Alliance of Franchise Operators, and Detective Fred Kerr, the corporate fraud manager for York Regional Police's major fraud unit.

This bill came about because of a constituent, a constituent who came to tell me a very sorry tale about her experience as a potential franchisee. A pizza business placed television, radio, newspaper and magazine advertisements promising a complete business operation with training and support. My constituent was one of several people from across Canada to respond to their ads. She was looking to invest in a franchise as a way to financially provide for her family.

She provided the franchisor with a significant payment to secure a franchise. It turned out that the franchisor was running an elaborate scam across the country, taking money from those who believed they were purchasing a franchise and then disappearing. The pizza business was ordered by the courts not to sell franchises in Canada. No jail time was served; no funds were recovered. The owners of this particular business went on to sell other franchises to other investors in Canada.

This type of extreme situation is something that we believe our bill can, in fact, prevent. We believe that our modest amendment to the disclosure requirements of the existing legislation will, in fact, protect both franchisors and franchisees and allow them to make informed decisions that will certainly prevent future litigation and misunderstanding and allow them to have a profitable business relationship.

It's important to think about exactly what a franchise is. One of the definitions that I liked was one that the Manitoba Law Reform Commission produced in a consultation paper. Essentially, "a franchise is a licence from [the] owner of a trademark or trade name, permitting another to sell a product under that name or mark." It has, over time, evolved into an elaborate set of agreements under which the franchisee undertakes to conduct a

business or sell a product or service in accordance with methods and procedures that are prescribed by the franchisor, and the franchisor undertakes to assist the franchisee through advertising, promotion and other advisory services.

It's also quite instructive to read about the history of franchising in Canada. Essentially, in the beginning, it was government who granted private individuals and corporations the right to carry out activities that would otherwise be restricted to the government. In fact, here in this country, that type of arrangement helped to facilitate the development of infrastructure and services such as railroads, utilities and banking, so that modern private sector franchise actually appeared in Canada in the 1850s.

The Singer sewing machine company attempted to organize themselves in such a fashion. They were not particularly successful, but the concept was developed further by Coca-Cola. They invited regional franchisee bottlers to produce and bottle soft drinks under its trademark, and Coca-Cola's rapid expansion was funded by the franchisees, who in return received exclusive distribution territories and support. General Motors began distributing automobile inventory across the country through individual dealers in 1898. Dealers could purchase vehicles at a discounted price for resale and were granted regional franchise rights. In return, they were required to sell only the products of a single manufacturer. This distribution method shifted to dealers some of the risks of market downturns and proved to be successful for the automobile industry, at least until the recent recession.

Following the Second World War, franchising expanded and became a more and more complicated business. New industries took up the concept, including fast food restaurants, hardware retailers, drug retailers, and motel and hotel services.

By the 1970s, franchising had become a popular method of doing business and an enduring part of the Canadian economy. However, there were high-profile failures associated with this rapid expansion and as growth continued in what was often an unprincipled and unregulated fashion. So, in 1971, the Ontario Minister of Financial and Commercial Affairs established the first public inquiry into franchising in Canada. This resulted in the Grange report, which actually called for legislation and even wanted to establish something described as a franchise bureau and registrar. However, little action was taken, so the franchise business continued in an unregulated fashion until there were a number of disputes that came to the public's attention in the early 1990s.

A particular high-profile pizza franchisor had a large number of its franchisees saying they were subjected to arbitrary cost structures and a feudal-style management structure. So, in 1994, the then Bob Rae government announced the formation of a franchise sector working team to make recommendations on franchise regulation. The team was composed of franchisors, franchisees and government. The team recommended that alternate forms

of resolving franchise disputes should be explored and adopted. They recommended that the Ontario government carry out wide consultations and explore how national harmonized regulatory standards might be pursued.

Nothing happened until 1998, when the then Mike Harris government released a consultation paper on franchise legislation.

MPP Tony Martin introduced a private member's bill in 1999 that dealt with franchising. There were several public hearings that followed, as the government also introduced some draft legislation. The topics of discussion centred around the power imbalance between franchisors and franchisees, the restrictions placed on franchisees for the sourcing of products and services, and the need for provisions for alternative dispute resolution. The result is our current Arthur Wishart Act. But we know that since that act was passed in 2000, we have ongoing problems. We believe that the disclosure provisions in that act are not sufficient and do not offer sufficient protection to both franchisor and franchisee and have resulted in completely unnecessary legal action.

We need to understand that in fact the relationship between the parties to a franchise agreement can often be compared to a marriage. The parties depend on each other for their continued well-being. The relationship is intended to continue for a lengthy period of time, and the arrangement is intended to be satisfactory to both parties.

While franchisors and franchisees generally share a common desire to succeed, there is also a considerable potential for conflict between them, and the parties frequently have dramatically unequal bargaining power. The franchisor is usually a large, sophisticated business organization, has a lot of franchising experience, and may control the terms of the franchise agreement. The franchisee may have little business experience, and they often must take or leave the franchise agreement as offered. They must rely to some extent on the franchise's representations with respect to the potential for business success.

In recruiting an investor to open up a new franchise outfit, a franchisor is, to a large degree, gambling with somebody else's money. Indeed, the franchisor may receive an upfront franchise fee and thus may reap immediate financial gain even if the outfit fails quickly. In the event of failure, the franchisor may be the only buyer for the franchisee's capital equipment and may do so at a deeply discounted price, perhaps reselling it to a future franchisee at a substantial markup. Franchisees are somewhat locked into the relationship by high sunk costs or invested funds that cannot be recovered if the franchise relationship ends. The franchisee continues to be at a disadvantage in relation to the franchisor in terms of access to information and control of operations throughout the franchise relationship and especially during negotiations and at the time the franchise agreement is signed.

The intent of our legislation is to ensure that potential franchisees are provided with information on which to

make important investment decisions and to protect investors from unfair and deceptive business practices in the franchise area. The disclosure requirements of our amendment allow for individuals to do some self-evaluation in terms of understanding their financial commitment. It requires them to consider whether they have the necessary management skills, education and experience to operate a business. The issues for franchisees to consider are things such as the history of the franchise, the financial stability of the operation, the directors or general partners involved, their level of experience, and whether there is ongoing training for franchisees.

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Prospective franchisees should also consider issues with respect to the goods and services they will be selling, offering or distributing, such as demand for the product, fluctuation in sales due to seasonal nature, whether the franchise can carry other lines of goods and whether there is a continual supply at a fair price. There are also issues related to the location of the franchise and their sales territory.

They are also suggested very strongly to consult a lawyer so that they can make sure that the deal they sign is one that they are comfortable with. We believe that this will protect both parties—both franchisee and franchisor—and allow for a far more profitable business relationship.

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

**Mr. Norm Miller:** It's my pleasure, first of all, to co-sponsor this bill with the member from Oak Ridges–Markham and the member from Parkdale–High Park. I have a short time to speak, as I have a couple of other colleagues who would like to speak to the bill. This is not a partisan issue.

Making a decision to take on a franchise is a major decision. I think probably all MPPs have had constituent stories where things have not worked out the way the franchisee expected. Individuals often commit their life savings and money from family and friends towards their business. They rely on the success of their business for their retirement. So they should go into the franchise arrangement with their eyes wide open, and Bill 102, An Act to amend the Arthur Wishart Act, will assist franchisees in exercising their due diligence. In fact, I believe it will improve franchisee–franchisor relations.

The Consumers Council of Canada states:

“Your bill, if passed, would assist all purchasers in understanding their rights and responsibilities when entering into a franchise agreement and improve comparability and competitiveness among franchisors.

“Franchisees have a responsibility to understand the agreements they enter into and should exercise due diligence. The bill would increase understanding about the nature and extent of due diligence and should help moderate costs associated with proper assessment of a given business opportunity.”

I think that's well stated.

In the brief time I have to speak, I will just give one constituent story without revealing any names. I had a

constituent come to me who had been a franchisee for 30 years. It was a delivery business. He put in long hours starting at 2 a.m. each day. He'd accrued about \$150,000 in equity in the business.

The franchise agreement had changed over time. He understood there were penalties for breaching the terms of the contract, and he admits he broke what he thought was a fairly minor rule. He thought he might face a bit of a financial penalty but didn't realize that he had the possibility of losing the franchise. But that's what happened. His franchise was sold and he lost all his equity just as he was about to retire; and that business was his retirement fund.

I will note that paragraph 7 in our bill states that part of the educational document is “a statement that it is advisable to have a lawyer and an accountant review the entire franchise agreement, particularly with respect to bankruptcy, termination, renewal, transfer and sale of the franchise.”

If this particular constituent had done that, particularly consulting with a lawyer who specializes in franchise law—that is the one thing, from the hearings that we had prior to this bill, that I would advise is probably the most important thing to do.

I would simply say that I hope that members will support the bill and give it a chance to go to committee, where I know that there will be lots of input from those prospective franchisees, from franchisees who have had a bad experience and from franchisors. It's a big business, so they have an interest in it.

I note that the Canadian Franchise Association sent a letter around just yesterday, or a couple of days ago, with some concerns they have. I would encourage them, if it passes and goes to committee, to come to committee and have their say. Otherwise, I would ask that members support this bill. I do believe it will make a difference in this important industry in the province of Ontario. With that, Mr. Speaker, I thank you for the opportunity to speak.

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

**Ms. Cheri DiNovo:** It's an honour, of course, to help introduce a bill that is sponsored by all three parties. I want to say, first of all, that this is a rare occurrence in this House. In fact, I was part of the first historic one a couple of years ago. That was the first bill in Ontario that had ever been introduced by three parties.

I think it's a very positive step, because I know that the electorate—those watching—have very little patience for the kind of shenanigans and partisan bickering they often see in this place. I think that voters in this province actually want to see work done here. They want to see people get together, negotiate, come up with solutions and move forward. This is one of those historic instances, and it is historic when that is happening. I commend the member from Parry Sound–Muskoka and the member from Oak Ridges–Markham for being part of this historic venture.

What is this venture? It is a small but significant step. It is an updating of a bill that has been on the books for a

while and was an attempt to help franchisees in what is often a very unequal relationship. I know that those watching, out there, will think this might be the case with fly-by-night organizations and people who don't know what they're doing. I wish that were the case. Unfortunately, it isn't. Often, those who are involved in paying for a franchise feel very hard done by, by some very well known household names—big companies.

This is why we need to be involved here. We need to be involved with those who often place their life's savings on the line to purchase a business, usually because of the good name of that brand or product. We need to help them move forward with their eyes wide open. This is an attempt to do that. You know that franchises account for about 40% of all retail sales across Canada and in Ontario. That is a significant portion of a market.

I also was privy to the horror story that was the inspiration for this bill: a young woman whose family lost \$150,000—bang, gone—and that was simply flat-out fraud. But what would have helped her, and what would help any potential franchisee, is to read, in a sense, the fine print, to have the franchisor have to answer some questions and to have the franchisee—there's responsibility on both sides here—sign off to say they have read it. We're used to doing this in other transactions that involve major amounts of money; we're used to doing this in every real estate deal; why not in terms of buying a business, which can often involve as much, if not way more, money as buying a house, which is usually the single greatest investment?

I want to read something here that gives you a sense—you don't have to go far on the Net to find stories like this. I have taken out the names of the company and of the person who wrote it, but it gives you a sense of the trauma. This person writes:

"Your dream has always been owning a ... franchise? Ha ha ha ha! Go ahead. You will sell your soul to slave work and you will throw your life away. There was a discussion about this in another Toronto forum and several ... owners joined the discussion. Here are some of the things that were said....

"You will have to buy overpriced ... equipment ... from ... headquarters and not from the manufacturer." The franchisor "buys it from them and they sell it to you at almost double the price."

This is an interesting point, because often companies that are reputable—when you think of the growth of the franchise trade, the idea originally was to take a product that was successful or an idea that has worked extremely well and replicate that, and in replicating it, get that product and that brand name out to a far wider audience, and by doing so, share in a little bit of the profit so that more people can be part of this ever-growing company. But I'm afraid that what sometimes happens is that franchisors see the product as the franchise, not as the product that the franchisee is selling, and that changes the spectrum entirely. This was the case for this poor individual:

"You've seen a congested intersection and suddenly want to take out a franchise and build it there? Ha ha ha ha! Keep dreaming! When you buy a ... franchise, they will tell you where to build it (out of your own money). If they say 'Nova Scotia,' you will have to build it there or else take a hike....

"You work hard for 17 hours a day; doesn't matter if you are the owner and have two slave managers. When one of them quits, guess who is the one that will manage" the franchise "from 7 a.m. to 11 p.m. for the next" many weeks "until a replacement is found?"

You spend 90% of your time "hiring and training employees, only for those employees to leave in two months. You are lucky if you keep them for six months with those low wages and long, erratic hours" that are already set by the franchisor. "When finally you trained a replacement, another one quits and you have to stay another week training his replacement."

The franchisor "keeps 10% of your gross earnings without them investing a penny or a minute in your risky venture." They go on.

#### 1510

This is their experience. This is somebody who lost, or feels they have lost, over \$1 million in their particular franchise escapade.

This is not a problem of small potatoes here; this is a problem of large sums of money people have invested—people, quite frankly, who often have some business acumen under their belts.

What this bill will do is make them read again what they think they know—because people often think they know the terms of the agreement without actually reading them. It will make them read those terms again, it will suggest more steps they can take, it will give them more information from the franchisor so they can make a more informed opinion, and it will require that they sign that they understand what these terms are, what the history of the franchisor is. As the member from Oak Ridges–Markham said, the advantages of getting a lawyer are paramount, a good lawyer who knows that particular franchisor—and also to check with other franchisees in the history of the company, in terms of selling franchises and what those franchisees' experiences have been with that franchisor. All of this is covered in this bill, plus, of course, the Arthur Wishart Act, which this bill amends.

That's what we're asking for here. It's not a lot. As the member from Parry Sound–Muskoka said, there is very much a role here in the development of this bill to be played by the franchisor and their lawyers. We've received letters from their lawyers about this bill, and I'm glad for that input; I think we all are. We welcome that input. The place for that input will be at committee, once this bill moves to the committee. They can bring their input. We can then have that debate. We can do it clause by clause. We can refine and approve the bill, maybe, and move it forward. That's what we're hoping. We're hoping that by moving it forward, by looking at it at committee—hoping we have all-party consent, because just because it's a tri-party bill, it doesn't mean every

member has to vote for it—I hope every member does vote for it today. But as we move it forward, we can provide added, absolutely necessary protection for those who are putting their life savings on the line.

I couldn't do better than what the member from Oak Ridges–Markham did in providing you with a history of this. I find it interesting also, of course, that we have police present, because so often this becomes a matter for the police or for the lawyers. It's not only, for example, the case that was given right off the top of a young woman whose family lost \$150,000 investing in a franchise that never materialized—they just took the money and ran. Not only does she have to do that, but then she had to go to the police, go through the police—and really, this is a business matter, so the police's hands are hampered in terms of processing this and, again, trying to hunt down the perpetrators. And then she had to go to lawyers, too. This is not unusual for those who have had horrible experiences, who have lost their life savings one way or another. You heard the member from Parry Sound–Muskoka speak about another way of losing your life savings. The terms of the franchise agreement change over time without the knowledge and without the say-so of the franchisee. There are many ways of losing your life savings when buying a franchise.

But the next step is usually the police and the lawyer. Not only have you lost the \$150,000, the \$1 million or your retirement savings, but then you have to spend more money out of pocket to try to get a lawyer to try to chase them down and bring them to justice. Of course, we know how that looks. You usually spend more on the lawyer than you recoup from the perpetrator.

This is a situation we have to rectify. It really affects too many small businesses in Ontario. I'm the small business critic for the New Democratic Party, and I can tell you as the small business critic for the New Democratic Party, small business represents 90% of the new jobs in this province. As I said at the front, 40% of all retail sales are done through a franchise. How many small businesses are franchises? Many of them, is the answer—many of them. We want to protect them because they then create jobs, and we're living in a province where jobs are an issue and where we want to do everything we can to protect the jobs at the other end as well as the small business owners who provide those jobs.

Of course I'm going to support this. I commend both my colleagues from the Progressive Conservative Party and the Liberal Party for coming together over this bill and over this important issue. I wish it happened more often in this House. It would be nice to see. I hope that it means, for this particular bill, that this becomes law much more quickly than it would if there were only one of us bringing it forward. I know that's all of our hope. I state that hoping that cabinet ministers who are present and who are listening listen and hear and do the right thing in terms of not only getting it to committee but getting from committee back here for third reading and then made law. That's our hope.

It's a very good day in the Legislature, a day without fractiousness, a day without yelling, a day where all parties act in harmony towards the good of not only the consumer but also of small business owners in Ontario.

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

**Mr. Bob Delaney:** Let me pick up where my colleague from Parkdale–High Park left off. What is this bill, if you're watching? I would call it, to be colloquial, "the caveat emptor alleviation bill." I call it caveat emptor, which is Latin for "buyer beware," because this bill represents a means of setting out conditions that represent a set of criteria to do due diligence for any prospective business owner or someone considering buying a franchise.

Who are we talking to in this bill? When we write a bill, we have someone in mind. We're talking to new Canadians and immigrant investors. We're talking to young people who dream of owning their own business. We're talking to 45-plus businesspeople, long-time employees, who have worked for someone else most of their professional lives and are looking to establish some independence in their middle age and to have an asset that represents a nest egg for their retirement.

This bill is appropriate because a franchise is a turn-key business. For the franchisor it is, in effect, a means of raising money and, when the franchisee chooses to dispose of his asset, a means of returning money to the franchisee. In effect, the franchisor is something of a deposit-taking institution. You could imagine that if the franchisor was a financial institution, it would operate within a very tight framework of regulations.

It's reasonable to impose such a set of regulations on an organization that would approach would-be purchasers who would be making an investment that would be as large as or larger than what they've put into their home and which represents, for nearly all of them, everything that they're going to have of value in the world. If the potential for a franchisor is to reduce the risk to an investor, to a business owner, to optimize returns, to share costs and R&D and to share marketing expenses—if the upside is large, then so too is the downside. The potential to do harm is equally large.

A number of years ago, nearly 20 years ago, I evaluated a franchise. I visited a number of franchisees. I asked a lot of these questions, but I had to look them up. I had to dig back into my old MBA books. I had to depend on my own experience in the business world, and when I look back on it, I consider the decision not to have invested in the franchise one of the best decisions I ever made. In fact, I think to myself, "Imagine if this bill were law and the owner of the Phoenix Coyotes had had the opportunity to get these questions answered." Well, that team might be in Kitchener-Waterloo today.

The Canadian Franchise Association disagrees with the bill. I'm going to cut them a little bit of slack on the scope and the depth of the disclosure. But that's why we have committee hearings. That's where we iron out those problems.

As to the intent of the bill, the intent of the bill is solid. I think if this bill is passed, and I hope that it gets to committee and gets through third reading and is passed, the reforms that it will foster will make it a good piece of legislation.

The table at the moment is too heavily tilted toward the franchisor. In doing that, if a bad franchisee-franchisor relationship leads to civil litigation, civil litigation is not about what's right or wrong; civil litigation is about what is or is not in the contract. The contract is always written by the franchisor, and the contract always protects the franchisor. What this bill does and proposes is that some of the disclosure requirements within it give the franchisee an opportunity to fairly evaluate the business on a level playing field and to make an informed judgement.

**1520**

On that note, thank you very much for the time. I'm sure my colleagues will pick up from here.

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

**Mr. Frank Klees:** I'm pleased to participate in this debate. I commend my colleagues from all three parties for the initiative in bringing it forward.

First of all, I want to just express my disappointment that, in bringing the bill forward, they haven't followed their own instructions to franchisors in terms of giving appropriate notice. It's interesting that a bill with such significance and impact on such a large part of our economy was given notice of to members a week ago today. If it was tight on time for me to inform myself about the implications of this bill, I can't imagine what the implication is to stakeholders and to all of the people in this province who have investments in franchises and—

**Mr. Bas Balkissoon:** They'll have a chance to stand up—

**Mr. Frank Klees:** Well, the honourable member says they'll have a chance. The fact of the matter is it would have been nice to have some more opportunity to consult with them before we got into second reading debate. I'm just simply making a point. This is a very important issue. I think there should have been more notice.

I also want to say at the outset that I do not believe that this bill—I have read it carefully—will have any effect on criminal activity. We can have all of the legislation in the world, but if someone wants to develop a scam, they'll develop a scam. That's why we have police officers who help deal with that. The fact of the matter is that there are people, and always will be, who choose to engage in criminal activity. We have them in the banks, with all the regulation in the world. We have them in the high-tech industry, with all the regulation in the world. And we'll probably continue to see them in this country.

I have three specific concerns regarding this proposed legislation. First is the repetition of certain requirements already present in the Ontario act and regulations. I don't know how many members have had the opportunity to

read the existing act, but I have. I look at the regulations in the existing act, and there are numerous, numerous repetitions that we have in this proposed act that are already within the existing regulations.

Second is a lack of clarity as to what exactly the franchisor is responsible to do with respect to the educational document, particularly as a number of the identified elements proposed for inclusion would be speculative at the very least. I've read the document in terms of the educational document that is being proposed, and much of the information that would be there would have to be speculative. If we're saying that a prospective franchisee should be able to rely on that document to make his or her decision about whether to invest, I'm concerned that we're actually setting that person up for a fall because we shouldn't be talking about many of the things that are included in that litany of information in that educational document. It should be factual only without providing for the kind of speculation that's there.

Third, there's no indication as to the repercussions of failure to comply with the educational document requirements and whether or not it would broaden the right of rescission under the act. I think that's very important.

I think that we have here a well-intentioned bill, a well-intentioned proposal, and that is to provide consumer protection. At the end of the day, if one reads the existing act, it makes it very clear—and in fact, one of the line items in the regulations is that prospective franchisees should engage the services of a qualified lawyer and get the appropriate advice relative to the documents and relative to the proposal. So it is buyer beware, and I think that that is, at the end of the day, what we should be sending out as a message to people across this province, regardless of the amount of regulation: Beware. Get the appropriate, professional advice and then make your decision.

Finally, I will support the bill, because on second reading it is a vote on the principle of the bill, and the principle of the bill is to provide more consumer protection. I'm in favour of that. But as this bill goes to committee, I suggest to you that there is much work to be done here. Otherwise, we risk actually undermining a very important sector of our economy; namely, the franchises that serve us.

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

**Mr. Bas Balkissoon:** I'm pleased to have the opportunity to speak on private members' business, Bill 102, an act to amend the Arthur Wishart Act, 2000. I'd like to commend the members who co-sponsored this private member's bill. I believe it is an excellent and much-needed amendment, and I will give it my full support.

The amendment to the bill would require a franchisor to provide the prospective franchisee with an educational document containing very specific and detailed information. This bill provides a very comprehensive list of things to consider and to investigate prior to entering into an agreement. It allows prospective franchisees to have the opportunity to decide whether this is something that

they believe they can handle, not only from a financial perspective, including start-up and ongoing expenses, but also in terms of leadership, education and previous experience, to name a few. If followed closely, it will certainly help the prospective franchisee in making an informed decision.

I am sure we all have stories that we can tell. I can tell you that a number of years ago, I was made aware of and became involved in the investigation of franchise fraud involving one particular franchisor that affected about 10 of my constituents. This person defrauded approximately 16 potential franchisees using the same nonexistent real estate location over and over again. These were honest, hard-working people who used their hard-earned money. Their life savings were used to invest, only to discover that they had been defrauded. They did pursue legal action against the franchisor that operated under different names. The courts ordered in favour of the franchisees; however, they were never able to collect. There was no place for them to turn, and very little assistance was available to help them recover their hard-earned dollars.

As I mentioned, I'm definitely in support of this bill. I would like to make a small suggestion which would provide a further level of security for franchisees. I'm sure a lot of people will consider it a little bit tough, but I think it's worth considering as the bill moves through committee in second reading.

As this bill moves through, I would recommend that the committee seriously consider that a transaction between a franchisor and a franchisee is no different than someone buying real estate; that there is a purchasing agreement and there is a deposit, and that all those deposits be kept in trust until the franchisor delivers that product, goods or services that were contracted for. This way, for the person investing in a particular franchise, their money is protected until they actually become the owner-operator of that franchise. There will be no risk to their investment, as I have seen with my constituents losing in their venture.

I'm fully in support of this. I hope that amendment will be considered when committee looks at it, and I'm glad to add my two bits to this particular bill.

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

**Mrs. Elizabeth Witmer:** I'm very pleased to join the debate on this bill, which has been brought forward by three of our colleagues from all three parties. I want to acknowledge the work that they've undertaken to develop the bill that we have before us, Bill 102, the Arthur Wishart Amendment Act (Franchise Disclosure), 2010.

**1530**

We have the honourable member for Oak Ridges–Markham, the member for Parry Sound–Muskoka and, of course, the member for Parkdale–High Park. I think they have brought before us a bill which is important to aspiring men and women who want to pursue goals and want to do so in a business environment where there is clarity and transparency and a free and accurate flow of

information. That's particularly important if you're going to be establishing a business; it is essential.

Of course, the people who become involved in these enterprises make a very important contribution to our economy. These individuals who have brought forth this bill are to be complimented.

I do share the concern, though, of my colleague about the fact that there was very little in the way of notice given to all of the people who are going to be impacted by this legislation. Of course, we have heard from the Canadian Franchise Association, which was obviously not aware of what was going on and is deeply concerned about the bill. They feel it may not achieve its desired effect and will ultimately create significant confusion that could have a detrimental impact on franchisors and prospective franchisees and, ultimately, the Ontario economy.

It is important that this bill, if passed, which I will be supporting, has a very significant amount of public consultation because this bill will have a significant impact on many parties. Hopefully, if the bill is passed, if the bill moves forward to a committee, there will be ample time and ample notice given in order that all those who are going to be impacted can be consulted.

I would say that what's important at the end of the day is that everybody who makes a decision to purchase a franchise, which can be a complex and emotional decision, has the opportunity to understand completely what it is that they're about to get involved in.

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

**Mr. Joe Dickson:** I'm pleased to rise on Bill 102. I compliment the members from Oak Ridges–Markham, Parkdale–High Park and Parry Sound–Muskoka. I really appreciate the fact that they've all come together. I see strong support amongst the Liberals, as I do for all bills that have been raised here today. I personally will support this bill that is in front of us.

This bill, in my mind, is not only for the franchisees; it is really for both the franchisee and the franchisors. It is imperative that both ends of the agreement be strengthened. This bill amendment, as indicated earlier, is really to require a franchisor to provide a prospective franchisee with an educational document containing specified information. I know we all are aware that the franchisee is really the purchaser or the operator, and, of course, the franchisor is the original vendor or owner or principal who sold the franchise.

There are nine key points raised throughout, and I'd like to just touch on one or two. When you think about it, they really make sense when you see some of these revisions: "Self-evaluation criteria for the prospective franchisee to consider, including ... whether the prospective franchisee has the capital required for investment ... whether the prospective franchisee has the necessary management skills, education and work experience"—remember that word "education."

"Issues for the prospective franchisee to consider in respect of the franchisor and the businesses associated

with the franchise, including”—and they list a number—“the franchisor’s background and how long the franchisor has been offering franchises”—and the list goes on.

I looked very briefly at the Consumers Council of Canada correspondence. They make one significant point, and that is, “Your bill, if passed, would assist all purchasers in understanding their rights and responsibilities when entering into a franchise agreement and improve comparability and competitiveness among franchisors.”

I particularly noticed, a couple of weeks ago, an article in the Toronto Star. It was by one of their excellent writers, James Daw, with the heading, “MPPs Seek Anti-Swindling Law for Franchises.” It’s a wonderful article that mentions several points. Canadian Franchise Association president Lorraine McLachlan questioned why legitimate franchisors would be singled out to educate and inform investors.

Quite frankly, you’re simply adding to the legitimacy of franchisors, and that degree of appreciation would rise. It would reverify that they are the very best in franchising in North America and quite legitimate and great corporate citizens. You just can’t go wrong in doing something like that.

Fifty-one years ago, I started a part-time business as a teenager. I’m getting up there, but I do point out that it was as a teenager. It’s been 51 years of learning something every day. Every day that we learned something, we learned it the hard way because it cost us money. I want to do a small token in this legislation that indicates that those people going forward with franchises will not lose all of the money that we have lost.

I can tell you that, in Ontario, business is strong. If there are more jobs, more corporate tax will then be paid and less personal tax would be paid. It only makes sense. It’s good business. What’s good for Ontario is good for our taxpayers.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Oak Ridges–Markham has up to two minutes for a response.

**Ms. Helena Jaczek:** I’d like to thank the members from Parry Sound–Muskoka, Parkdale–High Park, Mississauga–Streetsville, Newmarket–Aurora, Scarborough–Rouge River, Kitchener–Waterloo and Ajax–Pickering for their comments.

I want to reassure the two members who raised the issue of sufficient notice and consultation that, in fact, the three members who have sponsored this bill held an extensive meeting with a number of stakeholders, including the Canadian Franchise Association, in the spring. We listened to them carefully. In fact, we did somewhat amend our original thoughts—I see the member for Parkdale–High Park nodding—because we were considering perhaps some more stringent conditions.

We feel that what we have done is something that took us a little bit of time to get right. In fact, one of our guests here today, Mr. Stewart, the founder of the Canadian Alliance of Franchise Operators, has stated, “I have carefully reviewed this private member’s bill and really appreciate the significant work that it demonstrates

by your group and other stakeholders. I unreservedly support this bill and look forward to its rapid passage into law.”

Ric Borski, president and CEO of Better Business Bureau of Midwestern and Central Ontario, has also stated, “It is at times like this, in a declining job environment, that unscrupulous entrepreneurs are offering all kinds of high-risk investments and franchise opportunities, luring the unemployed into situations that could cause them to lose their severance pay and life savings.

“Your proposed amendments would certainly force potential franchisees to more carefully navigate these unknown waters, lessening their chance of making a financial mistake that they could regret for the rest of their lives.”

Our bill protects franchisees. It allows franchisors to make their case very clearly to their investors. I would urge all members of this House to support this bill.

**The Acting Speaker (Mr. Jim Wilson):** The time for this ballot item has expired. We will vote on Ms. Jaczek’s ballot item in about 50 minutes.

#### CHILDREN’S LAW REFORM AMENDMENT ACT, 2010

#### LOI DE 2010 MODIFIANT LA LOI PORTANT RÉFORME DU DROIT DE L’ENFANCE

Mr. Craitor moved second reading of the following bill:

Bill 22, An Act to amend the Children’s Law Reform Act / Projet de loi 22, Loi modifiant la Loi portant réforme du droit de l’enfance.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98, the honourable member has 12 minutes for his presentation.

**Mr. Kim Craitor:** It’s always a pleasure to stand in this House with my colleagues. I’ve been blessed with being a provincial member of Parliament for seven years in four different sessions of Parliament. In every session of Parliament, I’ve introduced changes to the Children’s Law Reform Act—in each session. To date, I’m sad to say, I have not been successful other than getting it as far as committee hearings.

My goodness, this bill is really one of the most modest bills that I’ve ever seen put forward, but it’s a bill that has enormous support in terms of grandparents. It’s supported by the Canadian Association of Retired Persons, supported by the CAW, supported by the Chatham-Kent Black Historical Society and supported by Cangrands National Kinship Support. I’m going to mention some people a little bit later who have taken the time to come out today to support the bill.

**1540**

I’ve also received thousands and thousands of petitions, phone calls and emails from grandparents across this country—not just Ontario, but across this country. The House may also remember that I introduced a

number of petitions that were given to me by Alex and Olga Alexander, who really put a lot of time and effort into their support for this bill. In fact, they have sent to most members this package, which is to give you information about how passionate they are about grandparents having rights. This is not a prop; this is grandparents' rights support information.

As I said, twice this bill was successful in getting to second reading. I'm hoping that this time—my goodness, this time—this very simple and basic bill to amend the Children's Law Reform Act will get to third reading and will be passed by this House.

What does the bill do? It's pretty simple. It simply permits grandparents to have the right to access, the right to visitation and the right to custody if they make an application before the courts. What it does is it asks the courts to consider, in custodial cases, if access to grandparents is in the child's or the children's best interests and judge accordingly.

Frankly, this bill—although I say “grandparents,” it's really about children. Far too often, when a marriage breaks down, children and their biological grandparents become, sad to say, pawns in an emotional power game—sometimes, the family of the wife is upset with the husband and suddenly decides the grandparents can't see the children anymore; I can't tell you the thousands of cases I've heard that from—a power game in which children and loving grandparents both lose because they are not allowed at the table of consideration. This is sad; this is really, truly sad.

The Children's Law Reform Act as it stands right now, without this amendment, does respect the rights and interests of all family members, but that's on paper. When you get to court and you're sitting in front of a judge, the reality steps in. Grandparents are constantly told by the courts that they can't assist them—because they can't see their grandchildren, they can't have access to their grandchildren, they can't visit their grandchildren. The law provides rights to grandparents in theory, but in practice that's not the case.

I'm going to illustrate a couple of situations, actual cases.

In one case, the couple's daughter's marriage broke down. Unfortunately, she ended up in a very physically abusive relationship that involved the grandchildren. Prior to this, the grandparents had unlimited access to their grandchildren—a joyous relationship. Concerned about possible physical abuse of the children, they expressed some concerns to the daughter's abusive partner. The daughter decided she would end all contact with the grandparents; they can't see the grandchildren again. In this case, they followed up by going into the courts. What they were granted by the courts: an order of two hours a visit once a month and telephone access once a week—call them up on the phone: “How are you doing?” That was it.

Here, I want to quote you what the judge said. The judge said, “Although you,” as grandparents, “have presented a very good case, and I do agree that you should have much more time with your grandchildren,

unfortunately you're just grandparents.” That's how the judge looked at it: “Unfortunately, with the current legislation, you're just grandparents, so this is the best I can do for you.” That is just absurd. In fact, that's disgraceful. But unfortunately, that's the reality. When grandparents get in front of the courts, they are told they have no jurisdiction, no standing and no case. After all, they're “just grandparents.”

But that's not the way the Children's Law Reform Act reads. It reads in such a way that you have the impression that you have some rights, but that's not what happens when you get to court.

I also want to tell you about another situation, an extremely sad situation in my own riding of Niagara-on-the-Lake. Two people I have come to know and become friends with and love dearly—their daughter was stricken with cancer and she died. For six years the couple provided care and support for their dying daughter and looked after the grandchildren. Shortly after the daughter's death, the former son-in-law entered into a new relationship and took custody, and they decided that the grandparents could never see the grandchildren again. There was no explanation, no logic. I talk to these grandparents quite often, and I can't tell you the tears that they shed and the emotions they're going through.

Seven years ago they were the first grandparents who visited me to make me aware of their plight, and since then many more have come

Many people call this the grandparents' rights bill, and I do, too, all the time. But actually it's wrong in one way, because as I said, this is about grandchildren's rights. The bill is about grandchildren being denied a very important relationship that only grandparents can offer. I know that many of my colleagues are grandparents, so they know exactly what I'm saying. Can you imagine that you can't see your grandchild or grandchildren again—can you imagine that?—after you've had a great relationship with them.

In conclusion, I want to say a couple of other things. This is a quote from another case, a family in Brighton, Ontario: “In the cases of death or divorce ... grandparents should be able to enjoy access to our grandchildren.... As I am getting older I miss out on the joys of being able to talk to her, to watch her grow.

“I ask, why have I been punished? What have I done so wrong to not be able to see my granddaughter anymore?”

What we have is a pretty unique situation. The bill doesn't really change a lot. If you look at the bill, and many people have, it just adds in the word “grandparents” in three separate locations. It says that when the courts are looking at an application for custody, they should consider an application from a grandparent. It actually puts the word “grandparent” in there; it doesn't exist now. When there's an application for visitation, the word “grandparent” is put in there, and when there's an application to access the child, it's put in there. So it is just three words that are put into the Children's Law Reform Act. That's all it does.

I will share with the House that of course I've had people call me who are opposed to this bill—very few. But I understand why they're opposed. I make a point of calling people back, so if you call me from Ottawa, you're going to get a phone call; if you call me from London, you're going to get a phone call. No matter where you're calling me from, if you're calling me about Bill 22, I'm going call you back. So I've become educated in terms of why some people feel strongly that maybe this bill is the wrong bill.

I'm going to say quite clearly in the House that there are certainly some situations where some grandparents should not see the grandchildren. There are some—I've talked to some; I understand that. There's some relationship there that has been very negative. So I reassure these people, when they tell me their personal story of why they don't want the grandparents to see their grandchildren, that this bill does not just give a grandparent an automatic right. What it does do is it tells the courts to look at the application with more significance, but always where it's in the best interest of the child. The child always comes first.

One other sad story I will share with you is about someone I have become very close friends with. Their daughter was killed, murdered, behind a public school. The husband had nothing to do with it, but the husband decided that he did not want to have the children. So these grandparents decided that they were going to raise them, but there's a process they have to go through. So they went into the courts to try to get custody. It took a year and a half, maybe two years—and \$30,000 later—to get custody of their two grandchildren. They didn't have the money, but they found it.

I visit them regularly. The grandchildren are just doing wonderful. The grandparents are in heaven. They're making ends meet. But most importantly, they are in a home with love and caring, with someone who has a relationship with them and wants to be with them.

I'm asking my colleagues in the House to support my bill, and I'm looking forward to the debate by members of all parties and to hearing what their points of view are. Thank you very much.

1550

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

**Mrs. Christine Elliott:** I'm very pleased to rise today to speak, on behalf of the PC caucus, in support of Bill 22. I'd also like to thank the grandparents who are here today and those we have all heard from in our constituencies who are very concerned about maintaining access to their grandchildren, and also from a number of advocacy groups, including Mrs. Alexander, who has sent me her package and who is a tremendous advocate on behalf of grandchildren and grandparents and their right to have contact with each other.

Most of us carry special memories of our grandparents. We remember the unique relationship we formed with them, through a grandparent's unconditional love and abundance of kindness. Their wisdom gained in

different times has often helped to guide all of us successfully into the future.

September 12 was Grandparents Day. Yet despite the important role that grandparents play in most of our lives, I'm sad to say that this day is often overlooked. Grandparents Day is a time to thank or remember our own grandparents and the special role they have played in our lives. It's also a time to acknowledge the grandparents who are the primary caretakers of their grandchildren. According to Statistics Canada's 2006 census, across our country over 200,000 children aged 14 and under shared a home with their grandparents. Of these children, over 65,000 had no other parent present in the home. In Ontario, over 22,000 children live with their grandparents without another parent present. Of these children, close to 9,000 are 14 or younger.

Despite the significant and unique role grandparents around the world play in children's lives, about 75,000 grandparents in Ontario are denied access to their grandchildren, as was so ably pointed out by the member for Niagara Falls. This affects more than 100,000 children in our province. The importance of the grandparent-grandchild relationship has been acknowledged by the PC party for decades. In 1987, former member Terry O'Connor introduced Bill 201, An Act to amend the Children's Law Reform Act, which identified the importance of maintaining the emotional ties between a child and his or her grandparents. Since that time, members of all parties have continued to introduce legislation with a similar purpose. The member for Niagara Falls has continued this tradition, and it's my sincere hope that this bill will finally find itself before a legislative committee so we can deal with it and get it passed.

The purpose of Bill 22 is not unique to Ontario. Provincially, efforts to acknowledge the importance of the grandparent-grandchild relationship and the presumption that contact with a grandchild is in the child's best interests have been incorporated into legislation in Newfoundland, New Brunswick, Alberta, Quebec, British Columbia and Yukon. Bill 22 will move Ontario in the direction of these provinces while still keeping the best interests of the child paramount.

It should be noted also that jurisdiction for child custody and access is shared by the federal and provincial governments. Bill 22 will not change the situation for applications under the federal Divorce Act, which, like the Children's Law Reform Act, does not recognize grandparents specifically. Rather, both pieces of legislation currently permit any other person to apply for custody or access, and applications are assessed on a case-by-case basis in light of the best interests of the child.

I certainly support Bill 22 and look forward to this matter being in committee—I'm being optimistic about this, because this is such an important issue—so that we can hear from community and legal experts, from grandparents and hopefully from grandchildren.

On the issue of the best interests of the child, I would also like to speak briefly about another situation that is

similar, and that is where a child is in the primary care and custody of a grandparent. As I mentioned previously, there are about 22,000 children right now in Ontario who find themselves in that situation. Recently, I had the opportunity to speak with one of my constituents who finds himself in that role and pointed out another issue with our child welfare system that I believe needs to be corrected.

This constituent's grandson has been in his care for about a year and a half. The child is about four years old now, and the grandparents were given primary custody through a court application. Recently, one of the parents has decided to dispute custody and the matter is going before the courts in the next few months.

Now, I point out, before I mention more specifics on this case, that this is not the fault of the children's aid society. The children's aid societies across Ontario are doing a wonderful job with the children in their care, and I'd particularly like to applaud the efforts of the Durham Children's Aid Society. Rather, this is the fault of the legislation which the children aid's societies are simply following.

The situation with this gentleman is this: There are three workers involved with him and his grandchild. One is a kinship worker for the grandparents, one a family case worker for the parents, and the third is a child case worker for the child. These people don't communicate with each other. They're not allowed to. I have to ask myself, how can that possibly be in the best interest of the child for them not to be able to have this discussion? I would certainly point to this as an issue in the area of our child welfare system that needs to be urgently addressed because this gentleman is not the only grandparent who is having to deal with this, and he's primarily concerned about the welfare of his grandchild.

We may be able to learn from some other jurisdictions. There are some programs in the United States that have been introduced to help kinship caregivers find the information and resources they need to support the children of their relatives and to network with each other. These kinship programs recognize that caregivers often experience a number of financial, physical and emotional difficulties as a result of care, including a lack of financial resources, fatigue, personal health problems and a lack of personal time. They support caregivers who may lack the resources and information to help them cope with raising the children of their relatives, usually their grandchildren. Grandparents are eager to do this, but we need to be able to give them the support they need in order to be able to give the best care possible to their grandchildren. In any event, Bill 22 is one positive thing that we can all work on together in order to acknowledge the important and unique role that grandparents play in their grandchildren's lives.

It should be noted, as the member from Niagara Falls noted, that the best interests of the child will continue to be paramount. This is not a *carte blanche* that grandparents have to be involved in every situation where their grandchildren are being considered, but rather it puts it on the list of one of the things that should be considered

when you're talking about the best interests of the child. I think for most families the relationship with the grandparents is very positive and should be encouraged. We should do everything that we can to encourage that.

I'm pleased to support the member from Niagara Falls, and I hope that all members of this Legislature will also support this important bill.

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

**Mr. Joe Dickson:** I'm pleased to rise today in reference to Bill 22 that is before us courtesy of the member from Niagara Falls. I too have a number of concerns. I'm pleased to see this bill coming forward. I'm pleased to see it, hopefully, going ahead today. I can tell you that the bill is to amend the Children's Law Reform Act. It's all about the children. It's not about the grandparents or the parents. It's about all three but, particularly, it is about the children.

I can just give you a couple of sentences from a correspondence from one of the dear grandmothers. Here's a typical example that you will run up against, and I'm sure some of you have heard this yourself. It's very difficult to pronounce because the child is very, very young, but the essence of the quotation is, "Grandma I have to tell you something"—I have to tell you something—"and mom wrey fitying"—the girl drew two stick figures fighting. "Frowd knife at my door. I call 911. I was scare." Obviously this child is very, very young. "The police came thay say lost of qeshdens." What she means there, is they asked a lot of questions. The next sentence is all appropriate: "Can I live with you? Love"—and of course we will withhold the name.

Another one is, quite simply, so and so "is moveing out of my house so you miet visit here."

**1600**

There are a number of statements that go on like that. I have correspondence also from one of the families in my riding that are having issues with their family and having the opportunity to see their grandchildren. They are married 40 years, are in their 60s, have their own family of four, and now they don't have access to see a grandchild. I can tell you, that is devastating to them. They are a wonderful couple. They have raised their family properly. It's just one of those family scenarios that has occurred.

One of the paragraphs that they have passed on to me: "With no grandparents' rights law in Ontario, we have little hope for taking any legal action to the courts. We are powerless to gain access ... without a change in the current legislation. I know and I truly believe that our son will come around in years to come and reconcile with us, but we are not getting any younger.... Who knows how much time we have left? Every day is important in the life of a child with his grandparents. Regrettably, this will become fairly clear to our son when his own son ... starts to grow up, act out, and becomes a teenager. But it will be too late for [his son] and for us."

The member from Whitby-Oshawa mentioned a wonderful family that had sent along some information to

each of us. There are just a couple of quotations in it; I would like to just pass on one or two to you. There is one in particular from someone who was one of my favourite television heroes, a gentleman by the name of Bill Cosby: "What is it about grandparents that is so lovely? I'd like to say that grandparents are God's gift to children. And if they can but see, hear and feel what these people have to give, they can mature at a fast rate." Another quotation is: "Nobody can do for little children what grandparents do. Grandparents sort of sprinkle stardust over the lives of little children."

I think in my own family—I just have to relay to you some personal scenarios. My mother was born an only child. Her parents, as was quite prominent in those days in farm country, married very late. Thank God for mother; she had 10 wonderful children—well, nine, at least, if you don't count me. She did lose one, but there are still nine of us. It was just a joy to be there. It was a joy for my mother in the balance of her life; unfortunately, she passed away seven years ago. It is a joy for my father, who has 15 grandsons, three granddaughters—that's a total of 18—and some 34, as of yesterday, great-grandchildren. It helps keep him young at 93 years of age.

When I look around and count my blessings, my wife and I are very fortunate. We have four grandchildren between the ages of one and seven. They're wonderful. Our children are great. Their spouses are wonderful. We indeed are extremely blessed. We hope we never have the concerns that so many people have for access, visitation or, in extreme scenarios, custody.

Something hit me very close; it just about stopped me in my tracks, two days ago. My wife called to say that our daughter, who is five weeks away from having another baby, was having some heart problems with the baby. They rushed her to the hospital. My wife is a registered nurse. To make a long story short, once I got the first call, I did two things that don't happen as a regular occurrence. First of all, I cried; and secondly, I prayed. Thank God, within a few hours my wife called back and said, "Things are going to be fine," but what we really want here today is things to be fine for all grandparents.

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

**Mr. Michael Prue:** It's a privilege to stand today and debate.

I want to say to my colleague from Niagara Falls that I admire his tenacity. This is the fourth time, I understand, that he has brought forward this same bill. This will be the fourth time—today I am absolutely assured that it will pass.

But what is wrong with this scenario? What is wrong with the scenario of the other two bills that we've debated today? My friend from Trinity-Spadina—his bill has been here three times, and I'm reasonably assured, from the speeches that were made today, that it will pass too. The second bill of today has been before this House before, and I'm reasonably assured, since it's all three

parties—this is a co-sponsored bill—that it's going to pass too. What is wrong with this scenario?

The member from Niagara Falls has come up with a good idea that everyone in this House agrees with. Sure—and he has admitted—there are some circumstances that may make it problematic. He's had some phone calls. It will require, I'll sure, some tinkering at committee. But the problem is, it never gets there.

We in opposition are quite powerless when it comes to doing the right thing. We can vote here today—and we will, I'm sure, at the conclusion of these three bills—to send it to committee. It will go off to committee and it will likely die there, the same that happened to the member from Niagara Falls three times before, the same that happened to the member from Trinity-Spadina twice before, the same that happened with the Wishart bill on a couple of occasions. We need to do something in this House so that good ideas do not die like this. We need to have some kind of mechanism so that it is not up to the government of the day, and the government of the day alone, to decide which bills go forward and which bills do not.

This is a hugely emotive issue for grandparents and for all of us. It is a good bill.

I know that in the House of Commons in Ottawa, because they are blessed with minority government after minority government, that private members' bills actually mean something. They actually proceed. They don't all pass. There was a historic vote yesterday on dismantling the gun registry that didn't pass by two votes, 153 to 151, but it went through the entire process to get there. In a minority government, parties can negotiate, the bills can be brought forward, they have a life, they can be brought and debated in the House, they go to third reading, and they actually can become law. This is difficult in a government with a strong majority position, because all the votes rest on one side.

I don't know whether anything can be done with this bill, but I am saying to my colleagues opposite in the Liberal Party that our colleague from Niagara Falls deserves to have this bill go somewhere. He deserves, and the grandparents in Ontario and the people and the children in Ontario deserve, to have this bill go somewhere and to have something done with it. Families don't need to have this go in limbo again. They don't need the emotional turmoil of having it debated again and again and again and seeing that nothing happens.

So, at the conclusion of this, if you agree with the member from Niagara Falls—and I do—vote for it, but don't vote for it unless you want something to happen to it. Don't vote for it just because you say, "Okay, here's another one. We'll forget about this tomorrow." If you're going to do that, vote no. Have the courage of your convictions. Vote yes if you want it to proceed to committee, and then go to caucus and make sure that it does. I can't go to that caucus, but you can. And I will tell you, if it comes to our caucus, this would be a kind of bill that I think should proceed.

On the merits of the bill, Madam Speaker—it's good to see you in the chair—I have to state at the outset that I

am not a parent. My wife and I have been married for 35 years, but we have no children. And by extension, because I have no children, I have no grandchildren and I have no great-grandchildren. That goes without saying. But I do know the love that grandparents have for their children. I know what extended families often look to in terms of love and support for their children, sometimes their nieces and nephews, their grand-nieces, grand-nephews, what extended families used to mean and, in fact, in many places still do.

**1610**

I remember, when I was a boy, the love my grandparents showed to me, to my two brothers, to all my extended cousins. I know how pivotal they were to our relationship and how they cared. I know that when my mother was forced to go out to work for a while—my father worked; my mother was forced to go out for a while—it was my grandmother who looked after me. It was my grandmother to whom I went after school and at lunchtime.

It is inconceivable to me that that relationship would not be allowed, so I want to support this and try to put myself in the position of the people who are here today, the people who are supporting this bill. They love; they deserve to be able to show that love. They deserve to be able to be with their grandchildren.

I know that other provinces have dealt with this. They've done it successfully, and it causes no umbrage, no grievance, no problem, as far as I am aware. The Quebec Civil Code has the strongest language, and section 611 states, "In no case may the father or mother, without a grave reason, interfere with personal relations between the child and his" or her "grandparents."

That's the law in Quebec.

**Mr. Rosario Marchese:** It's quite strong and clear.

**Mr. Michael Prue:** It's pretty strong; stronger than this bill. And that's the law.

You have to show cause why these grandparents cannot see their grandchildren. It is a matter of right for them to see them, even if there's a divorce, a messy divorce, a family break-up, feuding between spouses. It's their right unless someone can show cause.

We look at what's happening in Manitoba on our other border: pretty simple stuff. In 2006, Manitoba initiated a provincial strategy called Grand Relations so that grandparents and extended family members would have better options and more help to resolve access and guardianship disputes. For four years, Manitoba has done the right thing.

To be clear, the Manitoba law, number one, provides for a grandparent adviser so somebody is there to advise grandparents what to do when situations get a little sticky in the courts or in mediation. The second thing it does is it provides a new, leading-edge alternative to court: programs such as piloting First Choice, a new dispute resolution service; For the Sake of the Children, an education program for families; and an aboriginal model of dispute resolution such as a healing circles and out-of-court settlements for First Nations. Manitoba does other things. It strengthens the legislation so that courts must,

by law, consider grandparents in the family equation. The fourth thing it does is it creates a Manitoba-wide education campaign around this issue so that everybody knows that grandparents have rights and that those rights need to be respected, save and except in those rare circumstances where they cannot be. Last but not least, in Manitoba they created a grandparent fostering outreach program to assist as well.

This bill is a small step. It puzzles me with all my heart why we're debating this for a fourth time. If anyone on the government side can tell me why the member from Niagara Falls has not been able to convince your caucus to put this bill forward or, if they have a better alternative, to come up with a government—I'm sure he'd be happy with a government bill. He'd probably be ecstatic with a government bill, if there are brighter minds among you who can come up with something better.

**Mr. Rosario Marchese:** And the opposition parties agree.

**Mr. Michael Prue:** And we agree.

If there was a bill in this House put forward by the government that was in any way the same as this, I'm sure it would pass first, second and third reading in a few weeks—I'm sure. No one is going to fight this; no one's going to say it's wrong.

I do understand—and I need to spend a minute or two on those who are critical of the bill or who have some concerns. I know that the Ontario Women's Justice Network gave some information that was shared by my colleague from Parkdale–High Park the last time this bill was debated. They gave an example—something I think we need to be careful of—of how a mother leaving an abusive partner will want to ensure that her children's safety is protected. That's normal; that's natural. She may wish to limit access by the paternal grandparents because of concerns that the grandparents will not protect the child from their father or may cause some other difficulties.

I understand that, but I think this is the exception; this is not the rule. This is something where you go to court and say, "I don't want access," or "We don't want access for this reason," and the court will look at that and determine whether that makes sense. But in all other cases where the court rules that there is no harm to the child, then the ordinary thing that should happen, that has happened around this world forever—ever since there were families, there were siblings, grandparents, extended families and whole villages who helped to bring up a child. We need to get back to that, and these grandparents need to be part of that same equation that has existed for tens of thousands of years. To stand in the way is morally wrong.

To the member from Niagara Falls: Go with this. Fight with this. Make your caucus understand. Take it to committee, and maybe, before this Parliament is finished, we'll do the right thing.

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

**Mr. Frank Klees:** In the few minutes that I have, I want to commend our colleague from Niagara Falls for bringing this bill forward yet again, as has already been said. I commend him for his persistence for this cause. I also want to thank the many grandparents from across the province who engaged in probably the most effective lobby that I have ever experienced since I've been a member of this Legislature.

I get many letters, many emails, many phone calls. When I got that package with all those ribbons—and as intricate as it was, first of all, I thought it might be an intelligence test for me, to see if I could get into the package. I must admit, I had some problems with one or two of them. But as I worked my way through that package, I realized that in my case, what Mrs. Alexander was trying to communicate to me was, first of all, how passionately she and her husband felt and feel about the importance of having a relationship with their grandchildren, and the work to which they were willing to go to communicate that to us and hopefully elevate the message to a different level.

One of the reasons I'm such a well-adjusted person is because of my Oma, who I had the blessing of living with from the time that I was a child until I was 10 years old, when she passed on. As in many European families, she lived with us. She was essentially a caregiver to me, day in and day out. If there was one single influence in my life, it was her. She created and was for me a constant, always there. You talk about unconditional love; there isn't any place where that can come from more so than the heart of a grandparent.

So I say to our honourable colleague that what he is doing by bringing this legislation forward is more for children than it is for grandparents because, ultimately, they are the ones who will benefit from having that relationship. I say to the Premier of this province: Please listen to your member, because as my colleague from Beaches–East York said, we will pass this; we can pass this. Whether it becomes law is up to the Premier. It is up to the Premier to say to his caucus and his cabinet, "This is the right thing to do."

**1620**

So as a next step in your lobby, I say to the grandparents across the province, put your focus on the Premier. The member from Niagara Falls has done his job. The members in here will have done their work. It is the Premier who, at the end of the day, will have the final say as to whether this becomes law, and it is in his hands.

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

**Mr. Kevin Daniel Flynn:** It is a pleasure to join the debate today. Certainly I commend the member from Niagara Falls for bringing forward this bill. As has been said by other members of the House, this isn't the first time that it has come forward. We all sort of live in hope that this is the last time it needs to come forward and that perhaps it moves on to the committee stage and eventually becomes law.

I think we draw on our own personal experiences when we bring our advice and our comments to the

Legislature when it comes to pieces of legislation such as Bill 22. One of the voids in my life is that I only ever knew really one of my grandparents, and she died when I was very, very young. Two of my grandparents were killed in the blitz during the Second World War—I never knew them. Despite constant hints and urging from my wife, my son hasn't decided to make me a grandfather yet, so I'm still ready to experience that stage of my life. It's a bit of a mystery to me. But when I talk to people now around my age who are starting to become grandparents, people tell me it's a wonderful thing. I think this is doing something that is just going to enrich that experience, and I commend the member.

We used to be of the opinion, certainly in the 1960s and the 1970s when we started to see perhaps the break-up of the nuclear family in a lot of ways—there used to be a saying that children will bounce back. They're resilient. Don't worry about them; they'll bounce back. That turned out to be not very true. It turned out to be more, I think, for the convenience of the adults who may be parting ways to make them feel better that the children were going to bounce back. Often, they didn't bounce back very well. Often, it had an impact on them that went undiagnosed and unrecognized.

Anything we can do to assist children in a time of need, such as what's being proposed here by the member from Niagara Falls—it's something that is obviously in children's best interests and something that, I think, when you look at the different cultures around the world and certainly, when we look at our country—there are a number of cultures that are represented; not all the cultures in the world are represented—somewhere in our society, grandparents always have a special place.

There's always a certain elevated position that is given to grandparents in any society because of the role they play. Quite often it's because of the experience they've had. Quite often it's because of the numbers of years they've lived. Quite often it's because of the wisdom they bring to the family. I think that anything we can do to elevate the rights of grandparents in our society while, at the same time, elevating the rights of children to the best upbringing we can possibly provide them during times, perhaps, of trouble, is something that this House should take very, very seriously.

The member himself is showing resilience, bouncing back and bringing the bill forward to the House. I would hope that it would receive the support of all members present here today. I hope you will give the member the opportunity to take it forward and make some of the changes that I think are just going to make the fabric of our society so much stronger. It will make those young people today who perhaps don't have access to their grandparents—and obviously there are some circumstances where that access perhaps shouldn't take place, but in the vast majority of cases where access should take place and would be a positive thing for the child, this is going to enable our legal system to deal with that in a much more formal way.

It's going to elevate the status of our grandparents. It's going to give people in our society who want to con-

tribute to the upbringing and raising of our children in a positive way more opportunities to do that.

Despite some of the other opinions that have been expressed, I can't for the life of me see how, in the vast majority of cases where this comes into play, that is not going to be a positive thing for Ontario and Ontario's children.

As I said, I really want to commend the member for his tenacity. I want to thank the grandparents for showing up once again, to hear the debate once again.

There are a lot of sayings you could bring to bear on this: The squeaky wheel gets the grease; water dripping on a rock eventually wears through. I think it's one of those issues whose time has come. I think people are starting to recognize that. I think there will be overwhelming popular support to see this bill actually become law.

I certainly will be supporting it. I commend it to the other members of the House. At the same time, I want to express my admiration for the member from Niagara Falls for sticking to his guns and bringing this forward once again.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Niagara Falls has up to two minutes for his response.

**Mr. Kim Craiton:** First I want to certainly thank my colleagues from Oakville, Ajax-Pickering, Whitby-Oshawa, Newmarket-Aurora and Beaches-East York for their kind, wonderful and caring comments—extremely touching.

It's interesting: I think this is the time in Parliament that I love the best—private members' time—because we actually talk from our hearts and don't let politics get in the way. I thank the members for that.

This chamber, I'm going to tell you, could easily have been filled today; there's no question. I think of all the people I talked to who wanted to come down to Queen's Park and wanted to be here. I said to them, "You know, it's a long drive; it's a long trip to come in. Watch it on TV. We know we have your support." I thank all those people who are watching.

I want to recognize my wife, Helen, who is one of the strongest supporters of this bill: Helen, thank you very much for your support.

I want to recognize some of the people who are here today. I'd like to start with someone I've known from the beginning of this, and that is Betty Cornelius. Betty is the founder of Cangrands National Kinship Support, and we have talked thousands of times. Thank you very much for coming down.

I also want to thank Darlene Hachey, who came from Windsor today. Darlene is with the CAW Local 444. As well, Brian Jacques, with Local 127—Brian and I talked many times, including at 1 or 2 or 3 in the morning; I remember those conversations. Thank you. And I'm not sure: Did Aaron get down with you? Aaron is president of CAW Local 127. I want to thank the CAW.

Just give me a couple of extra minutes; I know my time is going to expire.

I want to also thank Audrey Meikle and William Meikle, who are both grandparents, and Erma Emily Hoy, who is a great-great-grandparent. Thank you. And two last people—Mr. Speaker, thank you for your indulgence: Steve Watt and Phyllis Hoy.

Thank you, all of you, and thank you to all the grandparents for their support.

Thank you, Mr. Speaker.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has now expired.

#### CONDOMINIUM OWNERS PROTECTION ACT, 2010

#### LOI DE 2010 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

**The Acting Speaker (Mr. Jim Wilson):** We will first deal with ballot item number 31, standing in the name of Mr. Marchese.

Mr. Marchese has moved second reading of Bill 79, An Act to amend various Acts with respect to condominiums.

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

*Second reading agreed to.*

**Mr. Rosario Marchese:** I'd like to refer it to the Standing Committee on Regulations and Private Bills, please.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that it be referred to committee? So ordered.

#### ARTHUR WISHART AMENDMENT ACT (FRANCHISE DISCLOSURE), 2010

#### LOI DE 2010 MODIFIANT LA LOI ARTHUR WISHART SUR LA DIVULGATION RELATIVE AUX FRANCHISES

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 32.

Ms. Jaczek has moved second reading of Bill 102, An Act to amend the Arthur Wishart Act (Franchise Disclosure), 2000.

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

*Second reading agreed to.*

**Ms. Helena Jaczek:** I'd like to refer this bill to the Standing Committee on Finance and Economic Affairs.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? So ordered.

CHILDREN'S LAW REFORM  
AMENDMENT ACT, 2010  
LOI DE 2010 MODIFIANT  
LA LOI PORTANT RÉFORME  
DU DROIT DE L'ENFANCE

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 33.

Mr. Craitor has moved second reading of Bill 22, An Act to amend the Children's Law Reform Act.

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

*Second reading agreed to.*

**Mr. Kim Craitor:** I move that the bill be referred to the Standing Committee on Social Policy and be passed within two weeks.

*Laughter.*

**The Acting Speaker (Mr. Jim Wilson):** I'm not sure I can order all of that, but it will be referred to committee.

All matters relating to private members' public business having been completed, I do now call orders of the day. Minister without portfolio.

**Hon. Gerry Phillips:** Mr. Speaker, I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Phillips has moved adjournment of the House. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

This House stands adjourned until next Monday at 10:30—

**Mr. Kim Craitor:** Mr. Speaker, on a point of order.

**The Acting Speaker (Mr. Jim Wilson):** Oh, I'm sorry. A point of order.

**Mr. Kim Craitor:** If I could just clarify, I threw in a couple of comments, and I just want to make sure that I didn't throw you off track. Did we take a vote on my bill to have it referred to standing committee? Did we pass it?

**The Acting Speaker (Mr. Jim Wilson):** Yes, it was passed. It was ordered.

This House stands adjourned until next Monday at 10:30 a.m.

*The House adjourned at 1631.*

**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

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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	
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<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
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Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Energy / Ministre de l'Énergie

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<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) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiles et de l'Immigration
Hoy, Pat (LIB) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
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McMeekin, Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
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<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
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Qaadri, Shafiq (LIB) Ramal, Khalil (LIB) Ramsay, David (LIB) Rinaldi, Lou (LIB) Ruprecht, Tony (LIB) Sandals, Liz (LIB) Savoline, Joyce (PC) Sergio, Mario (LIB) Shurman, Peter (PC) <b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Etobicoke North / Etobicoke-Nord London–Fanshawe Timiskaming–Cochrane Northumberland–Quinte West Davenport Guelph Burlington York West / York-Ouest Thornhill Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
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Sylvia Jones, Amrit Mangat  
Norm Miller, Yasir Naqvi  
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la politique sociale**

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Vic Dhillon, Cheri DiNovo  
Rick Johnson, Sylvia Jones  
Jean-Marc Lalonde, Ted McMeekin  
Shafiq Qaadri, Khalil Ramal  
Elizabeth Witmer  
Committee Clerk / Greffière: Susan Sourial

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